



13 September 2019

Kinsale Head

Petroleum Affairs Division Policy and Regulation,
Department of Communications, Climate Action & Environment,
29-31 Adelaide Road,
Dublin, D02 X285

Via Email: padadmin@dcca.gov.ie

Proposed removal of the Kinsale Alpha and Kinsale Bravo platform sub-structures (jackets) and all associated works, at offshore petroleum licensing Blocks 48/20 and 49/16 about 40km from the Cork coastline

A Chara,

The Department refers to the notification of 8 August, 2019 regarding the above consent application lodged with the Department of Communications, Climate Action & Environment, by PSE Kinsale Energy Ltd. Outlined below are the archaeological observations of the National Monuments Service (NMS) and the nature conservation recommendations of the National Parks & Wildlife Service (NPWS), both of which fall under the responsibility of the Department of Culture, Heritage & the Gaeltacht.

Nature Conservation

It is noted that both addendum documents (AA Screening Report addendum and EIAR Addendum) for the decommissioning of the Kinsale Alpha and Kinsale Bravo platform sub-structures and all associated works have been reviewed. The NPWS are satisfied that the Kinsale Area Decommissioning Project (KADP) is unlikely to introduce or incur a significant negative impact on Natura 2000 site designated for Annex II marine mammal species, Roaringwater Bay and Islands SAC (>70km distant). It is also their view that the likelihood of a significant effect on populations of Annex IV cetacean species, arising from the proposed works and activities as documented, can be reasonably discounted. Attention to be drawn to this Department's published "Guidance to Manage the Risk to Marine Mammals from Man-Made Sound Sources in Irish Waters" (2014) which may be of relevance to noise producing activities.

Archaeology

Having considered the further information as submitted in the Cultural Heritage Section for the landward section of proposed decommissioning works at Inch and previous UAIA results, the following are the recommendations of the Underwater Archaeology Unit of NMS:

- **Inch facility:** It is noted that there is no recorded cultural heritage in the immediate footprint of the facilities at Inch but also noted that the wider landscape is one of archaeological potential, with sites represented from the prehistoric through to modern historic times. There is therefore a potential, if works are due to impact greenfield sites, that previously unrecorded archaeology could be impacted by either decommissioning works or landfill works.
- It was previously noted that a number of shipwrecks are located in close proximity to either the well heads or pipelines. In particular the important remains of the German submarine *UC-42* is just 30m from the export pipeline and similarly wreck *W11077* is



charted just 30m east of the pipeline. The *UC-42* is afforded statutory protection under the National Monuments Acts (Amended) 1987, as are all wrecks over 100-years old. It is also noted that the ADCO UAIA consulted the National Monuments Service Wreck Viewer, which is accessible online and denotes the locations of known wreck sites. The UAIA does not take into account the potential for previously unidentified shipwrecks or wreck remains to be located in close proximity to offshore oil and gas infrastructure.

Taking into account the Cultural Heritage findings, there are no objections to the decommissioning works proceeding once the following are included as conditions in any Permit granted:

- The services of a suitably qualified and suitably experienced maritime archaeologist is engaged to undertake agreed monitoring of the decommissioning works on the foreshore or at sea for works that are less than 300m from known wreck sites.
- Ground disturbance in greenfield sites for the Inch decommissioning works, including for landfill purposes, shall be subject to agreed archaeological monitoring.
- The applicant shall engage with the archaeologist by providing specifications in advance of the proposed decommissioning works, to allow the archaeologist to determine any mitigation strategies that may need to be put in place to protect identified shipwreck remains. In particular, and if relevant, the wrecks, including the *UC-42*, that are in closest proximity to the decommissioning works (including any impacts from plant and machinery), shall have an exclusion zone imposed to ensure there is no impacts on the known location of the wreck. The applicant shall be prepared to be advised by 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.
- The monitoring archaeologist shall have the power to have works suspended in a particular location or for a particular element of the decommissioning programme, should known or previously unknown cultural heritage, including underwater cultural heritage, be identified or impacted. The Underwater Archaeology Unit shall be contacted immediately in this event.
- The archaeological monitoring shall be licensed by the Department of Culture, Heritage and the Gaeltacht and a detailed method statement containing the monitoring strategy shall accompany the licence application.
- As with previous requirements, the nature and extent of the foreshore decommissioning works are not clear. If there is to be impact along the nearshore and foreshore, then this should be subject to archaeological monitoring, and the methodology shall include details of this. The level and scale of archaeological monitoring for all elements of works can be determined once the scope of the works is clarified in the submitted methodology. The consultant archaeologist can address this in their method statement.

