Jonathan Dunne

From: Jerry Mac Evilly <jerry@foe.ie>
Sent: Monday, September 22, 2025 5:40 PM
To: SIDS
Subject: Re: Further observations Friends of the Earth ACP 322568-25
Attachments: 20250922 Friends of the Earth submission on further info - ACP 322568 25 - corrected.pdf

Dear Sir/Madam,
Regarding the further observations just provided, please note that additional irrelevant information was accidentally included on page 22. Please find attached a corrected version. Apologies for any inconvenience.
Kind regards,
Jerry Mac Evilly

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On Mon, 22 Sept 2025 at 17:29, Jerry Mac Evilly <jerry@foe.ie> wrote:

> Dear Sir/Madam,
> Please find attached further observations from Friends of the Earth regarding case ACP 322568-25.
> As an original objector, no further fee is associated with this submission.
> Regards,
> Jerry Mac Evilly
>
> ---
>
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[*Delivered by email to sids@pleanala.ie*]
Ms Ellen Moss,
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Friends of the Earth
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22 September 2025

RE Observations on information from Shannon LNG and Minister concerning 10 year permission for proposed Shannon Technology and Energy Park consisting of power plant, battery energy storage system, floating storage and regasification unit, jetty, onshore receiving facilities, above ground installation and all ancillary structures/works Townlands of Kilcolgan Lower and Ralappane, Ballylongford, Co. Kerry.

Current Case Number: ACP 322568-25
[Previous relevant Case Number]

Dear Ms Moss,

In response to your correspondence of 26 August 2025, Friends of the Earth wishes to thank An Coimisiún Pleanála (ACP) for the information. We welcome the opportunity to provide observations on the submissions provided by McCann Fitzgerald and Minister O'Brien.

Introduction

The applicant has not clarified with any degree of clarity that the emissions impact of the facility will be minor/insignificant. The applicant also has not Set out an emissions trajectory consist with carbon budgets and electricity sectoral emissions ceilings particularly for the 2025 to 2030 period when the project would be built.

We do not consider that LNG (floating or otherwise) is the appropriate means of addressing temporary strategic energy security risks. These observations also address how the applicant has not set out how their proposed development which involves a commercial development accords with Government policy in favour of strategic state led terminal.

We therefore call for the application to be rejected. These arguments are addressed in full below in response to the further information provided.

1) Climate obligations

Prior to engaging with the further information we wish to address relevant climate obligations in this case. Section 15 of the 2015 Climate Act as amended by the 2021 Act addresses obligations on relevant bodies, including ACP. It notes:

"15(1) A relevant body shall, in so far as practicable, perform its functions in a manner consistent with— (a) the most recent approved climate action plan, (b) the most recent approved national long term climate action strategy, (c) the most recent approved national adaptation framework and approved sectoral adaptation plans, (d) the furtherance of the national climate objective, and (e) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the State."

The Climate Action Plan and long-term strategy are instruments by which Government ensures consistency with legally binding carbon budgets. ACP is bound by these obligations.

Compliance with the s.15 provision entails that ACP must address whether the proposed development aligns with the carbon budget programme provided for in the Climate Act, and sectoral emissions ceilings agreed by Government in 2022 for the electricity and industry sectors.

The obligations imposed by the amended Section 15(1) of the 2021 Act are significantly stronger than those in the original 2015 Act. Previously, relevant bodies were only required to "have regard to" certain factors, which the courts have interpreted as a relatively light duty focused on consideration rather than achieving specific outcomes. The updated wording requires bodies to perform their functions, as far as practicable, in a manner consistent with specified climate change strategies, indicating a deliberate strengthening of the obligation. This creates a dual duty: bodies must both consider the relevant strategies and take steps to ensure their decisions are compatible with them. Overall, the 2021 Act imposes a functional obligation to actively align decision-making with climate objectives, rather than merely taking them into account.

It is important to take account of the recent 'Coolglass' case in the High Court in this regard. We note that ACP is appealing this judgement. Notwithstanding any future outcome of this case, ACP current consideration must align with this latest Court ruling.

As ACP is aware, the judgement established a high standard for compliance with the Climate Act, requiring that public bodies assess whether a project contributes to Ireland's climate commitments. The court ruled that authorities must interpret decisions in a manner that favours climate objectives unless an overriding legal requirement compels otherwise.

Approval of the proposed Shannon LNG development carries a significant legal risk of non-compliance with section 15 obligations. The High Court judgment emphasised that compliance with Section 15 of the Climate Act (regarding requirements on public bodies to perform their functions in a manner consistent with climate policy) must be "as far as practicable", "Practicable" compliance implies a high legal standard, just below absolute compliance.

Therefore planning authorities must not only consider what is reasonable, but also actively ensure projects align with climate obligations. Where discretionary power exists, it must be exercised to further climate commitment unless impracticable. Projects must be assessed not in isolation, but in terms of their cumulative contribution to national climate objectives.

As set out in subsequent sections, approval of the development in question manifestly undermines these goals and therefore, it is practicable to refuse, i.e. refusal is legally justified. Even where other interest exists, the High Court has noted economic necessity must be balanced against the climate imperative. [1]

The Council must also take into account that the revised National Planning Framework commits to "*reduce our carbon footprint by integrating climate action into the planning system* ***in support of national targets for climate policy mitigation and adaptation objectives, as well as targets for greenhouse gas emissions reductions as expressed in the most recently adopted carbon budgets***." (NPO 69) Given that the new NPF requires that planning decisions must reduce emissions, ACP must assess this development against its impacts on carbon budgets and renewables capacity. The fact that the state is not on track to meet carbon budgets (as explained below) nor the 80% renewable target by 2030 must be taken into account.

[1] Coolglass Wind Farm Limited -v- An Bord Pleanála [2025] IEHC 1 https://www.courts.ie/view/Judgments/c6e01981-1045-4571-af0c-06d260290823/ef6f4957-3e77-41bb-945e-ca3adf49b287/2025_IEHC_1.pdf/pdf

The Council should also have regard to the recent Advisory Opinion of the International Court of Justice.[2] The ICJ have clarified that States can be held responsible if they fail to regulate emissions from private actors (Paras 427–428). This would include energy intensive companies such as data centres. Failure to mitigate emissions or allowing projects that contribute to climate harm may expose the state (and by extension, councils) to claims for reparations or litigation. The precautionary principle and the duty to prevent significant transboundary harm apply, even if emissions or impacts are indirect or cumulative. A clean, healthy, and sustainable environment is also recognized as a human right underpinning all others.

2) Minister's Letter

We wish to address the Minister's statements regarding emissions and relevant policy re energy security.

The climate conditions and rejecting of increasing demand in Action 17 are central to consideration of any proposed LNG in the Irish context.

- *A proposal which can be implemented quickly*

- *A proposal which does not inadvertently increase gas demand by increasing the supply available on the market*

- *A cost-effective proposal at the appropriate scale which provides sufficient resilience if a disruption to gas supply occurs*

- *A proposal which is compatible with the Climate Action and Low Carbon Development Act 2015-2021*

- *A proposal which ensures Ireland's compliance with Regulation (EU) 2017/1938 N-1 infrastructure*

The applicant has not set out how the proposed development would accord with these conditions.

