



Greenwich Community Association Inc

PO Box 5057, Greenwich, NSW 2065

For current committee contact details see www.greenwich.org.au

3 January 2017

The Hon Mike Baird MP
Premier
GPO Box 5341
SYDNEY NSW 2001

Dear Premier

Health impacts of oil spill at Viva Energy Gore Bay Terminal on or about 30/12/2016
Request for urgent implementation of boundary emissions monitoring
Request for review of other regulatory controls

The Greenwich Community Association Inc (GCA) seeks your urgent action to require the EPA to amend the licence for the Gore Bay petrochemical import and storage terminal to include immediate implementation of emissions boundary monitoring technology. This request, in the middle of the holiday period, is made in the light of the shore-based leak of fuel oil that occurred on or about 30 December 2016. This leak impacted the waterways of Gore Bay and exposed those adjacent to the terminal to distressing odours (and, it is assumed, emissions) that were still evident late 1 January 2017.

The EPA, not Viva Energy, notified me, in my capacity as GCA President, of the spill at 9:45pm on 30 December, 2016. Officers did not then, nor subsequently, address with me or others with whom they had contact, potential health impacts of the fumes released by the spill. This was particularly concerning given that hundreds of people were gathering to view the fireworks at Manns Point and Berry Island, immediately adjacent to the spill site at the southern end of the terminal, whilst sludge from the spill was still being cleared at the terminal and an oil slick was evident between Gore Bay and Berry Island. The attached aerial photograph shows how close both Manns Point and Berry Island are to the terminal.

When asked specifically about possible health risks, EPA officers and Viva Energy representatives advised that this was the responsibility of NSW Health but gave no undertakings to follow up immediately with that department - a troubling response, given the strong odour and obvious oil slick, the evidence of the AMA to the 2013 Senate Inquiry into health impacts of air quality and the recent media coverage around health risks of petrochemical products. A question about such risk was sent to an EPA officer at his request at 13:02 on 31 December and a response was received today. We have been advised that NSW Health has been notified of the incident and that any questions around health impacts should be directed to NSW Health.

Since 2011, the community has been seeking from the Premier, other Ministers and regulators assurances that operations at this terminal meet standards consistent with world's best practice to safeguard against health impacts of exposure to emissions from petroleum products. Our requests have been passed from Minister to Minister and agency to agency, with the consequence that, five and a half years later, there has been minimal progress in this regard.

On 28 July 2015, NSW Health advised the EPA that it should include in its licence for the terminal a requirement for ongoing boundary monitoring of PAH and VOC levels. We understand that this advice was based on information available to NSW Health through its access to a draft Human Health Risk Assessment prepared by Viva Energy for its abandoned SSD for the terminal. The community gained access to this draft assessment on the direction of NCAT only after a three year GIPA process defended by Viva Energy.

NSW Health has since declined to assist the community to better understand the technical data in the draft Human Health Risk Assessment. The community was, however, heartened to see the recommendation of NSW Health to the EPA in terms of boundary monitoring. It was, therefore, distressing to hear from the EPA in the week prior to Christmas 2016, eighteen months after advice from NSW Health, that it is merely "negotiating" a pollution study program with Viva Energy with no assurance that a monitoring system will be implemented nor a time frame defined.

The recent spill highlights the fact that regulators responsible for monitoring health and safety of the community impacted by the Gore Bay Terminal operations lack the information required to carry out their responsibilities. It is unacceptable in 2017 for these regulators and the community to be left without accurate and current information about emissions and other aspects of the terminal operations relevant to human and environmental health and safety. In the context of the current incident, a call now to NSW Health would be almost pointless, given that there is no boundary data to work with for an incident that occurred five days before NSW Health was notified.

Appropriate technology is available to monitor many of the impacts of the operation, as are a range of technologies that could make the Gore Bay operation safer for and less intrusive on the community in which it is located. Ministers and regulators appear to lack capacity, resources or commitment to implementing best practice at the terminal and Viva Energy has demonstrated that it has little interest in doing so of its own accord.

The GCA seeks your urgent action as follows:-

1. We seek your urgent engagement with the Minister for the Environment to put in place immediately at Gore Bay Terminal a boundary emissions monitoring regime in line with advice from NSW Health
 2. We seek your engagement with the Minister for the Environment to secure other regulatory licensing controls as recommended by the NSW Health and other responsible authorities consistent with world's best practice for a petroleum import and storage facility in very close proximity to a residential area
 3. We seek your support to ensure that all relevant regulators provide to the community the information and assurances sought so often in the past five years.
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We have a large volume of correspondence, photographs etc relevant to this matter and can provide them if required. We are also able to meet with you or other Ministers and departmental officers at short notice.

We await an urgent response to this letter. Please note that a copy of this letter has been sent to the people listed below.

Yours faithfully



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President

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| cc | The Hon Mark Speakman SC MP | Minister for the Environment |
| | The Hon Jillian Skinner MP | Minister for Health |
| | The Hon Anthony Roberts MP | Member for Lane Cove, Minister for Resources, Energy and Industry |
| | The Hon Trent Zimmerman MP | Member for North Sydney |
| | General Manager | Lane Cove Council |
| | General Manager- | North Sydney Council |