## Orica Mercury Independent Review Steering Panel Meeting 1 July 2013 Outcomes and Actions



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- Action 2.2 - Information on Office of Water website does not include rationale for exclusion zone placement. Information has been requested from Office of Water.
- Actions 2.1 and 2.2 of 18 April meeting - Information regarding the 'Sewer Report' and 'Pressure Relief Valves' has been provided by Orica for submission to the Independent Review.
- Discussion about panel members having access to this information included:
o Orica's view is that some information is commercial-in-confidence. To address this, Orica has indicated that it will make such information available to the appointed Reviewer but may not want it released more broadly, including to the panel.
o The Chair pointed out that any concerns about access to particular documentation is dealt with by ensuring that all available information is provided to the independent Reviewer.
o It is the Reviewer's role to collect, collate and analyse the information and provide recommendations to the panel based on the assessment of the documents and other information available.
o The Independent Reviewer will be required to demonstrate the completeness of the process of document review and provide summaries, findings and recommendations.
o The Independent Reviewer will further need to indicate the significance and relevance of documents. This will include at an intermediate point demonstrating progress by presenting to the panel.
o Some panel members expressed concern that they would not be able to personally review the document referred to by the exemployee in the teleconference of 18 April 2013 and asked if Orica could be formally requested to provide the document to the steering panel members?


## Zack Thomas

Action 2.2
Report back to panel the outcomes of the information request from the Office of Water.

Action 2.3
Orica to be formally requested to provide the document to steering panel members.

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$\left.\begin{array}{|l|l|l|l|}\hline & \begin{array}{l}\text { o Those panel members identified the purpose of gaining access to } \\ \text { the document was to reduce any potential alarm about the content } \\ \text { of the document and in the interests of transparency. Other panel } \\ \text { members felt that it wasn't necessary given the established } \\ \text { process for review of information. } \\ \text { - Action 6.1 from previous meeting - Recent HCB, mercury, pesticides } \\ \text { and PCBs test results for the area around the Sydney Water } \\ \text { easement at Hillsdale were made available to panel members who } \\ \text { requested them. }\end{array} & \text { Zack Thomas }\end{array} \begin{array}{l}\text { Action 2.4 } \\ \text { Ensure that Independent Reviewer } \\ \text { provides a list of all documents reviewed } \\ \text { and summarises the significance of } \\ \text { content. }\end{array}\right\}$

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a potential conflict identified by one of the shortlisted applicants.

- The panel requested that two of the applicants should be asked to present their appreciation of the scope of the project and proposed methodology to the Steering Panel at the next meeting.
- Following this, the Steering Panel will then advise the Selection Committee on their preference. The Selection Committee will submit a report recommending the proposed supplier to the EPA. The EPA will make the final decision and appoint the Independent Reviewer.
- The EPA confirmed that there will be a tender process for the Stage 2 - Environmental Testing Regime as determined by Stage 1 and with direction from the Steering Panel.

Zack Thomas
Action 3.3
The EPA will request two of the applicants to present to the panel. (Subsequently increased to three following an email exchange).

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|  | - The EPA's approach to engagement in areas where there are <br> elevated levels of community concern was discussed. This includes <br> the development of an EPA strategy that will provide a model and <br> guidance to staff. <br> - <br> The role and function of the EPA in emergency management and <br> response was discussed and clarified, in particular where it is <br> appropriate for the EPA to take the communications lead. The EPA <br> would only be the lead agency for communication during a pollution <br> incident. The combat agency (NSW Fire and Rescue and//r the <br> Police) have the lead for public communications in emergencies. <br> - Questions about how the EPA and NSW Health work cooperatively <br> were also raised. This happens regularly at both officer and senior <br> levels for issues and pollution incidents and WorkCover, Health and <br> the EPA have a standing Strategic Liaison Group that has regular <br> meetings to ensure cooperation and consistency in approach. |  |  |
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| 5 | Budget <br> - Nothing to update at present. | Any |  |
| 6 | Any Other Business <br> - A member felt that the recent changes to the website had made the <br> Botany webpage appear too focused on mercury-related issues. | Zack Thomas | Action 6.1 <br> The EPA will look into adding an extra <br> explanatory sentence to the Botany main <br> webpage. |
| 7 | Next Meeting <br> - Proposed for 2-5 pm Wednesday 17 July and to include presentations <br> from shortlisted applicants. | Zack Thomas | Action 7.1 <br> Organise next meeting (Subsequently <br> changed to Thursday 25 July due to <br> member attendance issues) |

