Orica Mercury Independent Review Steering Panel Meeting						
7 May 2014 - Outcomes and Actions						
Attendees	Mark Gifford (EPA, Chair), Greg Sheehy (EPA), Professor Alison Jones (University of Wollongong), Professor Mark Ferson (NSW Ministry of Health), Steven Poulton (CoBB Council), Chantal Snell (Community Member), Lynda Newnam (Community Member), Zack Thomas (EPA, Executive Officer)					
Apologies	Dr Klaus Koop (OEH), Talebul Islam (Randwick City Council), Pam Wilson (Public Affairs, EPA), Lara Kirchner (CoBB Council)					
Documents distributed	Agenda Outcomes and Actions from 5 March meeting					
Item	Discussion/Action	Responsibility	Actions			
1	Welcome and apologies					
	Apologies received from Dr Klaus Koop (OEH), Talebul Islam (Randwick City Council), Pam Wilson (Public Affairs, EPA), Lara Kirchner (CoBB Council)					
2	Outcomes and actions of 5 March meeting					
	3.1 – Feedback not yet provided to Councils to highlight the importance of the independent review to ensure media messages are conveyed	Steve Poulton, Talebul Islam	2.1 Report back next meeting on discussions within council			
	3.2 – Future communications messages for council will be provided to Steve, Talebul, council's communications teams, General Managers as well as the Mayor's office as appropriate					
	4.1 – Community forum session notes on webpage					
	5.1 – Residual PCB issue discussed in the Fell review on this agenda					
	5.2 – Request made to the EPA Board for a recommendation for a new panel member					
	7.1 – Discussion regarding communications for Stage 2 included on the agenda					
	9.1 – Inquiries about the minuting of the Ports meetings for comparison still to be made	Greg Sheehy	2.2 Report back next meeting on minuting options			

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3 Discussion: Should PCB issues management be engaged in by this panel?

A panel member asked in the previous meeting if residual PCB issues discussed in the Professor Chris Fell review would be considered by the steering panel.

A summary of the recommendation of the report was provided. The analysis of samples taken on or close to a Sydney Water easement outside the Orica site reveals that in a number of samples the concentration level of other materials lies above that for residential A and at or below the level for more public use. Further limited soil analysis should be undertaken for lead, chromium, PCBs and PAHs in off-site samples in this area. These are not presently considered a health risk and their presence is unlikely to be a legacy of processes operated by Orica and its ICI Australia predecessor.

To address the recommendation, the EPA is proposing that, as well as the mercury soil sampling, additional soil samples are collected and analysed for lead, chromium, PAHs and PCBs from the sample sites identified by the Stage 2 contractor within the residential area bounded by Denison Street, Beauchamp Road, Rhodes Street and the Sydney Water easement at Hillsdale. The results will be assessed against the appropriate NEPM HIL for the location of the sample, i.e. Residential A and B or Recreational C.

The results of these analyses may indicate an exposure pathway which will then need to be investigated. The results will be brought back to the panel for discussion.

The EPA will fund the analysis of these samples as, if they are present, it is unlikely to be an Orica legacy.

The panel agreed to this approach.

EPA

3.1
Ensure appropriate sampling and analysis for lead, chromium, PCBs and PAHs is undertaken for the samples collected in Stage 2 in the identified residential area

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4	Feedback on request to the EPA Board for a recommendation on a new panel member					
	The steering panel agreed at the last meeting that the EPA Board should be approached to request that the Minister make a recommendation for a new panel member.					
	The process of making the request was described, including the preparation of a briefing to the board and the delays caused by the recent ministerial changes.					
	A number of options were discussed, including those suggested by the Minister and those that were put forward by panel members. There were a number of concerns expressed and clarifications requested.	Mark Gifford	4.1 Clarify concerns such as availability and previous roles with prospective candidates 4.2			
	The Minister will nominate a new panel member and the panel will make the final selection.					
	If payment is required for the new panel member there are NSW government guidelines to be followed in place for this.					
	The panel agreed that Mark Gifford would discuss the three favoured options with the Minister at their next meeting.	Mark Gifford	Discuss new panel member options with the Minister			
5	Stage 2 procurement process					
	Members of the panel expressed a preference to delay the procurement of the Stage 2 contractor until the new panel member had been found and had been given the opportunity to be involved with the process.					
	It was acknowledged that this may delay the process significantly.					
	Some panel members felt that it was not necessary for the new member to be involved with the tender design directly.					
	The message to the community needs to continue to be that the testing will be taking place.					
	It was agreed that the decision to delay or not would be dependent on the outcome of Mark Gifford's discussion with the Minister.					

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	It was noted that none of the analysis for Stage 2 will take place at Wollongong University.	Mark Gifford	5.1 Report back to panel regarding discussion on new panel member options with the Minister				
	The EPA suggested that Penrhyn Estuary foreshore be tested as a public amenity area comparable to the previously identified public parks and this was agreed by the panel.						
6	Stakeholder engagement						
	As a member of the EPA Public Affairs team was unable to attend this meeting, the discussion regarding communications for Stage 2 should take place at the next meeting.	Zack Thomas	6.1 Include on the agenda for the next meeting and invite EPA Public Affairs				
7	Budget						
	No update						
8	Other business						
	None.						
9	Date for forthcoming meeting						
	Wednesday 11 June at 10am until 1pm.						

EPA 2014/0545 June 2014