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To:	PADadmin
Subject:	Exola barryroe consultation
Attachments:	Dear Department.docx

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For a fossil free future for Ireland

Dear Department

We wish to make a submission regarding Exola's request for permission to conduct a site survey at the "Barryroe" site.

We are Not Here Not Anywhere, a non-political group that campaigns (inter alia) against investment in fossil fuel infrastructure.

The arguments against investment in fossil fuel infrastructure are well known and compelling. The damage to our world from rising carbon-dioxide levels are also very well nown. We need not repeat them but they are nonetheless still valid and important.

More specifically we note that the application by Exola has admitted the potential for harm to marine mammals. It argues that the damage is not significant and that it can be mitigated to an extent. However, we believe that there are significant reasons for the application by Exola to be rejected and indeed we believe that there are grounds to go further than this and consider removal of all exploration licences from Exola and its group Providence resources ("PR"). In this context any damage, we believe, is not justified.

Our general arguments fall under the following headings: -

1. Lack of technical Expertise
2. Lack of independent sources
3. Lack of financial resources
4. Health and safety

We then have some specific points that we which to raise.

5. Permission from PSE Kinsale
6. Doubts about ownership
7. Drafting error

<u>Lack of Technical Expertise.</u>

As you may be aware PR has had a very difficult recent history. In particular it was forced during 2019 to shed a number of its staff including those who appeared to us to be providing the technical resources of the group. We are unable to determine from public documents what technical expertise remains within the group. We believe that this might be insufficient, we have not seen from them evidence that it does have such staff. We believe that it would be correct for the Department to request from the group a disclosure of its resources. Failing our being able to see what they have by way of such staff (if they have any) we believe it appropriate to be cautious.

In this context, we note that the Minister may choose to remove exploration licences under terms of Article 52 (1) d if there is a material change in the technical competence of the authorisation holder. We respectively submit that the redundancy program is sufficient grounds to warrant an investigation from the Department as to whether this should now be considered.

<u>Lack of Independent Sources</u>

We note that all the documents submitted by Exola are by them. Other submissions that we have seen are by independent experts. It can of course be argued that experts who are being remunerated by one party are not independent in some senses but that issue does not arise here as independence is not being asserted.

As these documents and opinions come to judgments that involve more than mere statement of facts one must ask to what extent the conclusions are valid. There must surely be some grounds for doubt that there is not at least some bias even if that is unconscious.

To be clear we are not asserting that anything is untrue merely that we would expect more independence. Exola and PR's very survival as companies may depend on their ability to develop the Barryroe site. We would request that the information put forward should be independently verified.

An example may show some of the difficulties that we have. At one point (page 10) it is suggest that sound that leaks to the side of the boat will be less powerful than that directly below the boat. This is not in of itself an unreasonable assertion but could (and should) be looked at in more detail. Here are some of the factors that occur to us.

i. How tight are the beams that are emitted (and how can anybody not involved determine this)?
ii. What is the impact of reflection from the sea floor? This will surely depend on the make up of the sea floor which is one of the items of information that the survey is trying to determine.
iii. What effects would there potentially be from wave interference? There could be interference form the base waves emitted, diffusion at the edges and the reflection. Could this be constructive interference leading to localised spots of high amplitude?
iv. The paper states that a conservative assumption has been made. What assumption is this? How can anybody know whether the assumption is conservative or not without knowing its value?

Lack of Financial resources

PR has recently released a statement that it has insufficient financial resources to continue beyond early April. It has had a very difficult 2019 financially which was on top of a year end 31.12.18 position which saw its accounts being qualified on the going concern basis (and also on the value of assets).

We believe that companies should only be allowed to carry out any business whatsoever if there is a reasonable chance of there being able to repay any debts they might accrue or to compensate any party who might be (inadvertently to be sure) damaged.

The survey will not be able to go ahead without money to pay for it. Surely it is reasonable to require that Exola and PR are of reasonable substance before permission is granted to carry out any work.

Its previous fund raising was when the shares of PR stood above 5 in value. That was already a large fall since the start of the year. They now stand at under 3. It is an issue whether they will be able to raise money. They need to be able to take the development further, it is not unreasonable surely for them to demonstrate that they can before being permitted to do anything more.

Health and Safety

We remain convinced that the Department has a moral duty to require considerations of health and safety before permitting any exploration, drilling site surveys or such. We would suggest that this would not be an onerous requirement.

Turning to some specific points.

Permission from PSE Kinsale

We believe that the permission from PSE Kinsale to approach with 500m of the existing infrastructure should have been sought before the application was made. Therefore we believe that permission should not be granted (even if there were no other issues which obviously we believe there are).

Doubts about Ownership

Under its previous (failed) farm out agreement it surrendered 50% of the Barryroe licence to a Hong Kong entity that promised to fund the development. The money was not forthcoming and hence PR's troubles. They have announced that they are seeking the return of their 50% (note Landsdowne Oil and Gas has a minority stake) but that means that they do not have this now. Until this issue is resolved we again believe that approval would be pre-mature.

Drafting Error

We note that there are references on page 36 to events due to take place in 2019. This is curious for a document being submitted in 2020. We suggest that Exola should be asked to confirm that this document has been drawn up in 2020 (or shortly before) explicitly for this submission and with current state of knowledge of all issues considered. Were this to be a older document simply resubmitted (or based substantively on one such), we would submit that it was not a valid support of the submission and that a new submission should be required.

Thank you for the opportunity to make this submission.