1 INTRODUCTION

This chapter of this environmental impact statement (EIS) introduces the proposed development and documents the procedure that was followed in preparing this EIS.

1.1 The Applicant

The applicant for the planning application is Fingleton White (FW), applying on behalf of the developer - Independent Pipeline Company Ltd whose main shareholders are Fingleton White and Reynolds Logistics.

FW is an engineering company with a record of management, design and construction of petroleum oil and gas infrastructure. The company was formed in 1981 and since then has been involved in many significant projects in the energy sector, in particular power generation. FW was the first company to sell CHP electricity in Ireland and the first licensee of the Commission for Energy Regulation.

FW has been involved in the design, construction and operation of a range of infrastructural projects, e.g. a 16,000 Mega Watt (MW) gas station, hydroelectric stations, combined heat and power plants (CHP), water, oil and gas pipelines, refrigeration systems, boiler houses, district heating and broadband communication networks.

Reynolds Logistics is the largest road distribution company for oil products in Ireland. They currently transport by tanker 60% of the aviation fuel from Dublin Port to Dublin Airport. Their management service covers the entire fuel supply chain including warehousing, packed distribution, tank farm operations, interplant operations and customer deliveries. Reynolds Logistics holds the ISO 14001 environmental standard from the National Standards Authority of Ireland (NSAI).

FW has designed, constructed, commissioned and provided operational services on several significant installations involving pipelines including:

- 14 No. CHP stations each involving approximately 5 km of high pressure pipelines ranging in size up to 500 mm and pressure up to 100 bar
- 15 No. hydroelectric power stations with the longest pipeline 1.5 km in length, 500 mm diameter operating at 20 bar
- 600 mm diameter natural gas pipeline from Belfast to Derry: total length 120 km
- 600 mm diameter natural gas pipeline from Curraleigh West to Midleton: total length 47 km
- 600 mm diameter gas pipeline from Lockerley to Marchwood UK: total length 20 km
- 300 mm diameter natural gas pipeline from Cork to Ballineen: total length 65 km
- Design and construction of gas pressure reduction and metering stations: 160 No.
- Vapour Recovery Installations for oil terminals in Dublin, Cork and Galway.

1.2 The Development in Summary

The 14.4 km proposed pipeline will transport aviation fuel from Dublin Port to Dublin Airport as indicated on Figure 1.1. In summary the route is as follows:

- Dublin Port
- Bond Drive
- Tolka Quay Road
- East Wall Road
- Tolka River crossing
- Alfie Byrne Road
- Clontarf Road, Howth Road
- Copeland Avenue, Malahide Road (R107)
- Malahide Road (R139)
- Clonshaugh Road North
- AUL/FAI Sports Grounds
- M1 Crossing
- DAA Long Term Car Park(Red)
- Eastlands Car Hire Compound
- ALSAA Sports Complex
- Swords Road

- Corballis Road
- Dublin Airport.

The proposed route traverses two local authority functional areas – namely Dublin City Council (DCC) and Fingal County Council (FCC). Consequently two planning applications will be made simultaneously to each planning authority. Each application will be accompanied by a Planning Report, Safety and Environmental Impact Evaluation Report, Design Basis Report, Route Selection Report, Construction Plan, Traffic Management Plan, Outline Emergency Response Plan, Environmental Impact Statement (EIS) and a Natura Impact Statement (NIS).

This type of development is not a new concept and is in operation in UK and European cities including Heathrow, Gatwick, Birmingham, Manchester, Amsterdam, Frankfurt, Brussels, Zurich and Luxembourg. Some of these pipelines have been in operation since the 1950s. The major oil companies currently operating in Ireland use these UK and European pipelines. Pipelines are used in these instances as a transport mode, to ensure that the fuel supply chain is both safe and flexible.

The inlet and reception stations are existing facilities which will be modified to accommodate the proposed pipeline. The pipeline will be located predominantly within the road carriageway along its route. A short section of pipeline will be located along the Athletic Union League- Football Association of Ireland (AUL- FAI) Sports Complex at Clonshaugh. There will also be seven crossing points of watercourses including the Tolka, Santry, Mayne, Wad and Naniken Rivers and the Cuckoo and Kilbarrack Streams.

