



26 February 2020

To: F.G. MURPHY
PSE KINSALE ENERGY LIMITED
Mahon Industrial Estate
Cork
Ireland
T12 PW92

Kinsale Head Plan of Development

- 1. Application for approval of an addendum to Plan of Development in accordance with Section 13 and 13A of the Petroleum and Other Minerals Development Act 1960, as amended (“POMDA”) to decommission certain facilities; and**
- 2. Application for consent under Section 5(2) of the Continental Shelf Act 1968, as amended, to alter and remove certain facilities from a designated area.**

Dear Mr Murphy,

I refer to the abovementioned application dated 8 August 2019 seeking the Minister of State at the Department of Rural and Community Development and Department of Communications, Climate Action and Environment’s (the “Minister”) consent to undertake the scope of work detailed therein (the “Relevant Works”) to decommission certain facilities in the Kinsale Head Gas Fields (the “Kinsale Gas Area”). Capitalised terms used in this letter are based on the submission to the Minister for the application appended to this letter.

I wish to inform you that the Minister having considered the following matters in respect of the Relevant Works:

- a. the submission appended to this letter including the TABs attached to it;
- b. the content of the EIAR and the further information provided and having determined that it adequately identifies, describes and assesses the direct and indirect effects of the Relevant Works;
- c. the content of the AA Screening Report accompanying the application, the separate submission to the Minister on the AA Screening Report and the Annex IV species



assessment and the separate AA determination of the Minister dated 13 February 2020;

- d. the reports prepared by technical consultants, RPS Consultants and Selgovia;
- e. and having regard to the following matters:
 - i. the nature, scale, extent and location of the Relevant Works;
 - ii. the particulars submitted with the application seeking approval for the Relevant Works;
 - iii. the additional material submitted in response to the request for further information; and
 - iv. the submissions and observations made in relation to the effects on the environment of the Decommissioning Plan including those made by other consent authorities, statutory consultees and members of the public.

determined on 24 February 2020 that he is satisfied:

- a. that the application is in line with OSPAR Convention Decision 98/3 which states "*the dumping, and the leaving wholly or partly in place, of disused offshore installations within the maritime area is prohibited*";
- b. with the Decommissioning Plan submitted in accordance with the Lease granted under Section 13 of the POMDA;
- c. for the applicant to alter and remove certain facilities pursuant to Section 5(2) of the Continental Shelf Act 1968 from the area designated pursuant to Section 2 of S.I. No. 92/1993 - Continental Shelf (Designated Areas) Order, 1993;
- d. having carried out an EIA in relation to the Relevant Works, alone and in combination with other developments, he agrees with the conclusion of RPS Consultants that, subject to the implementation of the mitigation measures proposed, as set out in the EIAR and the draft EMP, and subject to compliance with the conditions set out below, the Relevant Works will not result in significant adverse effects on the environment;
- e. that it can be excluded on the basis of objective scientific information, following screening under the European Communities (Birds and Natural Habitats) Regulations, SI No. 477 of 2011 (as amended), that the Decommissioning Plan, individually or in combination with other plans or projects, will have a significant effect on a European site having regard, *inter alia*, to the European Union (Environmental Impact Assessment and Habitats) Regulations 2011 (SI No. 473 of 2011) and the European Communities (Birds and Natural Habitats) Regulations 2011 (as amended) (SI 477/2011);
- f. that the assessment for Annex IV Species is of an acceptable standard such that he can be satisfied that there would be no significant adverse effects on Annex IV species;



- g. that the Lessee will restore the surface of the land in accordance with good oil field practice in accordance with Article XIX of the Parent Agreement;
- h. that the application and plans include all information and documents necessary to constitute a full explanation of the programme and its technical details to enable an informed judgement on the programme, in accordance with Clause III (6) (c) of the Lease;
- i. that the Lessee shall execute all operations in or in connection with the Leasehold Area in a proper and work-manlike manner in accordance with methods and practice customarily used in good oilfield practice in accordance with Clause (7) (a) of the Lease; and,
- j. to accept and adopt the content and conclusions of the reports prepared by technical consultants, RPS Consultants and Selgovia.

