

Release of Draft Gore Bay Terminal Modification Human Health Risk Assessment, Greenwich NSW

In 2012 Shell Refining Australia Pty Ltd notified the NSW Department of Planning that it intended to apply for approval to carry out major work at the Gore Bay Terminal, following closure of its Clyde refinery. Crude oil imports were to cease, replaced by finished products petrol, diesel, jet fuel and marine fuel. Approval was not required for the product switch (this happened in October 2012) – it was the value of capital works at Gore Bay that was the trigger.

The news of such a development application was significant, as no previous works at the terminal had ever been subject to assessment by the NSW Department of Planning. Shell was advised of the detail it had to include in an Environmental Impact Statement (EIS). This EIS would have offered the community first ever access to extensive data about the terminal operations.

The EIS was required to address *“Air Quality and Odour, including a quantitative assessment of the air quality and odour impacts of the development on surrounding receivers, including impacts from road and sea transportation”*.

This was a welcome development. The community had been seeking more information around terminal emissions since at least 2008, following a recommendation in a report by Dr Tim Driscoll (MMBS BSc(Med) MOHS PhD FAFOM FAFPHM):

“Recommendation 3: On-going monitoring of exposures

Shell should ensure that an appropriate exposure monitoring system is in place at the Terminal on an on-going basis. This should involve personal monitoring of workers and environmental monitoring of the Terminal and its perimeter.”

From 2011 to the end of 2014 Shell convened community meetings as part of its consultation around the planned development application. Given the ongoing community concern around emissions at the terminal, Shell representatives were often asked to disclose the data prepared for the EIS in respect of air quality and odour in a report known as the Human Health Risk Assessment (HHRA). Shell repeatedly refused to disclose this data, saying that it would be made available only when the EIS was placed on exhibition.

Given the refusal by Shell to make the data available, a community association called Friends of Gore Bay applied to NSW Health, in June 2013, for release of the data under the GIPA (FOI) process. The request was referred to Shell and the access request was subsequently refused.

In May 2015 Viva Energy (as Shell was known after a 100% shareholder change) cancelled its development plans. With this cancellation, the community’s right to access data in the EIS was lost.

Given the community’s ongoing concern to better understand the terminal emissions, Friends of Gore Bay appealed the decision of NSW Health to withhold the HHRA. After almost three years of appeals, the NSW Civil and Administrative Tribunal released the **draft** HHRA and related correspondence to Friends of Gore Bay. These documents were subsequently made available to the GCA Gore Bay Terminal Sub-committee, **noting that the HHRA is in draft form, as it was never required to be finalised once Viva Energy cancelled its development application.**

So, almost ten years after the Driscoll report we still have no ongoing boundary monitoring of emissions. Our newsletters have described in detail the EPA’s refusal to require this of Viva Energy, despite clear advice by NSW Health and the GCA’s many pleas.

Both the GCA and Friends of Gore Bay have sought assistance from NSW Health to better understand the data in the HHRA but this was refused. The GCA continues in its efforts to secure specialist advice but this has proven difficult and, potentially, expensive.

For the above reasons, the GCA committee has no view as to the information contained in the **draft** HHRA in terms of past and current operations at the terminal. The committee feels, however, that the community should have access to the material and it can be accessed on this link.