Targets

The first two budgets proposed were approved by the Government and Oirechtas (in accordance with sections 6A(1) and 6B(1) of the 2015 Act) and these carbon budgets under the 2015 Act impose these legally binding emissions reductions.

Ministerial statements:

We recognise that the Minister's letter is the main/authoritative response on this issue. However, we wish to raise with ACP that Minister O'Brien and officials kindly engaged with Friends of the Earth and other environmental NGOs on this issue in a meeting with the Environmental Pillar network in DECE offices on the 26th of June 2025.

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[2] ICJ Obligations Of States In Respect Of Climate Change, 2025 - https://www.icj-cij.org/sites/default/files/case-related/187/187-20250723-adv-01-00-en.pdf

- Major weaknesses with the FRSU approach were raised by the Pillar in the meeting. The Minister emphasised that that the state-owned FRSU would be temporary. He also noted that the conditions in Action 17 of the Energy Security Review would be incorporated in enabling legislation, which officials are already working on.
- Weaknesses in the Government's approach of removing, as opposed to *updating*, the 2021 Policy Statement were also raised. The Minister stated that the 2021 Policy Statement lapsed because the Energy Security Review assessment had concluded but that any proposed private commercial LNG import infrastructure to increase supply, demand and use of gas would be "against the Climate Law".

These clarifications, particularly against a standard private commercial terminal, are evidently central to ACP's consideration of the case at hand. We would welcome ACP engaging with the Minister and relevant officials regarding these clarifications, including officials' note of this meeting. **We would have considerable concerns were these Ministerial statements to be inadvertently discounted or omitted from ACP's assessment of the current case.**

The Minister has also made several other statements to the Oireachtas regarding policy on this issue which must be taken into account by ACP.

- In the Minister's response of 4 March 2025 https://www.oireachtas.ie/en/debates/question/2025-03-04/214/ , the Minister clarifies:

*As a final part of the review of Ireland's energy security, my Department, in consultation with Gas Networks Ireland (GNI) are in the process of completing a detailed examination to introduce a reserve **in line with criteria and requirements determined by the Department** which included:*

• A proposal which can be implemented quickly

• A proposal which does not inadvertently increase gas demand by increasing the supply available on the market

• A cost-effective proposal at the appropriate scale which provides sufficient resilience if a disruption to gas supply occurs

• A proposal which is compatible with the Climate Action and Low Carbon Development Act 2015-2021

• A proposal which ensures Ireland's compliance with Regulation (EU) 2017/1938 N-1 infrastructure

***A State-led approach** is based on the premise that the Strategic Reserve would **only be used in an emergency**. Additionally, **the State-led approach** is consistent with the Climate Act and broader Government climate and energy policy avoiding the risk of fossil fuel lock-in or stranded fossil fuel assets, as well as the Government's continued commitment to the three policy objectives of sustainability, affordability and security.*

The Department will work to develop, as a matter of priority with key stakeholders, to develop appropriate legislation and a regulatory framework to support the development and function of the strategic gas emergency reserve. The enabling legislation will be developed reflecting Government's policy objectives.

- In the Minister's response of 29 April 2025 https://www.oireachtas.ie/en/debates/question/2025-04-29/280/, the Minister clarifies:

"…Action 17 of the Plan is the development of a State-led strategic gas reserve. On 4 March, Government approved the development of a State-led strategic gas emergency reserve, in the form of a Floating Storage and Regasification Unit (FSRU), for use in the event of an interruption to gas supplies. An FSRU was identified as the optimum solution, in accordance with specific requirements, including alignment to sustainability objectives.

A State-led strategic gas emergency reserve, ***operating on a non-commercial basis for use only in the event of an emergency****, will provide resilience to the gas system and mitigate against the major consequences for our society and our economy that would arise from a significant gas supply disruption in Ireland.*

My Department is developing the appropriate policy and legislative measures to ensure that a strategic reserve provides the resilience to our energy system in a manner that:

- ***does not inadvertently increase gas demand by increasing the supply available on the market; and***
- ***- is compatible with the Climate Action and Low Carbon Development Act and will avoid the risk to fossil fuel lock-in or stranded fossil fuel assets.***

The Strategic Gas Emergency Reserve is ***a transitional measure*** *that supports a secure transition of our energy system and the policy decision taken by Government ensures the risk of stranded fossil fuel assets is reduced, the reserve will be used for emergency use, and does not support increased gas demand. These provisions will be underpinned by policy and legislation that my Department is progressing as a matter of priority.*

The Strategic Gas Emergency Reserve will be designed to be divested when no longer required. Key criteria for the selection of this solution is that ***any permanent or onshore enabling infrastructure will be designed in a manner to maximise potential future uses****, including opportunities to support the energy transition as referenced by the Deputy."* [emphasis added]

- In the Minister's further response of 29 April 2025 https://www.oireachtas.ie/en/debates/question/2025-04-29/251/, the Minister repeats many of the same stipulations as above and also clarifies:

"…The strategic gas emergency reserve is a transitional measure that supports a secure transition of our energy system and the policy decision taken by Government ***ensures the risk of stranded fossil fuel assets is reduced.***

The strategic gas emergency reserve is not intended for commercial use. *The liquified natural gas will be* ***held in reserve for use in the event of a significant disruption*** *to gas supplies and will be divested when no longer required to secure Ireland's energy systems. This policy decision ensures the risk of stranded fossil fuel assets is reduced, the reserve will be used for emergency use, and does not support increased gas demand with a view to minimising impact on greenhouse gas emissions. The operation of the strategic gas* ***emergency reserve will be underpinned by policy and legislation that my Department is progressing as a matter of priority."***

- In the Minister's response of 13 May 2025 https://www.oireachtas.ie/en/debates/question/2025-05-13/292/, the Minister repeats many of the same stipulations as above and also clarifies:

"….Any application for fossil fuel infrastructure in Ireland will be subject to the planning, consenting and regulatory approvals by relevant bodies ***and the provision of the Climate Action and Low Carbon Development Act 2021 will apply****."*

- In the Minister's further response of 13 May 2025 https://www.oireachtas.ie/en/debates/question/2025-05-13/315/ , the Minister repeats many of the same stipulations as above and also clarifies:

***....I recently received Government approval to proceed with the development of a State-led strategic gas emergency reserve**. The delivery of a temporary gas reserve is critical to Ireland's energy security as we continue to transition to indigenous, clean renewable energy. Crucially, the strategic gas emergency reserve will also ensure compliance with EU standards and regulation.*

The emergency reserve will be in the form of a Floating Storage and Regassification Unit (FSRU), to be owned on behalf of the State by the system operator, Gas Networks Ireland (GNI). This is a similar approach to that used for oil security by the National Oil Reserves Agency.