Being satisfied regarding the matters outlined above, and having consulted with and received the consent of the Minister for Transport, Tourism and Sport in respect of safety of navigation, I am directed by the Minister to convey his consent to:

- (i) The 'Kinsale Head Decommissioning Plan – Kinsale Head Petroleum Lease (OPL1)- Consent Application No. 2' an addendum proposed by KEL to the Kinsale Head Plan of Development, pursuant to the Lease granted under Section 13 of the POMDA which covers the decommissioning of certain facilities in the Kinsale Gas Area; and
- (ii) That KEL may alter and remove facilities from the area designated pursuant to Section 2 of S.I. No. 92/1993 - Continental Shelf (Designated Areas) Order, 1993, pursuant to Section 5(2) of the Continental Shelf Act 1968, as amended.

Please note that this consent is conditional upon:

1. A detailed Environmental Management Plan (EMP) for the Relevant Works is to be prepared by the contractor(s) based on the draft EMP, which will be provided to DCCAIE for approval by the Minister in advance of any works on site;
2. The Applicant (KEL) shall cut all platform legs 'below the seabed' in order to comply with OSPAR Decision 98/3;
3. The services of a suitably qualified and suitably experienced maritime archaeologist shall be engaged to monitor all subsea Relevant Works for identified wreck sites that are less than 300m to proposed decommissioning infrastructure. The archaeologist shall be licensed by the Department of Culture, Heritage and the Gaeltacht. The Applicant shall engage with the archaeologist by providing specifications in advance of the proposed Relevant, to allow the archaeologist to determine any mitigation strategies that may need



to be put in place to protect identified shipwreck remains. The applicant shall follow the advice of the consultant archaeologist in this regard. Provision shall be made to accommodate the monitoring archaeologist on board the decommissioning vessels to enable them to successfully carry out their work;

4. A detailed Resource and Waste Management Plan (RWMP) for Relevant Works is to be prepared by the selected contractor(s) based on the draft RWMP will be provided to DCCAIE and approval by the Minister in advance of any works on site;
5. The Relevant Works should be completed no later than 4 years after cessation of operations;
6. An initial decommissioning cost estimate should be provided to the Minister prior to commencement of Relevant Works. Subsequent to this, a monthly report should be provided to the Minister including costs, which should be clearly separated from those from the petroleum lease for the Seven Heads Gas Field;
7. The Decommissioning Close-Out report proposed by KEL should also explicitly include an decommissioning operations report with a verification report on decommissioning operations;
8. Verification reports should be prepared by an independent party acceptable to the Minister;
9. That the Applicant (KEL) facilitate any authorised officer appointed by the Minister in accordance with Section 1.10 of the Rules and Procedures Manual in order to exercise functions in accordance with Sections 49 and 50 of the Licensing Terms for Offshore Oil and Gas Exploration and Development¹;
10. All operations shall be conducted in accordance with the Department's Rules and Procedures.
11. Before the Relevant Works commence, the applicant should provide a draft Marine Notice(s) to the Minister for TTAS highlighting the nature of the work involved and the approximate length of time the works will last;
12. That all Relevant Works set out in the Decommissioning Plan are carried out in accordance with this consent and that a subsequent request for consent is submitted by KEL to the Minister for the Remaining Works in the area leased under the petroleum lease for the Kinsale Gas Area and that the works required under such subsequent consent be carried out in accordance with oil field

¹ [Licensing Terms for Offshore Oil and Gas Exploration and Development](#)



practices as used by a prudent operator when working under conditions where modern conservation regulations prevail and any subsequent conditions that may reasonably be included by the Minister in the subsequent Minister's consent.

In accordance with Sections 13A (8) and 13A (8A) of the POMDA, the public must be informed of this decision and it will be published on the Department's website, DHPLG's portal, a national newspaper and in Iris Oifigiúil. A letter informing Prescribed Bodies of the decision will also be sent.

Yours sincerely,

A handwritten signature in black ink, which appears to read 'Martina Hennessy', is written over a horizontal line. The signature is fluid and cursive.

Martina Hennessy

Principal Officer

Petroleum Affairs Division – Policy and Regulation

Department of Communications, Climate Action and Environment

Attachment – submission to Minister Kinsale Decommissioning – Consent Application No.

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