Temporary construction compounds will be required for the duration of the construction phase. Two potential sites have been identified at Dublin Port and in the Malahide Road which are existing vacant sites. The application is for a 10 year permission within a planning corridor, to include road, footway and verges. Where the route passes through green areas and private amenity areas the planning corridor will be 8 m in width. This is to allow micrositing of the pipeline during construction.

The pipeline will be operated using a telemetry system. The pipeline will be operated by Fingleton White with standby backup provided by Reynolds Logistics in the form of trucks which will be made available to transport fuel to the airport in the event of a loss of the pipeline. Both companies currently operate 24/7 response systems.

The pipeline will be protected from excessive leakage in the event of a rupture by the use of two emergency shutdown valves. The pipeline will also be fitted with a leak detection system so that early preventative action can be taken in the event of any leak. In addition, a fibre optic communications cable will be laid above the pipeline which will have a secondary function in detecting third party interference of the pipeline.

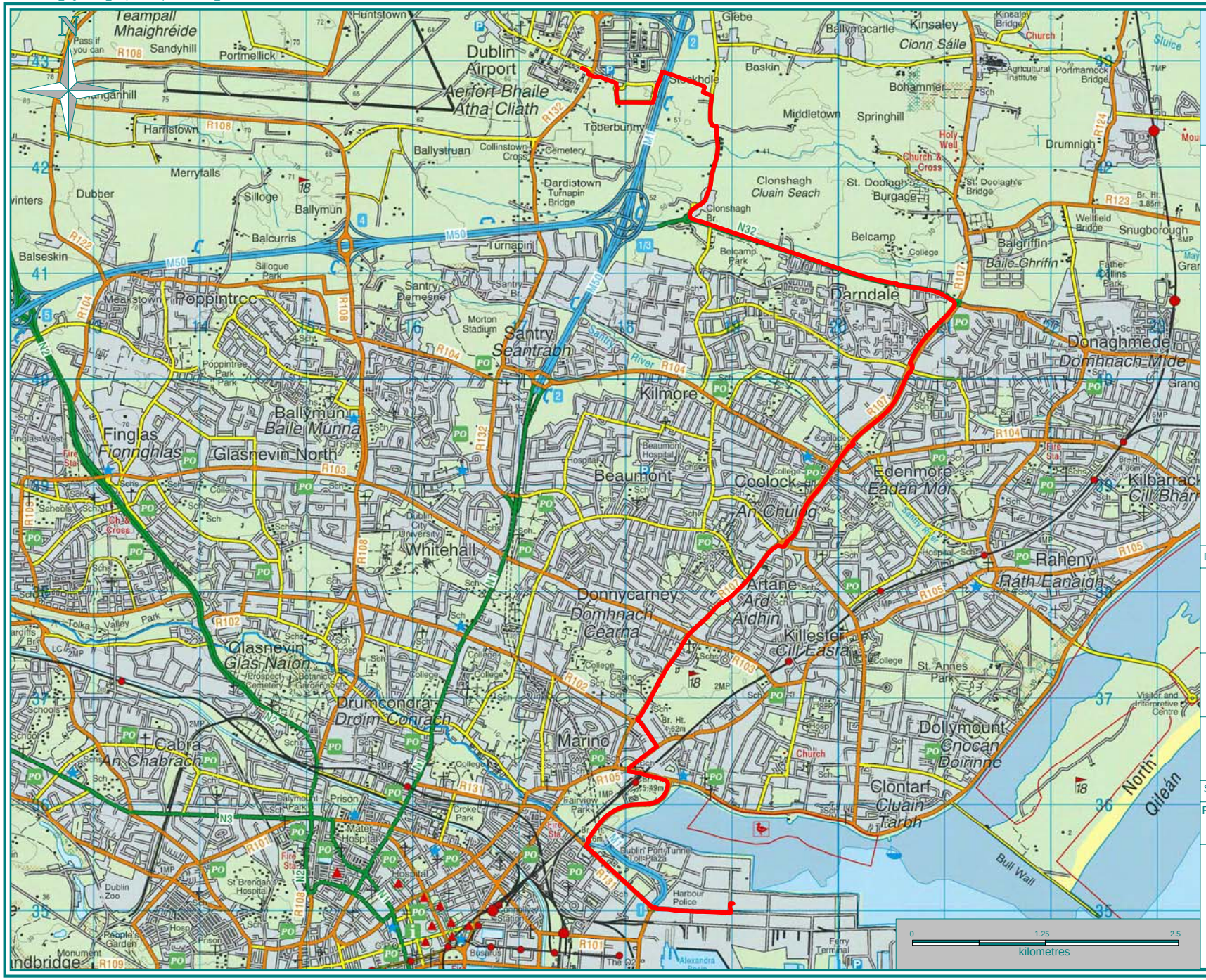
1.3 Planning History

FW received permission in 2001 from Dublin City Council (planning ref 0189/00) and Fingal County Council (F99A/0063) for the construction of a 150 mm diameter pipeline for the transport of aviation fuel along the following route:

- Branch Road North
- Tolka Quay Road
- East Wall Road
- Alfie Byrne Road
- Fairview Park
- Fairview
- Marino Mart
- Marino Park Avenue
- Marino Park
- Croydon Park Avenue
- Croydon Terrace
- Griffith Avenue
- Swords Road
- Airport Service Road.

An environmental report rather than an environmental impact statement (as the development was sub-threshold for a mandatory EIS) accompanied the application.

R:\Map Production\2010\LE10\727\01\Workspace\
LE10-727-01_Figure 1.1_Proposed Pipeline Route_Rev F



Date	11/03/2015
Name of Client	Fingleton White
Name of Job	EIS for Aviation Fuel Pipeline between Dublin Port - Dublin Airport
Title of Figure	Proposed Pipeline Route
Scales Used	1 : 50,000 @ A4
Figure No.	1.1
Rev	F

FEHILY TIMONEY & COMPANY