....The facility will be owned and operated by GNI and will utilise public procurement processes. GNI will now progress the project through the relevant planning and regulatory structures. The appropriate location will need to be a coastal site suitable for development with access to the gas network and sheltered deep-sea access. There are a number of locations in Ireland that are likely to meet the required site conditions for berthing a transitional FSRU, and a rigorous process is currently underway by GNI to identify the optimum site.

See also response from Minister of 12 June which sets out the same stipulations as above - https://www.oireachtas.ie/en/debates/question/2025-06-10/236/

In light of the above, we wish to note:

Shannon LNG's planning application does not accord with a state-led approach.

The Shannon LNG planning application does not include information which ensures operation in accordance with these criteria, requirements and risks, particularly regarding non-commercial use and use only in event of a significant disruption.

There is only Government approval for a strategic temporary terminal.

This is central given Shannon LNG intends to utilise the facility for flows for a proposed gas plant and data centre campus – i.e. for commercial developments.

Government's policy in favour of a strategic temporary emergency storage facility is materially different to that put forward for consideration by Shannon LNG.

The Shannon LNG application does not address removal/decommissioning in the short to medium term (re temporary and removing stranded asset risks)

Any development in accordance with current Government policy would require a new separate planning application and dedicated environmental impact assessment.

We would strongly question the policy coherence and legality of approving any application relating to a strategic gas emergency reserve when the 'State-led approach' including Government policy and legislation is not in place.

Development, operation and siting by GNI is central to current Government policy, all of which requires economic and safety regulation by the CRU. The CRU's regulatory framework in this case has not been consulted upon or stipulated. Shannon LNG's planning application does not address the function of their facility in accordance with (still to be confirmed) GNI and CRU requirements.

The 2015 Climate Act (as amended in 2021) applies to ACP's consideration of the case as noted above.

Shannon LNG's application has not addressed how the ongoing, long-term and significant emissions associated with its proposed development accord with the obligations of the 2015 Climate Act. We would underline that suggested operation of the proposed Shannon LNG facility in a different manner (which could conceivably result in less emissions) constitutes a materially different development requiring a new application.

Climate Policy Context

In May 2025 the EPA released its latest projections on the state's GHG emissions. We recognise that the EPA notes "*From 10.6 Mt CO2eq in 2018, emissions from the Energy Industries sector are projected to decrease to between 3.4 and 4.4 Mt CO2eq in 2030 (a 59 to 68 per cent reduction). Renewable energy generation at the end of the decade is projected to range from 60 to 68 per cent of electricity generation.*"

However, it is central that ACP reviews this information from the point of view of compliance with legally-binding carbon budgets which are based on sectoral emissions ceilings. The EPA is clear that "Budget period 1 (2021-2025) of 295 Mt CO2eq is projected to be exceeded by between 8 to 12 Mt CO2eq".[3] and '*Sectoral emissions ceilings for 2030 are projected to be exceeded by the Buildings, Electricity, Industry and Transport sectors.'* It also notes that *'Ireland is projected to achieve a reduction of up to 23 per cent in total greenhouse gas emissions by 2030, compared to a National target of 51 per cent.*'[4]

Furthermore in July, the EPA released its provisional greenhouse gas emissions for 2024. It notes "*Energy Industries: Emissions from energy industries decreased for the third consecutive year by 8.9 per cent in 2024 to an all-time low of 7.2 Mt CO2eq. This was due to the large share of energy generation coming from renewables (39.6 per cent) in combination with an increase in the share of imported electricity (14 per cent of electricity supply in 2024 compared to 9.5 per cent in 2023).*"

However, the EPA note that only a 2% overall reduction in emission was achieved in 2024 (down from a reduction of 6.8% the previous year) and note that this rate is off track with climate obligations now at risk despite emission reductions in most sectors. They state '*Despite the overall reduction in greenhouse gas emissions, compliance with national commitments and EU targets will be extremely challenging. Ireland's national target is to reduce greenhouse gas emissions by 51 per cent in 2030 compared to 2018 levels. In 2024, greenhouse gas emissions were 12 per cent below 2018 levels.*[5]

[3] See https://www.epa.ie/news-releases/news-releases-2025/epa-projections-show-ireland-off-track-for-2030-climate-targets.php

[4] See https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/07875-EPA-GHG-Projections-Report-FINAL.pd and https://www.epa.ie/news-releases/news-releases-2025/epa-projections-show-ireland-off-track-for-2030-climate-targets.php

[5] See https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/EPA-Provisional-1990-2024-GHG-Report-1716.pdf and

In relation to electricity, the EPA highlights that '*in the Electricity sector, with 85.3% of the budget already used, an emissions reduction of 15.2% is now required for 2025 to stay within the first 2021-25 budget.*' It further notes that '*Electricity supply from renewables grew by 1.3% in 2024 but, due to increased demand, the share in renewable energy generation decreased slightly from 40.7% in 2023 to 39.6% in 2024.*' The reference to increasing demand undermining renewables progress is particularly relevant to the case in question as it highlights that significant increases in energy demand result in a situation where modest renewable development is not serving to decarbonise the overall electricity system (see further below).

In its April 2024 response to the Government's consultation on the 2024 Climate Action Plan, the EPA noted: '*The EPA Inventory and Projections reports inform the monitoring of Ireland's climate action.* ***Unprecedented annual emissions*** *reductions are required for Ireland to comply with national legislation, Carbon Budgets and Sectoral Emissions Ceilings.*' [6]This 2024 conclusion remains pertinent to the matter at hand.

3) McCann Fitzgerald Letter

Introductory section

McCann Fitzgerald refer to the proposed development as set out in case no. which was rejected by ACP and most recently remitted following the High Court ruling.

Given this remittance, it is the proposed development set out in this 2021 application which is now the subject of ACP's review. We underline this point as -

(i) It is the nature and operation of this 2021 proposed development that the applicant has put forward are relevant

(ii) Assessments and statements regarding the environment and emissions associated with this proposed development must against be considered.

(iii) Where McCann Fitzerald is in this instance either directly or indirectly stating that the proposed facility will have different infrastructure, will operate differently or will result in different environmental impacts, this constitutes a substantial change in the type, scale, and use of the proposed facility and is a material alteration, which requires a new application rather than approval under the original application.

