

Current Polish discussion on the shale gas project

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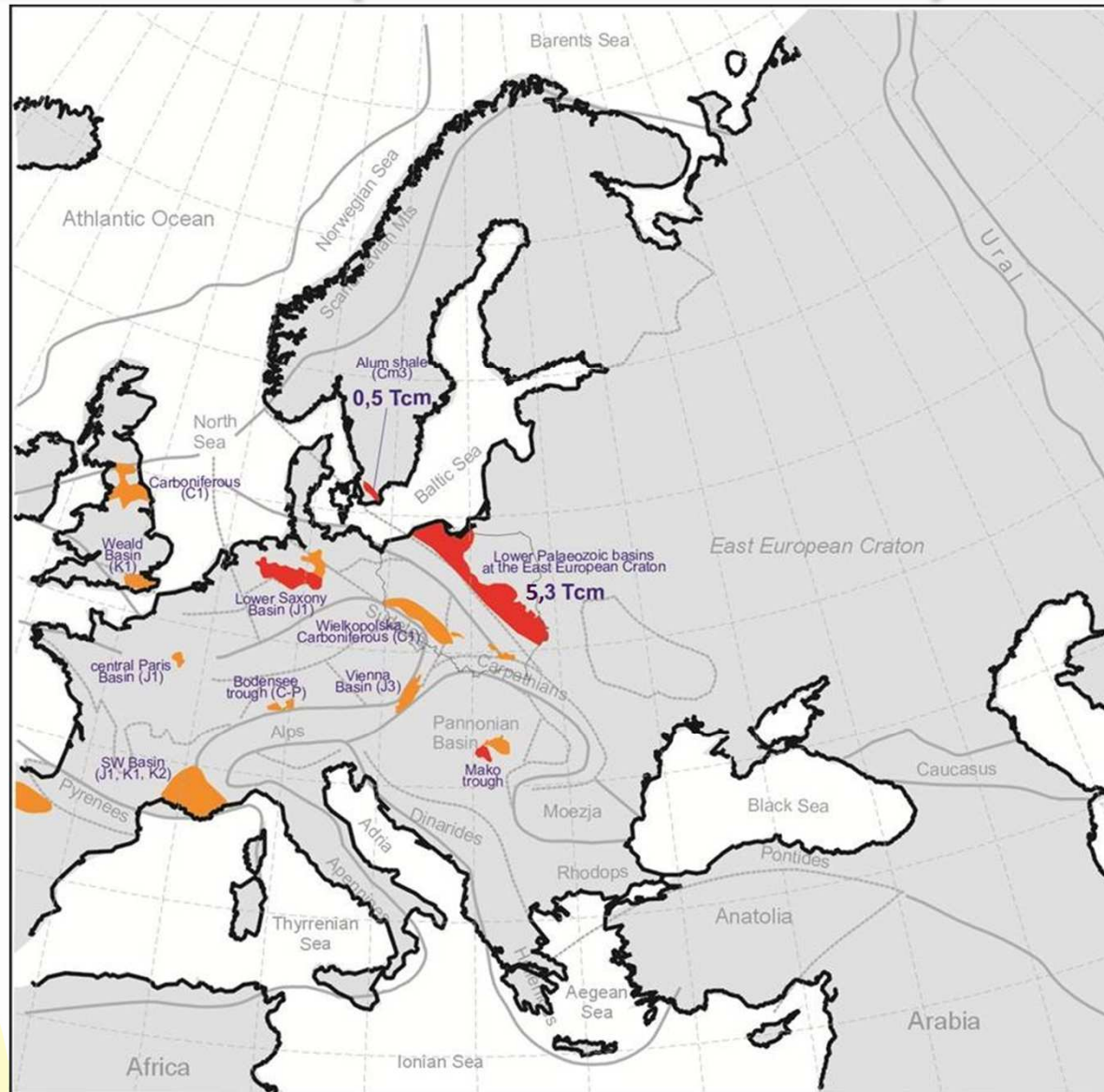
Fifth Seminar on Cooperation on the EIA Convention in the Baltic Sea Region



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Estimated shale gas recoverable reserves (after Adv.Res.Int.)

