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**Subject:**OMV proposed exploratory & appraisal drilling program in the Taranaki Basin

**Date:**2018-07-13 20:28

**From:**Climate Justice Taranaki <[REDACTED]>

**To:**[REDACTED]

**Copy:**[omv.application@epa.govt.nz](mailto:omv.application@epa.govt.nz), [REDACTED]  
[REDACTED]

Dear Minister,

Our group Climate Justice Taranaki is extremely concerned by OMV's plan to drill 12 exploratory/appraisal wells across six licensed areas in the Taranaki Basin.

OMV has lodged a discharge consent application to EPA for the discharge of harmful substances from the deck drains of a drilling unit. EPA has publicly notified this application and called for submissions (closed on 9 July 2018).

We understand that exploratory drilling is classified a non-notified activity, as is the discharge of production water from an exploration well. So on 25<sup>th</sup> June 2018, we wrote to EPA seeking clarifications on OMV's all applications associated with the drilling program, especially for non-notified activities.

On 6 July 2018, EPA replied and informed us that they had received a letter of intent from OMV stating that OMV intended to submit an application for marine consent for the proposed drilling program on 31 July 2018.

In our letter to EPA, we requested EPA to extend the processing period of the discharge consent application so that all related consent applications associated with OMV's drilling program could be jointly processed, to enable proper assessment of cumulative effects.

We hereby reiterate our request, especially given that EPA has now been informed of OMV's intention to lodge the drilling consent application on 31 July 2018. We find EPA's interpretation of EEZ s 44, as expressed in their reply (point 7), difficult to accept, and their reply re cumulative effects (point 6) unsatisfactory. We sincerely ask that in-depth legal advice be sought on this matter.

In our letter to EPA, we also requested EPA to conduct public hearings in respect of all applications for non-notified activities associated with OMV's drilling program, as enabled under the EEZ Act. EPA's reply (point 4-5) clarified that while the Act allows EPA to hold a hearing either in public or in private, the public is excluded from submissions and speaking.

EPA's reply (point 4-5) also stated that the decision on whether to hold a hearing (either in public or in private) in relation to an application is "*made by the decision-maker*". It is not clear to us who the "*decision-maker*" is in this case. The EEZ s 50(2) clearly states that "*The EPA may conduct a hearing, even if the applicant does not request one, if the EPA considers it necessary or desirable*". There is no mention of "*the decision-maker*" or Board of Inquiry in s 50(2) or in Schedule 2 specific to hearings of applications for marine consents for non-notified activities.

We hereby reiterate our request that a public hearing (or a hearing in public at least) be conducted on OMV's non-notified consent applications, given the scale and potential impacts of the drilling program.

Attached are EPA's reply to us, dated 5 July 2018, and our submission on the discharge consent application.

We would be grateful for your response and advice on our serious concerns raised in this letter.

Yours sincerely,  
Catherine Cheung  
Researcher  
Climate Justice Taranaki  
<http://climatejusticetaranaki.info>  
Tel: [REDACTED]