Regarding point (i) It is important ACP takes account of the following statements made in the applicant's Environmental Impact Assessment Report Vol 2[7]

- *Up to 60 visits of LNGC are expected every year.*

- *The Proposed Development is expected to have a design life of 50 years, but this could be extended by maintenance, equipment replacement and upgrades or by the transition of the site to use hydrogen capability (which would be subject to a future planning application).*

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https://www.epa.ie/news-releases/news-releases-2025/irelands-greenhouse-gas-emissions-decrease-by-2-per-cent-in-2024.php

[6] See https://www.epa.ie/publications/corporate/submissions--position-papers/EPA-response-CAP24-Final.pdf

[7] https://www.pleanala.ie/publicaccess/EIAR-NIS/311233/EIAR%20Volumes%201%20to%204/STEP%20EIAR_Volume%202_Main%20Text.pdf?r=670729

- *The Proposed Development will have installed capacity to supply up to 22.6 million Sm3/d of natural gas to the Irish gas transmission network via the already consented 30 inch Shannon Pipeline*

- *The Proposed Development will have installed capacity to supply up to 22.6 million Sm3/d (approximately 250 GWh/day) of natural gas to the Irish gas transmission network via the already consented 30 inch Shannon Pipeline. Note that the LNG Terminal will be constructed as part of the first phase of construction, followed by the Power Plant.*

Regarding point (ii) It is important ACP takes account of the following statements made in the applicant's Environmental Impact Assessment Report Vol 2[8] concerning direction emissions from the proposed development (in the 2021 application:

".. direct emissions from the Proposed Development in 2030 would equate to approximately 2.2% of Ireland's estimated emissions allowance. This excludes indirect well-to-tank emissions as these are not included in Ireland's emissions inventory. The magnitude of effect during operation would therefore be considered ***High****. As per Table 15-3, the significance of effects would be* ***major adverse****….The upstream* [Well-to-Tank] *emissions of LNG, resulting from the extraction, processing, liquefaction and transport of the gas, are significantly higher than those of the natural gas within the UK gas network. Over time, the WTT emissions of the gas in the UK grid are set to increase, largely as the share of LNG in the UK grid increases. Based on information from the UK Government Oil and Gas Authority, WTT emissions of LNG are currently around 2.5 times higher than those of the UK gas network, but while this ratio is set to fall over the lifetime of the Proposed Development, by 2050 LNG is still projected (see WTT Calculation Methodology below) to have WTT emissions around 1.7 times higher than those of the gas in the UK grid. The higher WTT emissions from the 4 million tonnes of LNG imported annually compared with the same amount of gas from an alternative gas supply is likely to result in additional annual average Scope 3 emissions of around 940 ktCO2e/yr per operational year, or 23,971 ktCO2e over the full operational lifetime of the Proposed Development..."* (pg 806-7 ;15-26 to 15-27)

We also note the information provided in the NonTechnical Summary: "*Direct emissions from the operation of* ***the Proposed Development will equate to approximately 963kt CO2e in 2030, around 2.1% of Ireland's carbon allowance if Ireland's carbon reduction targets are met.***" It is also noted in Chapter 15: *"As detailed in Table 15-17, the total GHGs estimated to be emitted from the operational phase of the Proposed Development have been calculated to be 20,056,725 tCO2e over the course of the 25.5-year period."*

Legally binding carbon budgets were not in place when this information was prepared and application made. The applicant has not clarified how the conclusion of the 'major adverse' effect of emissions associated with the proposed development aligns with obligations on the state under national law

The applicant did not provide details concerning their 2.2% calculation in this instance. In terms of the current information provided, the applicant has not clarified how its emissions have changed or the impact on legally binding carbon budgets

The applicant has not set out the legal or regulatory basis for excluding emissions outside Ireland's emissions inventory.

Page 2

[8] https://www.pleanala.ie/publicaccess/EIAR-NIS/311233/EIAR%20Volumes%201%20to%204/STEP%20EIAR_Volume%202_Main%20Text.pdf?r=670729

Section 1.1 The September 2023 Energy Security Review is indeed relevant to the case in question.

It is important to note that this must be read in conjunction with Annex 2 in which Government addresses the issue of gas security of supply in detail. We are concerned by the applicant's deliberate omission of this important information.

ACP will note that in Annex 2 the Government directly addresses the issue of a commercial versus a strategic storage facility (page 37-38). The entirety of this section is germane to the proposed development and therefore the section is quoted in full below:

Commercial versus Strategic

8.11 A transitional FSRU facility could be operated in a strategic or commercial manner. In both cases the ownership and operation of the plant could be a private entity or a State-owned entity, such as the gas transmission system operator (TSO).

8.12 The Department engaged CEPA to carry out a further assessment to consider the differences in commercial versus strategic operations against the criteria of security of supply, affordability and sustainability. The analysis used a FSRU terminal for the purposes of assessing a commercial option and an onshore terminal for the strategic option. However, the offshore floating terminal could also be used in a strategic manner and the findings of the report allow for this to be assessed.

8.13 Table 8.1 below sets out the Department's assessment of a strategic versus commercial delivery of an FSRU using the CEPA analysis as a key input.

Table 8.1: Department's assessment of a strategic versus commercial delivery of an FSRU

	Commercial	Strategic
	Security of Supply	
Immediate Response	There is no level of assurance of gas in stock with a commercial FSRU. However, there is potential to impose a minimum storage level requirement on shippers/ suppliers in winter (approach taken in Spain on a tiered monthly basis). If the FSRU working capacity is 50% full, then peak gas demand can be met in the event of a disruption to ICS gas supplies for approximately a week. Depending on the level of storage obligation then the FSRU owner may seek compensation.	The level of gas in stock can be assured by filling pre-winter as strategic stocks which will be used in an emergency only. Due to boil off of stock levels, the requirement to restock the FSRU is dependent on its overall storage capacity, but this may be required before each winter.

	Commercial	Strategic
Securing new deliveries	Gas will be delivered in accordance with market signals. If Ireland is facing shortages due to an infrastructure failure or attack/sabotage then it is likely that gas will be available as this is not a global market event.	CEPA note that the availability of LNG at short notice may be more challenging under the strategic option as the normal market commercial arrangements are not likely to be in use. However, if Ireland is facing shortages due to an infrastructure failure or attack/ sabotage then it is likely that gas will be available as this would not be a global market event.
Delivery Risk	Large energy infrastructure projects in Ireland have historically been challenging to deliver. While a site for an FSRU may be at a reasonably advanced stage of development e.g., with a suitable site secured, design complete and permitting progressed, there is still a possible risk of delay to the development of any infrastructure due to opposition.	Large energy infrastructure projects in Ireland have historically been challenging to deliver. Delivery of a strategic option will require consents (with necessary studies) to be secured and appropriate contractual arrangements put in place, which will take a number of years. However, a strategic option may face less opposition as sustainability impact is likely to be less and the project is transitional in nature.
Exit Risk	CEPA highlights that the risk to revenue recovery by the commercial FSRU in Ireland could result in a request for public support and/or generate a risk that a commercial FSRU would exit the Irish gas market. This would not be directly within the State's control.	The risk of an early departure is not present in the case of a unit delivered in a strategic manner.
Affordability		
Direct costs	While CEPA do not expect the development of a commercial FSRU to generate any additional costs for Irish consumers, there may be some costs associated with putting in place minimum storage obligation depending on how the storage gas is paid for.	A unit could be purchased or leased. The cost of a strategically operated terminal would need to be recovered directly, although it's possible that EU funding could be sought. Further information is set out in Section 8.16 to 8.26 below. It is noted that the cost of this insurance policy is a small percentage of the impact of a cessation of gas supplies from the UK.
Stranded Asset	There is a minor stranded asset risk associated with parts of a commercial FSRU project given the expected natural gas demand reduction in Ireland in line with the Government's net zero commitments. While the FSRU itself would be capable of transferring to another location once it is no longer needed in Ireland, part of the onshore infrastructure (e.g., the jetty and onshore connecting pipeline infrastructure) would remain. This risk would lie with the developer.	Risk is considered largely equivalent with commercial option, although the State may face the stranded assets risk.