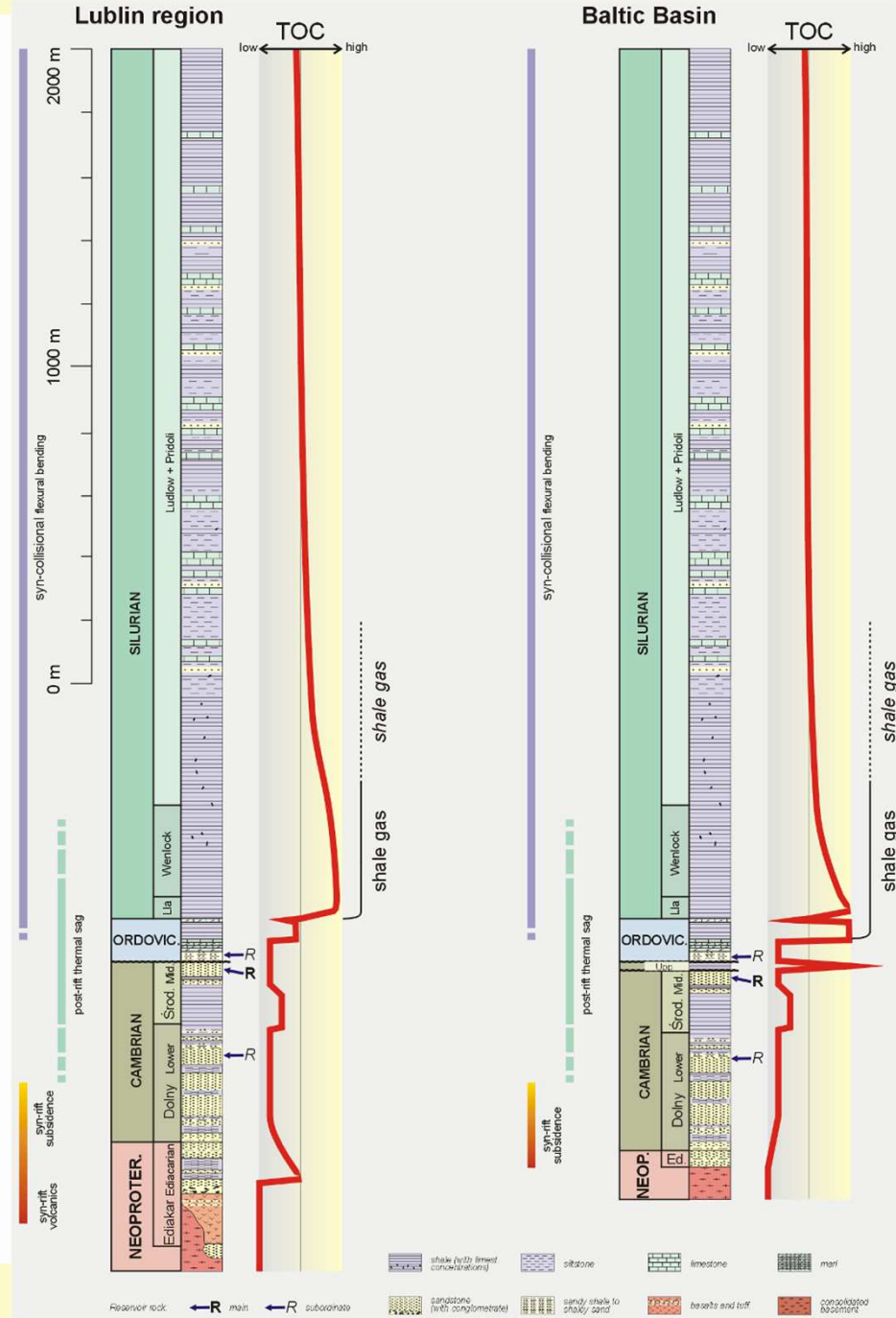