CONSULTANTS IN ENGINEERING & ENVIRONMENTAL SCIENCES
Core House, Pouladuff Rd, Cork, Ireland.
T:+353-21-4964133, F:+353-21-4464
Unit 16, Third Floor, North Park Offices, North Park, Dublin 11, Ireland.
T:+353-1-6583500, F:+353-1-6583501
W:www.fehilytimoney.ie, E: info@ftco.ie

The Dublin City grant was subject to third party appeal to An Bord Pleanála (ABP). ABP upheld the decision of Dublin City Council (Planning ref PL29N.122692) as it considered that:

> *"…subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities or property along the route of the proposed pipeline and would be acceptable in terms of the risk of environmental pollution. The proposed development would, therefore, be in accordance with proper planning and development of the area".*

1.4 The Application Process and Requirement for Environmental Impact Assessment

The Planning and Development Act 2000 was amended in 2006 to require applications for planning permission for major infrastructure projects to be made directly to An Bord Pleanála rather than to the local planning authority, as would have previously been the case.

Section 3 of the 2006 Act inserts a new Section 37A into the Principal Act:

> *"Section 37A.—(1) An application for permission for any development specified in the Seventh Schedule shall, if the following condition is satisfied, be made to the Board under section 37E and not to a planning authority".*

In order to fall within the provisions of the new Section 37A, a proposed development must be of a class specified in the Seventh Schedule to the Principal Act and the conditions in Section 37A(2) of the Principal Act must be satisfied.

Paragraph 1 of the Seventh Schedule, as amended, specifies, inter alia, the following class of development:

> *"An oil pipeline and any associated terminal, buildings and installation, where the length of the pipeline (whether as originally provided or extended) would exceed 20 kilometres."*

The conditions in Section 37A (2) are that:

37A (2)… *"following consultations under Section 37B, the Board serves on the prospective applicant a notice in writing under that section stating that, in the opinion of the Board, the proposed development would, if carried out, fall within one or more of the following paragraphs, namely—*