	Commercial	Strategic
	Sustainability	
Direct Emissions	CEPA identify that the lifecycle emissions intensity of LNG exceeds that of pipeline natural gas due to the energy-intensive steps associated with the liquefaction, tanker transport, and re-gasification. CEPA estimate that the commercial operation of an FSRU in Ireland would likely generate emissions within a range of 70,000 to 80,000 tonnes t CO_2e per annum, equivalent of 2% of the electricity sectoral emission ceilings budget.	The direct emissions from operating the terminal strategically should be less than the commercial option given much lower operational activity.
Indirect Emissions	CEPA note that the direct importation of LNG to Ireland may not necessarily result in additional material environmental impacts on a global basis, especially given the size of the Irish gas market relative to global LNG production.	There is little risk that a strategic terminal would instigate new LNG production.
Gas Demand	CEPA also highlight that a commercial terminal may stimulate higher gas demand in Ireland whether by price impact or through offering increased security of supply. They note that this risk can be addressed through demand side policy measures. The State would not have control over the departure of the unit as Ireland's transitions to a net-zero economy.	No impact on gas demand other than as provided for use as strategic stocks increased security of supply. The State maintains control of the unit's departure when no longer required.

It is noted on page 8.39 "*A commercially led approach may be less secure with a risk of a departure depending on market conditions.*"

In summary the Government policy set out that a commercial LNG facility:
-Does not provide security benefits
-Would result in major emissions
-Raises major stranded asset risks
-May stimulate higher gas demand

The following is relevant as the proposed development in question as set out in the original application is a commercial facility. In no part of this application does limited strategic operation for emergency use feature.

Section 1.2.

The Energy Security Review did **not** [identify] "the pressing need for imports of LNG into the State". It identified the need for a Strategic Gas Emergency Reserve and called on GNI to undertake further analysis regarding optimal approach to deliver the emergency gas reserve in "…in line with criteria and requirements determined by the Department which will include:
- *A proposal which can be implemented quickly*
- *A proposal which does not inadvertently increase gas demand by increasing the supply available on the market*
- *A cost-effective proposal at the appropriate scale which provides sufficient resilience if a disruption to gas supply occurs*

• *A proposal which is compatible with the Climate Action and Low Carbon Development Act 2015-2021.*
The Department (not Government) *"...anticipated that a floating reserve (FSRU) will best meet these criteria"* in the Energy Security Review (Action 17).
This distinction is important as –

(1) At no stage and in no way did the Energy Security Review stipulate or infer the type of facility proposed by Shannon LNG in its original planning application.

(2) We recognise that Government did not include an express obligation against commercial LNG. Indeed in the past Shannon LNG and Government have in differing ways suggested or argued that such a ban may be discriminatory or may not be legally possible. However, it clear from any reasonable legal analysis that the direction and objective of current Government policy regarding FSRU development is to address a security concern, **not** for a long-term commercial contract for regular flows of LNG onto the Irish market.

In March 2025, the new Government made a decision in favour of a limited temporary "strategic gas emergency reserve...in the form of a Floating Storage and Regasification Unit (FSRU), to be owned on behalf of the State by the system operator, Gas Networks Ireland (GNI)."[9] The applicant in its original planning documents **did not** put forward a facility which is temporary, or which is to be operated on a temporary basis, or which is to be owned by GNI. Nor does the application put forward a facility which would function or operate on the basis of the Government's stipulations in this decision.

Section 1.3 and 1.4

With regard to the Government's statement which outlines the Government's position in support a strategic facility and next steps. While the applicant notes the removal of the 2021 Policy Statement, it is concerning that the applicant has omitted important stipulations from Government regarding the operation of this facility:
https://www.gov.ie/en/department-of-climate-energy-and-the-environment/press-releases/government-approves-development-of-state-led-strategic-gas-emergency-reserve/

"The FSRU will have capacity of 170,000 cubic meters of LNG when full, which would be sufficient to supply 200,000 average domestic gas customer demand for 6 months. Alternatively, the FSRU would have the ability to supply the entire gas demand for Ireland for seven days and would be refilled to continue to supply the national gas network.

GNI will ensure appropriate contractual arrangements are in place to refill the FSRU throughout an emergency situation to provide consistent gas supplies via the FSRU for the duration required.

GNI have advised that the FSRU may be procured on a long-term leasing arrangement or an outright purchase.

While not an entry point into the market, natural evaporation, known as boil-off, is unavoidable when natural gas is liquefied, and the generated boil-off gas (BOG) must be removed to preserve the tanks' pressure.

A minimum send out of gas from the FSRU to the national gas network will ensure gas is not lost in this manner.

[9] https://www.gov.ie/en/department-of-climate-energy-and-the-environment/press-releases/government-approves-development-of-state-led-strategic-gas-emergency-reserve/

Arrangements will be put in place to permit this minimum send out of gas into the national network, however this arrangement should not impact on the operation of the market.

This is likely to result in the strategic gas emergency reserve being refilled up to 6 times per year."

Section 1.5

The High Court judgement did not "note the need" but, as above, reiterated Government policy in favour of a temporary strategic storage facility for emergency in accordance with climate law and other requirements, and "anticipated" that a temporary FSRU may meet such requirements.

Section 1.7 and Section 1.10

It is important to note that the Shannon estuary is evidently not the only or necessarily the most strategic siting for a gas storage development, particularly one the is state-led.

The Government in Annex 2 raises risks associated with designated of a commercial entity for such strategic purposes, highlighting the benefits of a state operator:

8.35 Designating the TSO as the sole owner and operator of an LNG terminal could in principle not engage the State Aid rules, if a legal monopoly is established which meets certain requirements: a) Be established in accordance with EU law (referred to at a high level above) b) Not compete in any related market with other services (e.g., other gas providers) c) Avoid cross subsidisation of other functions.

8.36 Given the significant benefits inherent in the granting of a legal monopoly to an entity and the market implications arising, the Department expects that this would be scrutinised very carefully by the European Commission

We consider an FSRU in any form to carry major gas lock-in risks and risks of stranded assets. However it is important to note that given the stated preferences for strategic stocks, as well as, significant pipeline and compressor infrastructure in the Cork area, the port of Cork has been considered and has been suggested to be more beneficial given the potential to link with existing Gas Network Ireland assets.

The Port of Cork / Ringaskiddy has been proposed. We understand that the Port's Ringaskiddy redevelopment site and the Port of Cork Masterplan 2050 documents refer to Ringaskiddy expansion planning. The Ringaskiddy planning portal and the Masterplan/EIAR mention large-scale berth works and capacity are relevant to hosting new energy / import infrastructure. We also understand that the Port of Cork's maritime area planning application also refer to consultations, EIA material re use for such infrastructure.