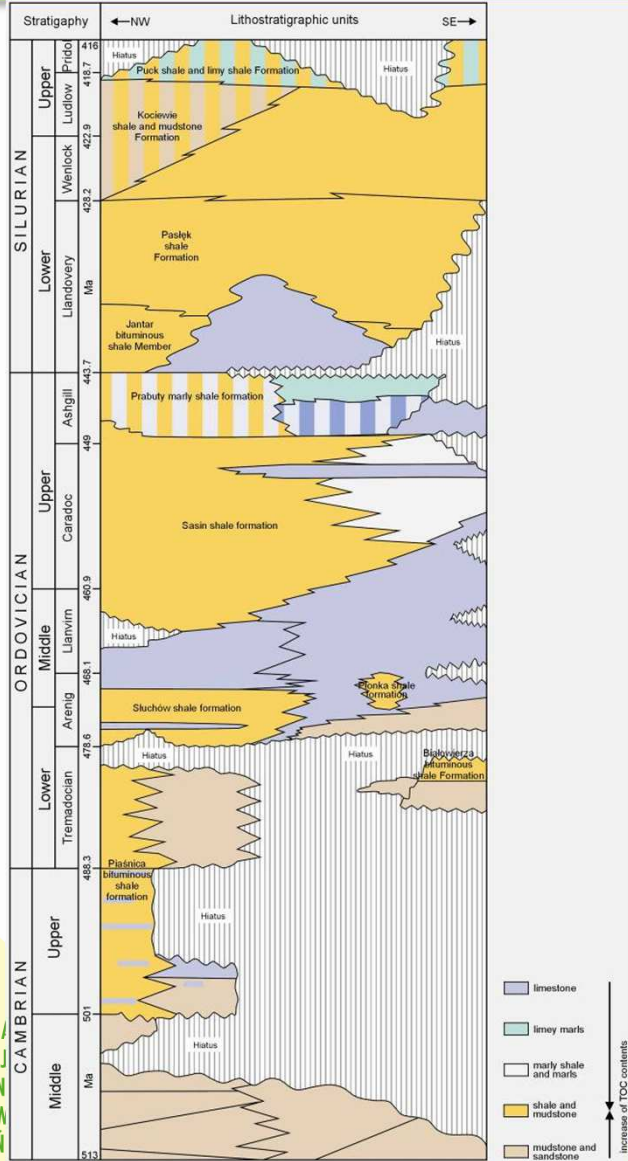