> *(a) the development would be of strategic economic or social importance to the State or the region in which it would be situate,*
> *(b) the development would contribute substantially to the fulfilment of any of the objectives in the National Spatial Strategy or in any regional planning guidelines in force in respect of the area or areas in which it would be situate,*
> *(c) the development would have a significant effect on the area of more than one planning authority."*

Having identified a preferred route in 2008 (which has subsequently been amended), Fingleton White commenced pre-application consultation with ABP in December 2009 (PL29N.PC0088) to determine if, in fact, the development was deemed to be strategic infrastructure, in accordance with the above criteria. A decision by ABP in August 2010 determined that the proposed development was not strategic infrastructure as it did not come within the scope of the Seventh Schedule as the proposed route was less than 20 km in length. Given that the route which is the subject of this EIS is also less than 20 km it too does not come within the scope of Schedule 7.

The requirement for the preparation of an EIS is set out in the European Union Directive 2011/92/EU *on the assessment of the effects of certain public and private projects on the environment*. This requires member states to ensure that a competent authority carries out an assessment of the environmental impacts of certain types of project, as listed in the Directive, prior to development consent being given.

With respect to pipelines, Annex 1 states that a mandatory EIS is required for:

"*Pipelines with a diameter of more than 800 mm and a length of more than 40 km:*

- *For the transport of gas, oil, chemicals, and,*
- *For the transport of carbon dioxide (CO_2) streams for the purposes of geological storage, including booster stations."*

Annex 2, meanwhile includes:

"Oil and gas pipeline installations and pipelines for the transport of CO_2 streams for the purposes of geological storage (projects not included in Annex 1)."

The requirements of this Directive have been transposed into Irish law by the Planning and Development Regulations 2001 as amended.

Given the characteristics of the proposed development, through urban areas and under the Tolka River which drains to a number of Natura 2000 sites, an EIS is being submitted with the planning application.

With the planning application being accompanied by an EIS, the application will be made to the planning authorities under Section 172 of the Planning and Development Act 2000 as amended.

1.4.1 Additional Consents

A number of other consents will be required for the proposed development. These will include a foreshore licence from the Department of the Environment, Community and Local Government (DoEGLG) for the proposed crossing of the Tolka River, Permit to Works from the DAA and Dublin Port Company as well as road opening licence(s) from DCC and FCC for works within the public roadway.

1.5 Technical Difficulties

There were no technical difficulties encountered during the preparation of this environmental impact statement.

1.6 EIS Structure

This document has been structured according to the grouped format structure as set down in the Environmental Protection Agency's (EPA) *Guidelines on the Information to be Contained in Environmental Impact Statements* (2002).

The EIS is broken down into the following chapters:

- A description of the existing and proposed development
- Subsequent chapters deal with specific environmental topics for example, human beings, air, water etc. The grouped format examines each topic as a separate section referring to the existing environment, impacts of the proposed development and mitigation measures
- A concluding chapter which provides a summary of the key impacts and mitigation measures and provides an overall conclusion to the EIS.

The advantages of using this type of format are that it is easy to examine each environmental topic and it facilitates easy cross-reference to specialist studies undertaken as part of the assessment.

The EIS comprises of three volumes:

Volume 1: Non-Technical Summary
Volume 2: Main Report
Volume 3: Appendices

1.7 Contributors to this EIS

Fehily Timoney and Company (FTC) was appointed by FW to prepare the EIS for the proposed development. A number of sub-consultants/specialists were retained to prepare specific studies namely:

- Abacus Transportation Surveys – traffic counts
- AMEC UK – safety and environmental impact evaluation
- Auveen Byrne & Associates – planning specialists
- Byrne Environmental & Associates – vibration
- Contact Nature – winter bird survey
- GMC – traffic management and construction
- Dermot Nelis Archaeology – archaeology, architecture and cultural heritage
- Fingleton White– design basis, route selection and emergency response.

1.8 Viewing and purchasing the EIS

Any member of the public can view the planning application and accompanying EIS and NIS documentation, free of charge, at the Planning offices of DCC and FCC during office hours.

The planning authorities will, on request, provide copies of any part of a planning application or EIS, at a fee not exceeding the reasonable cost of making a copy.