We therefore reject assertions made that no other alternative or feasible solutions have been identified. It is also important to note that solutions are not limited to an FSRU. The last Government noted on several occasions that:

- *"...Given the likelihood that delivery of a strategic gas reserve facility may not happen until early in the next decade, analysis is required as to whether the planned dramatic reduction in gas use, particularly in the electricity generation sector, means that an alternative way to meet the energy security risk might be better. For example, further electricity interconnectors with the UK or France or what is fast-evolving long-term storage capability. This further research is something I have called for and that the*

Department is looking at it before going back to the Government and Oireachtas with detailed analysis.[10]

- *"....The reasons that additional analysis is required are that a number of factors which informed the original proposal have changed. These include the anticipated timescale delivery of a gas reserve, the impact of interconnection and the potential for further interconnection, the rapid development and installation of batteries and other energy storage, and the new, more ambitious 2040 climate targets being proposed by the Commission. Therefore I have asked my Department to commission analysis on these and on other relevant factors including the potential to rely on oil-fired generation at Moneypoint, increased distillate storage at or connected to existing gas generation, and regulatory moves to transition from gas. The alternative approaches to energy security solutions could provide significant longer term economic, climate, and security benefits that a floating regasification and storage unit would not provide."*[11]

While the Department's latest analysis from CEPA continues to refer to an FSRU as the Government's main preference (notwithstanding these previous Government statements), there are several concerns regarding the Department's interpretation of N-1 data and this latest CEPA has still not been the subject of external review and consultation.

Section 2

Regarding the commercial development and information put forward by the applicant re private ownership, under the Planning Acts, ABP must determine whether a proposed development is in accordance with proper planning and sustainable development. An implicit part of this assessment must be whether the development is likely to be implemented. If the applicant is at serious risk of insolvency or bankruptcy, this could affect the feasibility of completing the project.

In the past year several media reports have also emerged regarding financial problems at the New Fortress Energy (the Shannon LNG parent company) due to high debt levels, credit rating downgrades from Fitch, Moody's, and S&P, and a major dispute with the Puerto Rico Electric Power Authority which resulted in the cancellation of a proposed LNG deal. The company has missed SEC filing deadlines and investors have initiated legal investigations for securities fraud.[12] Apart from noted policy and legal concerns, we consider these financial

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[10] *https://www.oireachtas.ie/en/debates/debate/dail/2024-10-15/21/*

[11] *https://www.oireachtas.ie/en/debates/question/2024-11-05/130/*

[12] See:

- https://www.businesspost.ie/news/shannon-lng-now-uncertain-due-to-multiple-risks-as-company-faces-fin ancial-onslaught/
- https://www.independent.ie/regionals/kerry/north-west-kerry-news/us-company-behind-shannon-lng-may-f ace-bankruptcy/a799287798.html
- https://www.irishtimes.com/environment/climate-crisis/2024/12/18/new-government-must-not-leave-energ y-security-in-hands-of-failing-lng-company-friends-of-the-earth-says/ https://www.reuters.com/business/energy/new-fortress-energy-seeks-sec-extension-file-quarterly-report-amid-debt-2025-08-12/
- https://subscriber.politicopro.com/article/eenews/2025/07/24/puerto-rico-ends-talks-with-new-fortress-on-20b-lng-deal-00471129
- https://www.bloomberg.com/news/articles/2025-07-22/puerto-rico-board-cites-deep-concerns-over-new-fortress-lng-deal
- https://www.fitchratings.com/research/corporate-finance/fitch-downgrades-new-fortress-energy-idr-to-ccc-removes-negative-watch-05-06-2025
- https://www.reuters.com/business/energy/new-fortress-energy-discloses-notice-nasdaq-2025-05-27/
- https://www.spglobal.com/ratings/en/regulatory/article/-/view/type/HTML/id/3319676
- https://www.nasdaq.com/articles/why-new-fortress-energy-stock-plummeting-again-today

failings in themselves to be sufficient grounds for rejection of Shannon LNG. See most recently

https://news.bloomberglaw.com/bankruptcy-law/new-fortress-energy-sinks-to-record-low-as-troubles-mount

https://www.msn.com/en-us/money/companies/new-fortress-energy-plummets-to-record-low-as-mounting-losses-spark-bankruptcy-fears/ar-AA1M8JWa?apiversion=v2&noservercache=1&domshim=1&renderwebcomponents=1&wcseo=1&batchservertelemetry=1&noservertelemetry=1

https://www.valuethemarkets.com/analysis/new-fortress-energy-stock-nfe-navigating

https://www.marketwatch.com/story/shares-of-new-fortress-energy-tumble-after-1q-loss-widens-f8ddeabf?mod=markets

https://news.bloomberglaw.com/bankruptcy-law/new-fortress-energy-bonds-sink-further-after-1q-report

Section 2.5 to 2.7

The applicant notes that "*Functionally there is nothing to prevent the Applicant from maintaining a level of strategic storage at the Shannon Technology and Energy Park*". There are several problems with this statement.

1) Holding necessary levels of storage would require the proposed development to function substantially different to that proposed.
2) Use of the facility in this manner is not addressed in the relevant planning application.
3) The applicant appears to infer that the development of the facility is dependent on its by the state as a strategic facility. The state supporting the facility in this manner raises State Aid concerns.
4) Unlike oil imports which may come from a variety of sources or locations, the strategic storage and commercial operations would come from the one shipment i.e. the one that moors and connects to the GNI facility. We consider there to be major strategic and climate risks where the state is dependent on regular shipments which are serving commercial operations.

Section 2.8

The applicant notes "The SOS Review cannot be read to preserve the opportunity for only the State to deliver a State-owned LNG import terminal." This may be correct in so far as Government policy cannot preclude or actively ban any commercial operations from development or from operation in Government policy. However Government has noted its position that a state-owned development is necessary for Ireland and that a commercial terminal would not serve strategic or emergency or climate objectives.

Government is entitled to have an official policy that only a state-owned LNG facility would meet its strategic, climate, and security objectives. Policy can explicitly prefer one model and thereby effectively limit what projects get supported, funded, or approved. Government can express a clear preference for a state-owned facility and while ensuring planning applications are duly considered, conclude that private commercial LNG is inconsistent with national objectives.

- https://www.spglobal.com/ratings/en/regulatory/article/-/view/sourceId/13396906

The question must be posed – would a commercial terminal (if allowed) undermine the delivery of Government policy in favour of a strategic terminal?

In a county the size of Ireland, with a relatively modest gas market by international standards, it evidently the development of a commercial terminal involves significant risks. Those commercial shipments may

- Exceed demand on the Irish market
- Not result in security benefits
- Lock-in high gas use.
- Undermine use of Irish state gas infrastructure.
- Undermine other potential developments on the Shannon site
- Undermine achievement of climate obligations.