-  basins considered for shale gas exploration
-  basins with current shale gas exploration

Shales from upper Ordovician and lower Silurian periods



REGIONALNA
DYREKCJA
OCHRONY
ŚRODOWISKA
W GDANSKU



Administrative Structure

**Ministry
of
Economy**

Mining Department

Oil and Gas Dep.

Energy Department

General Directorate for
Environmental Protection

State Mining Authority

State Geological Survey

Chief Inspectorate for
Environmental Protection

National Water Management
Authority

**Ministry
of the
Environment**

Department of Waste
Management

Department of Environmental
Instruments

Department of Climate Change and
Atmosphere Protection

Department of Nature
Conservation

Department of Geology
and Geological Concessions

Legal framework

National level:

- **Geological and Mining Law with its Regulations**
- **Act on Freedom of Economic Activity**
- **Act on Environment Protection Law**
- **Act on the Provision of Information on the Environment and its Protection, Public Participation in Environmental Protection and Environmental Impact Assessments**

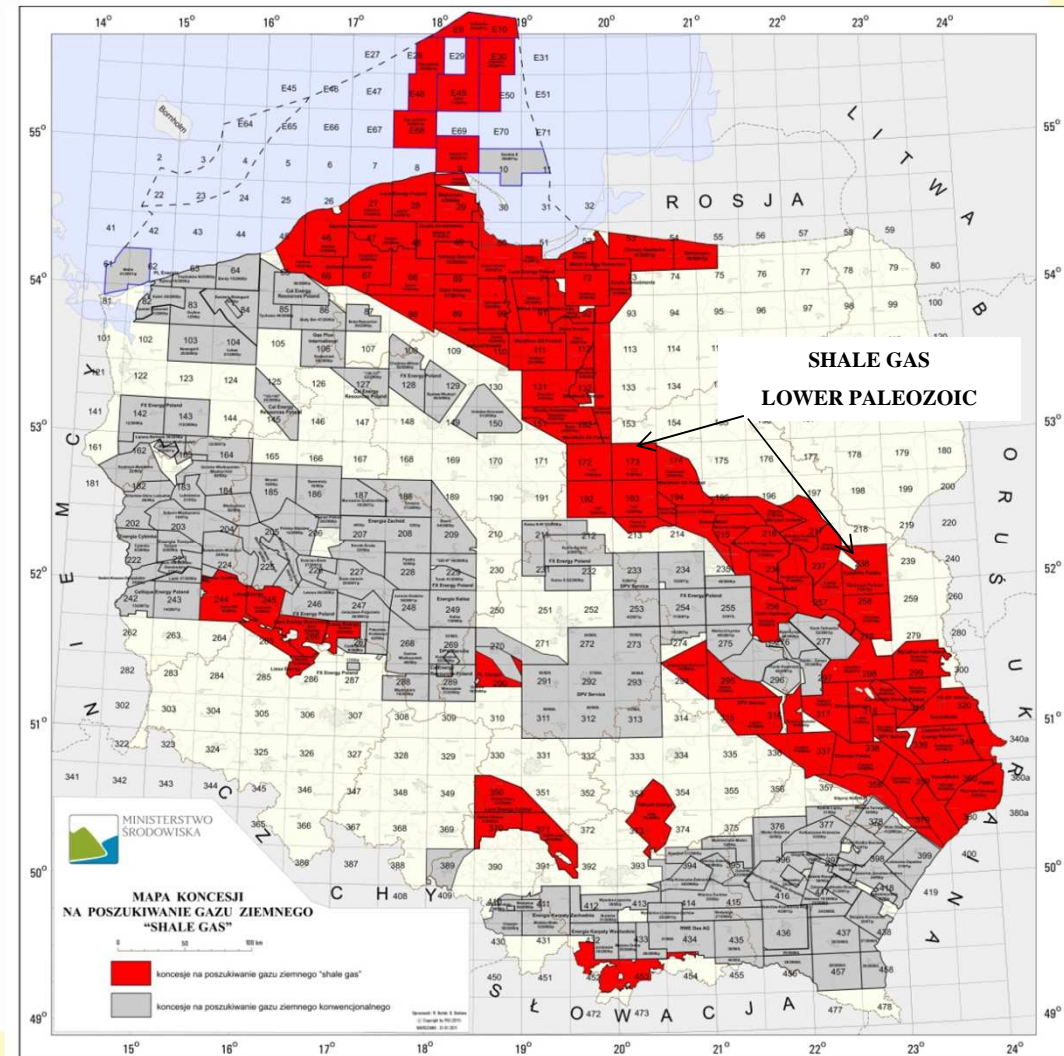
EU level:

- **Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons**

Concessions for prospecting and exploration of shale gas

✓ From 2007 as of October 2011 the Minister of the Environment granted **104** concessions for prospecting and exploration of shale gas fields to giant oil/gas companies such as:

- Chevron Polska Energy Resources
- ExxonMobil Exploration and Production Poland
- San Leon Energy
- Realm Energy International
- Marathon Oil Poland
- PGNiG
- Orlen Upstream
- Lotos Petrobaltic
- Lane Energy Poland + ConocoPhillips
- Cuadrilla Polska
- Dart Energy (Poland)
- Talisman Energy Polska
- BNK Petroleum
- DPV Service
- Eni Polska
- Strzelecki Energia



What volumes of gas can we expect from shale deposits?