Upon completion of the archaeological monitoring, a detailed monitoring report shall be forwarded to the National Monuments Services' Underwater Archaeology Unit.

Any further documentation associated with the above can be referred electronically to the DAU at the following address: manager.dau@chq.gov.ie.

Is mise le meas,

Michael Murphy,
Development Applications Unit
Tel: (053) 911 7516

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An Coimisiún
um Rialáil Fóntas
Commission for
Regulation of Utilities

The Grain House
The Exchange
Belgard Square North
Tallaght, Dublin 24
D24 FXW0

T +353 1 4000 800
F +353 1 4000 850
E info@cru.ie
www.cru.ie

11 September 2019

The Minister,
Petroleum Affairs Division,
Department of Communications, Climate Action & Environment,
29-31 Adelaide Road,
D02X285,
Ireland

RE: Decommissioning of certain facilities within the Kinsale Head Petroleum Lease area

Dear Minister,

The Commission for Regulation of Utilities (CRU) note that PSE Kinsale Energy Limited have submitted an application to the Department of Communications, Climate Action and Environment (DCCAE) regarding decommissioning of certain facilities within the Kinsale Head Petroleum Lease area. This application covers the removal of the Kinsale Alpha and Kinsale Bravo platform sub-structures (jackets) and all associated works.

The CRU is the safety regulator for upstream petroleum exploration and extraction activities in Ireland. In order for petroleum undertakings, operators and owners to carry out a designated petroleum activity the petroleum undertaking must first receive a safety permit from the CRU.

In accordance with the *Electricity Regulation Act 1999* as amended by each of the *Petroleum (Exploration and Extraction) Safety Act 2010* and the *Petroleum (Exploration and Extraction) Safety Act 2015*, PSE Kinsale Energy Limited require a safety permit from the CRU for decommissioning activities.

PSE Kinsale Energy Limited have submitted a Decommissioning Safety Case and accompanying Decommissioning Safety Permit application to the CRU for assessment. In accordance with *S.I. No. 89 of 2013 - Petroleum Safety (Designation of Certain Classes of Petroleum Activity) Regulations 2013* decommissioning of petroleum infrastructure is until such time as:

- a. in respect of a well, the well is abandoned; and
- b. in respect of petroleum infrastructure other than a well, any apparatus designed to contain or convey petroleum that comprises or forms part of such petroleum infrastructure is free of hydrocarbon.

It should be noted that the activities covered in the application to your Department, i.e. removal of the platform jackets, will not be subject to regulation by the CRU. The safety case(s) as referenced in Section 6.4.2 of the *Decommissioning Plan - Kinsale Head Petroleum Lease (OPL 1) Consent Application No.2*, are not relevant to the activity covered under this application.



An Coimisiún
um Rialáil Fóntas
Commission for
Regulation of Utilities

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D24 PXW0

T 1353 1 4000 800
F +353 1 4000 850
E info@cru.ie
www.cru.ie

In summary, the activities covered by the application to your Department are out with the statutory remit of the CRU.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ann McGarry', is written over a horizontal line.

Ann McGarry

Director of Energy Safety

For and on behalf of the Commission for Regulation of Utilities