It is important to note that Government having stated a position on how any LNG development should operate — and thereby limiting the scope for private projects — is not unprecedented. In fact, the treatment of Shannon LNG was already tested in litigation. In 2010–2013, Shannon LNG challenged a CRU decision that required new gas entry points to contribute to the costs of the gas interconnectors with Britain. The High Court upheld the regulator's position, confirming that it was lawful to impose such conditions even if they undermined the commercial prospects of the project. This illustrates that Government and regulators are entitled to structure the operation of new gas entry points in line with broader system and policy objectives, even where this significantly restricts private LNG development. See High Court judgment Shannon LNG v. CER, 2013

Section 2.10

We have not been in a position to ascertain to what extent or whether "*The Commission has previously that the LNG import infrastructure proposed in this application is capable of this dual function.*" However we would stress at this point that the central question is here rather whether Shannon LNG's planning application which is now binge reviewed addresses this dual function. We strongly argue that this new suggestion of dual functionality constitutes a material change and therefore merits the rejection of this application.

Section 2.12 to 2.15

Government policy evidently guides what types of development are permitted under planning law. The 2023 Energy Security Review and subsequent government decision make ownership/control of the facility central to policy at hand. It is only a State-led FSRU that satisfies strategic security objectives, according to Government. Therefore, even if an FSRU itself is considered the preference, policy can legitimately preclude a privately owned commercial LNG terminal.

Section 3.1 to 3.9

The relevant Gas Directives are designed to ensure security of supply, non-discrimination, and effective operation of the internal gas market. EU law allows Member States to determine the means of ensuring security of supply, including state-led measures, provided rules relating non-discrimination and market access are respected.

The upshot of an argument to the contrary would be that the EU directives prevent planning authorities from refusing permission for commercial operations, not allowing Member States to determine appropriate approaches or limitations to securing gas supply – such a conclusion would be entirely against the spirit and objectives of EU energy law. The choice

of facility falls within Member State's discretion under EU law, provided it is justified by security-of-supply objectives and non-discriminatory criteria.

Section 4

(i) In short we would note that nothing in the quoted information requires or demands that planning authorities or Government policy favours a commercial project.

(ii) CCAC

In April 2025, the Climate Change Advisory Council raised their 'serious concerns' with emissions associated with a polluting LNG terminal. They also note energy modelling which shows a significant phase out of fossil fuel use over the next 20 years which entails "limited to no opportunity for new investments in fossil fuel systems".[13]

(iii) NESC

It is also important to note that analysis by the Department of an Taoiseach's National Economic and Social Council in July 2025 details how Ireland must significantly reduce its reliance on gas to meet climate obligations. It addresses potential challenges regarding increasing use of gas interconnectors from Scotland. It notes the Government plan to develop a state-owned LNG terminal as a temporary emergency reserve. The report also raises significant risks regarding LNG development more generally, including geopolitical exposure, fossil fuel lock-in and conflict with climate commitments, and puts forward the need for zero-carbon strategic reserves. The report notes:

...The EU's increased dependence on the US as a supplier of energy commodities exposes the EU to the risk of supply disruptions in US exports. In the event of a major international energy supply shortage affecting the US, exports could be restricted in order to prioritise domestic needs....

...In terms of the EU's reliance on the US as a supplier of LNG, analysts have highlighted that 'this growing dependency is exposing the EU to vulnerabilities linked to US domestic policy shifts and the political landscape. The Trump Administration is likely to use it as a pressure tool on Europe ... LNG imports then turn into a bargaining tool to pressure the EU to make trade concessions' (Kouam, 2024). In April 2025, US President Donald Trump suggested that the EU should commit to buying more oil and LNG from the US as a means of balancing the US trade deficit in goods with the EU (Sheftalovich, 2025)....

...As the EU increases its reliance on US oil and LNG supplies, this exposes the EU to the risk that such dependence can be used to force concessions on other issues such as agriculture trade, digital services taxes, defence spending, or environmental regulations such as the EU's Carbon Border Adjustment Mechanism (CBAM)....

...An analysis commissioned by DECC to examine the cost of the proposed FRSU facility has estimated that it will cost €900m over a ten-year period, inclusive of capex, annual lease and operating costs. (CEPA, 2025: 22). A review is ongoing to assess the implications of the proposed facility in terms of its potential impact on household energy bills.

...While the development of a state-led floating LNG facility will diversify Ireland's strategic energy reserves, ***concerns have been raised about the risk of fossil-fuel lock-in and the environmental impact of LNG (CCAC, 2025: 17). Experts have also called for***

[13] Pg 17 https://www.climatecouncil.ie/councilpublications/annualreviewandreport/CCAC-AR2025-Electricity-FINAL.pdf

safeguards to prevent commercial LNG operations in Ireland and to ensure the facility does not conflict with the Government's commitment to radically reduce fossil-fuel reliance and meet legally binding carbon budgets *(Daly et al., 2025)...*

...The facility represents a new investment in fossil-fuel infrastructure that could potentially be covered by investor protections under the Energy Charter Treaty (ECT), which includes a 20year sunset clause. Ireland is one of several EU member states that has indicated the intention to withdraw from the ECT, aiming to do so in coordination with other EU countries. However, not all EU member states have committed to withdrawing from the ECT, making the timeline for Ireland's eventual withdrawal uncertain (Houses of the Oireachtas, 2024b). As a result, investor protections under the ECT could apply to the proposed LNG facility for 20 years after withdrawal from the ECT (EPRS, 2023).

The Council believes it is essential to formulate a long-term plan for strategic clean energy reserves in Ireland. ***Ireland's system of strategic energy reserves should be reformed to deliver on national commitments to decarbonise the energy system and eventually phase out fossil fuels.*** *Ireland's system of strategic energy reserves must be enhanced in the coming years in the context of a rapidly evolving energy landscape by integrating renewable fuels such as green hydrogen, ammonia and biomethane.*

...The development of strategic energy reserves based on low carbon fuels should be pursued in tandem with the development of a portfolio of long-duration energy storage solutions to build system resilience, including pumped-storage hydroelectric, compressed air storage, liquid air energy storage, and emerging long-duration battery storage technologies based on iron and sodium. Other measures include the retention as an available backup of Moneypoint in oil-fired mode for longer than previously anticipated, and the potential to increase the feasibility of distillate operation of gas plants, including by increasing storage and by connecting power plants to existing storage at suitable locations...

- Please also note arguments made by prominent energy and climate scientists to Taoiseach Micheál Martin in Feb 2025

Daly, H., Mann, M.E., Augustenborg, C., Wiltshire, K., Sweeney, J., Torney, D., McMullin, B., Stephens, J., Barry, J., Carton, J., Bresnihan, P., Ryan, L. & Pakrashi, V. (2025), Letter to Government [online]. Available from: https://www.irishexaminer.com/opinion/commentanalysis/arid-41583031.html

"...it is our view that any energy security measure involving new gas infrastructure must come with ***strict safeguards that ensure it does not conflict with the Government's commitment to radically reduce fossil fuel reliance and meet legally binding carbon budgets****.*

These safeguards have already been articulated in policy: The Government's 2023 Energy Security Package concluded the best way to address the lack of resilience in our natural gas infrastructure in the event of a major supply disruption was to lower natural gas demand and establish a strategic gas emergency reserve, in a way that is compatible with the climate law.

Traditionally, energy security focused on securing the physical supply of fossil fuels. A comprehensive strategy for energy security ought to consider factors in addition to the physical security of infrastructure, and also consider exposure to volatile fossil fuel prices — and the hardship this causes — due to Ireland's reliance on energy imports.