So far we don't know

Perspectives for shale gas – expectations

- First exploration well in June 2010
- There are 10 wells for shale gas exploration in Poland today
- First reserves estimations within next few years
- First potential production within next 10-15 years

Administrative decisions

Administrative decisions necessary for implementation of projects related to exploration and exploitation of unconventional gas deposits:

- Decision on the environmental conditions (if required)
- Concession for prospecting and exploration of minerals from deposits
- Approved documentation of the deposit
- Decision on the environmental conditions (if required)
- Concession for exploitation of minerals from the deposit
- Approved operational plan of the mine
- Decision on building and land development conditions (if no local zoning plan exists)
- Water permits
- Building permits
- Other decisions, including those related to waste management

Procedures for Environmental Impact Assessment

The Polish law relating to EIA is compatible with EU law – Council Directive 85/337/EECof, Directive 2001/42/EC, as well as Council Directive 92/43/EECon (Habitat Directive) and Council Directive 79/409/EECon (Bird Directive).

The Act on Providing Information on the Environment and Environmental Protection, Public Participation in Environmental Protection and on Environmental Impact Assessment of 3 October 2008 (Journal of Laws No. 199, item 1227 as amended) – entered into force on 15 November 2008 (hereinafter referred to as the EIA Act).

The Nature Conservation Act of 16 April 2005 (Journal of Laws 2009 No. 151, item 1220 as amended).

The Regulation of the Council of Ministers on the Projects that May Significantly Affect the Environment of 9 November 2010 (Journal of Laws No. 213, item 1397).

Procedures for Environmental Impact Assessment for planned projects

Projects that may significantly affect the environment require a **decision on the environmental conditions.**

The EIA for a project is performed within procedure to issue a **decision on the environmental conditions.**

This decision is required before obtaining the necessary administrative decisions.

Environmental Impact Assessment of a project

The procedure for Environmental Impact Assessment of the planned project includes in particular:

1. verification of the Environmental Impact Report
2. obtaining opinions and approvals required by the act
3. providing opportunity for public participation in the process

Within the assessment should be identified, analysed and assessed:

1. the direct and indirect effects of a given project on:
 - a) the environment, human health and quality of human life,
 - b) property,
 - c) cultural heritage,
 - d) interaction between above mentioned elements,
 - e) access to mineral deposits;
2. possibilities and ways of preventing and reducing the adverse impact of the project on the environment;
3. required scope of monitoring.

Decision on the environmental conditions

Decision on the environmental conditions after the Environmental Impact Assessment:

- define the conditions for the use of the area at the stages of the implementation and operation or use of the project, with particular consideration given to the need to protect special natural values, natural resources and cultural heritage sites and to reduce the annoyances for the adjacent areas
- impose the obligation to prevent, reduce and monitor the environmental impact of a project.

Procedures for Environmental Impact Assessment for planned projects

A decision on the environmental conditions is required for proposed projects that may significantly impact the environment, which are defined in the above mentioned Regulation of the Council of Ministers of 9 November 2010.

Projects relating to exploration of unconventional gas field which can have a **potential significant impact on the environment**:

prospecting or exploration of mineral deposits:

- *connected with geological works and the use of explosives,*
- *on the maritime areas of the Republic of Poland,*
- *performed by underground methods,*
- *performed by drilling holes with a depth greater than 1000 m (§3 sec. 1 point 43, of the Regulation).*

Other projects relating to infrastructure of exploitation of unconventional gas field may as well significantly affect the environment .

Projects with potential significant environmental impact

The Environmental Impact Assessment is optional.

The decision whether the assessment should be performed is made by a competent authority carrying out the proceedings at the initial stage – qualification for assessment (screening).

This decision shall be issued after opinions from the Regional Director for Environmental Protection.

If the Environmental Impact Assessment is required the competent authority defines the scope of the report at the same time.

Prior to the issue of the decision, the competent authority provides opportunity for public participation in the process.

The assessment of the impact of a project on Nature 2000 area

Proposed projects within the Nature

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