We wish to draw your attention to the following recent research and data that further strengthen the case for this approach:

New data and modelling supports an acceleration away from natural gas. The Sustainable Energy Authority of Ireland's latest energy projections, based on committed policies, indicate a significant decline in natural gas demand this decade. According to the most recent figures, natural gas demand is anticipated to decline by 43% by 2030 (relative to 2024) and by 67% by 2040 under current policies. Moreover, energy systems modelling underpinning the Climate Change Advisory Council's 2024 carbon budget recommendations shows that under cost optimal, carbon budget-aligned pathways, natural gas demand declines by 95% in 2040. These projections show that natural gas can, and must, decline rapidly within the lifetime of any new LNG terminal;
LNG is a severely polluting energy source. Research continues to demonstrate the significant climate impact of LNG, especially when derived from fracked shale gas, due to leaked methane — a potent greenhouse gas — and the energy-intensive nature of its extraction and transportation. Despite being framed by some as a "transition fuel", this research finds LNG causes more climate damage than coal;
Clean energy offers an alternative. Clean energy — wind and solar power, electricity grids, battery storage, heat pumps, district heating networks, and energy efficiency measures — offer an unprecedented opportunity to achieve fossil fuel independence. European countries have demonstrated this potential following Russia's invasion of Ukraine: By building more renewables and taking efficiency measures, gas consumption on the continent declined by 20% in the past two years, to a 10-year low. The utilisation rate of Europe's LNG terminals has fallen below 50%.

Similarly, natural gas demand in Great Britain is expected to continue declining, due to efficiency measures and the expansion of renewable energy capacity. The UK saw annual LNG imports fall by 47% in 2024. The UK is committed to ensuring no more than 5% of its electricity comes from unabated gas by 2030, and its gas supply, on which Ireland depends, is diverse and secure.

Section 5

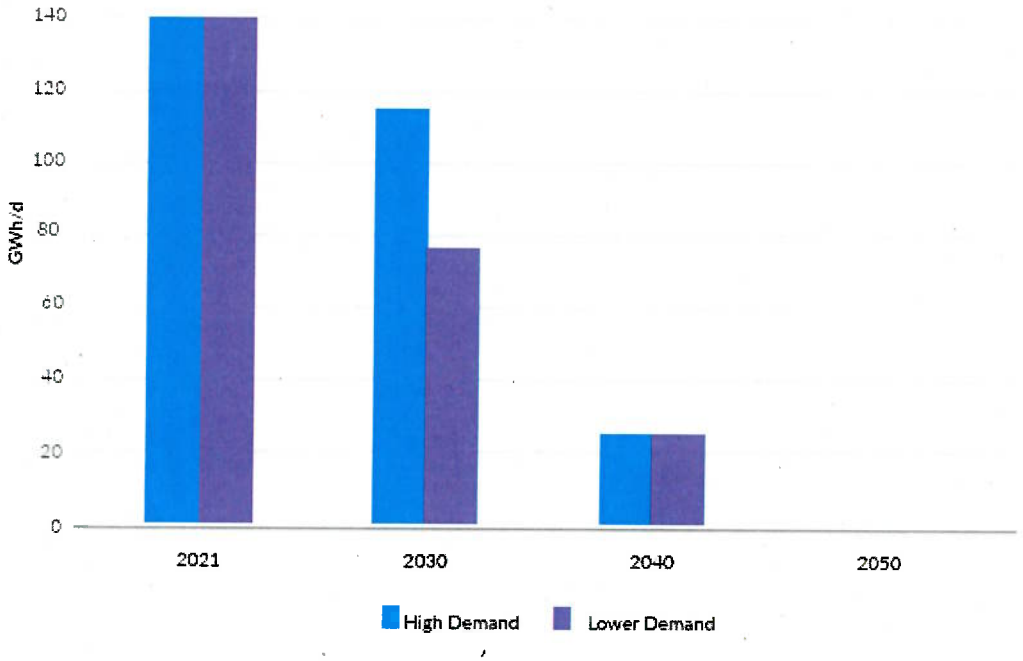
Regarding arguments made that the proposed application would not increase gas demand, we note

- The applicant makes not attempt to address how the proposed development aligns with legally binding carbon budgets which were introduced following the submission of the original application
- Regarding suggestions that a commercial terminal would not increase gas demand, and is merely to replace supply points, this argument is undermined by the applicant seeking to build data centre and gas plant which involve new gas demand and the applicants seeks to meet through the new facility. The McCann Fitzergerald itself refers to the relevant of the development of a 600MW power plant and 120MW battery energy storage system approved by ACP earlier this year ("those applications...should assist in the assessment of the reactivated matter" page 2)
- A key part of the applicant's business case for both the CCGT and the LNG terminal is the construction of a data centre campus. Increases emissions will also be associated with such additional electricity and/or gas demand. The contention by the applicant that the data centre will be subject to a separate planning application is unsatisfactory and should not be accepted given its emissions (and environmental) impact. The applicant has not demonstrated that the proposed developed will be viable without the construction of the data centre. The data centre is therefore a key component of the application and its exclusion should not be accepted.
- We find the applicant's reasoning particularly misleading in this case. It is evidently the case that a terminal does not directly result in an existing original customer or

householder to simply increase their demand. However, it is a commercial entity seeking to contract new sources for the gas its supplies – the very raison d'etre for LNG companies once infrastructure is in place is to find new customers for its supply and to ensure existing customers retain gas use. If this is not the case, we would welcome a full expression of this point of view by the company's management.

- It therefore follows that it is resulting in ongoing gas demand and without any doubt, does not provide for gas demand reduction. This is a crucial point: **Reducing gas consumption and dependency is fundamental to meeting Ireland's climate obligations. Industries which proactively increases this dependency undermine Ireland's legally-binding carbon budget programme.** Analysis by Professor Daly[14] in Annex 2 of the Government Energy Security Review addressed the role of gas in the energy transition consistent with Ireland's carbon budgets up to the period to 2050 across a number of scenarios. Gas demand requires a significant reduction of between 68 and 78% from 2030 to 2040, depending on the scenario considered as noted in Government analysis underpinning their 2023 Energy Security Review Report.[15] (see also associated table noted below)

Figure 3.1: UCC Future of Natural Gas in Ireland's Energy Transition consistent with Carbon Budget[5]



Conclusion

In light of the above, we remain of the view that the Board should reject the application.

[14] Daly, H. (2022), Irish electricity and gas demand to 2050 in the context of climate commitments. Cork: MaREI. https://www.marei.ie/wpcontent/uploads/2022/12/ Friends-of-the-EarthResearch-Report.pdf

[15] DECC, Securing Ireland's Gas Supplies. https://assets.gov.ie/static/documents/annex-2-securing-irelands-gas-supplies.pdf page 9

We would like to thank the Board for their consideration and would be happy to provide further information upon request.

Is mise le mórmheas

Jerry Mac Evilly,

Campaigns Director

Friends of the Earth