

Endorsed Minutes 7 December 2017

- Meeting:** Williamtown Contamination Investigation Community Reference Group (CRG)
- Date:** 7 December 2017
- Location:** Newcastle Airport Boardroom Time: 3:35pm – 6:10pm
- Number:** 1708
- Chairperson:** Jodie Calvert | Principal Coordinator | Department of Premier and Cabinet
- Secretariat:** Aaron Spadaro | Senior Coordination Officer | Department of Premier and Cabinet
- Attendees:** Nick Marshall | Salt Ash Community First
Kim Smith | Salt Ash Community First
Phil Blanch | Community Member and Fisher's Representative
Don Burgoyne | NSW Farmer's Association | Community Member & Oyster Farmer
Justin Hamilton | Fullerton Cove Action Group | Williamtown Salt Ash Flood Group
Lindsay Clout | Fullerton Cove Action Group | Williamtown Salt Ash Flood Group
Rhianna Gorfine | Williamtown and Surrounds Residents Action Group
Chris Birrer | First Assistant Secretary | Department of Defence
Michelle Butler | Senior Liaison Officer Williamtown | Department of Defence
Sarah Davis | Project Officer | Department of Defence
Adam Gilligan | Regional Director | Environment Protection Authority (EPA)
Karen Marler | Manager Hunter Region | EPA
Glenda Briggs | Regional Manager | Dept Primary Industries
Dr Kat Taylor | Hunter New England Local Health District
Sharon Nelmes | Department of Human Services
Wayne Wallis | General Manager | Port Stephens Council
Dr Brendan Berghout | Hunter Water Corporation | NSW Expert Panel Water Working Group
Amanda Lee | AECOM (Defence Contractor)
Kyle Horner | EPA | NSW Expert Panel Working Group
- Apologies:** Cain Gorfine | President, Williamtown and Surrounds Residents Action Group
Cornelius Disselkoen | Maria's Vegetable Farm | Community Member
Andrew Smith | CEO Worimi Local Aboriginal Land Council | Community Member
Mark Salm | NSW Farmer's Association | Community Member & Oyster Farmer
Vicki Pearce | PFAS Environmental Mgmt & Remediation | Department of Defence

Air Commodore Craig Heap | RAAF Base Williamtown
 Prof David Durrheim | Hunter New England Local Health District
 Luke McLeod | Assistant Secretary PFAS Investigation & Management
 Rob Gauta | Manager, Commercial Fishermen's Coop

Number	Action Item	Responsible	Due Date
1708-1	Revisit unendorsed minutes from 31 August meeting and progress toward finalisation	Chair	ASAP
1708-2	Re-distribute the approach devised for drain cleaning work approach to community CRG members	EPA	ASAP
1708-3	Provide CRG with the waste management strategy for the drains and Minister/Government response to issue of resourcing off-base remediation as soon as available	EPA	As soon as available
1708-4	Forward new Regional Drain Study project fact sheet electronically for wider distribution by CRG members	Defence	Completed
1708-5	Provide a brief to the CRG on the scope of the Regional Drain Study once the tender is awarded	Defence	Timing to be advised
1708-6	Forward new water treatment plant fact sheet electronically for wider distribution by CRG members	Defence	Completed
1708-7	Report back to the CRG on future sampling and monitoring activity in the Salt Ash Weapons Range area	Defence	ASAP
1708-8	Provide comments on site-specific aspects of the mapping and the supporting explanatory notes to the EPA	Community CRG members	Completed
1708-9	Liaise with Newcastle Airport about worker safety and other management implications	EPA	Completed 16/12/17 and ongoing as required
1708-10	Provide response to the new restriction on using bores for watering paddocks and livestock in the Primary Management Zone	Defence	Completed

1708-11	Refer the issue of safe levels of bore water consumption by livestock to the NSW Expert Panel for their consideration	NSW Health/ EPA	ASAP
1708-12	Confirm future of PM&C PFAS Taskforce and seek their attendance at a future CRG meeting	Defence	Next meeting date TBC
1708-13	Confirm reimbursement arrangements for plumbing connections funded by individual residents/households	Defence	ASAP

Meeting Minutes

1. Welcome and Introductions

Chair welcomed all attendees, read apologies and gave an Acknowledgement of Country.

Chair thanked the community CRG members for their commitment during a very busy month in the investigation. Adam Gilligan acknowledged the unpaid, voluntary time and effort of community CRG members work. Community members thanked the Chair and Adam for the acknowledgement.

2. Endorsement of Minutes – 31 August 2017

Chair acknowledged the ongoing discrepancies and differing recounts of discussions in the previous minutes. Chair explained the latest version of the minutes have attempted to transparently capture the divergent views about positions stated at the meeting without adjudicating on them. Chair advised it was her preference to have the minutes from 31 August 2017 published online in 'draft format' if they could not be endorsed, but provided the option for community members to have the minutes revisited if that was their preference. Community members requested the meeting minutes be revisited now that the Chair has returned from medical leave, with a view to finalising and publishing online.

Action: Chair to revisit unendorsed minutes from 31 August meeting and progress toward finalisation.

3. Action Items update (discussed if ongoing and not yet complete)

1702-5

Chair noted that contact had been made with fishers on the issue of drain clearing. Responding to questions from Lindsay Clout and Rhianna Gorfine requesting an update on this issue, Chair indicated the latest position is covered by a letter sent to fishers by the EPA some time ago.

Phil Blanch expressed concerns over materials being taken out of drains being placed to the side of roads, where it's feared the contaminant might spread particularly during heavy rains. Nick Marshall suggested the material removed from drains might be better taken back onto the Base for remediation, or otherwise removed from the area, to demonstrate a commitment to off-base remediation.

Adam Gilligan explained the placement of materials by the side of drains will not exacerbate the spread of contaminants. Removal and remediation on the base is different as it will have an impact on the spread of PFAS. Moving of materials from drains away from drain banks is not an effective use of time and money as water leaving base still contaminated. Karen Marler indicated that the Office of Environment and Heritage waste management strategy for the drains is being prepared.

Don Burgoyne asked whether testing of baseline levels and changes over time are being monitored, suggesting monitoring to understand the impact of larger rain events should also be incorporated. Adam Gilligan emphasised need to prioritise efforts to reduce overall levels of contamination, not efforts that shift the contaminant around. The approach devised by the EPA for drain cleaning work approach can be sourced and re-provided to community members. The EPA is also working to recommend to Defence a package for long term monitoring and continual review of zones. Chris Birrer concurred with the need for ongoing monitoring.

Action: EPA to re-distribute the approach devised for drain cleaning work approach to community CRG members.

Rhianna Gorfine queried whether there is budget to carry out any off-base movement of soil. Chair indicated the Minister for the Environment has taken the issue of resources for off-base remediation on board for consideration following her recent meeting with CRG community members on 4 December. Adam Gilligan indicated a list of options was being prepared to feedback on community concerns raised with the Minister, and it is hoped a response might be ready before Christmas.

Action: EPA to provide CRG with the waste management strategy for the drains and Minister/Government response on the issue of resourcing off-base remediation as soon as available.

1704-2

Requests from CRG to meet with the Premier and NSW Minister for the Environment were progressed by the Chair. Defence will follow up with Department of Prime Minister & Cabinet PFAS Taskforce on the request to meet with the Prime Minister.

1706-2

Rhianna Gorfine requested an update from Defence. Chris Birrer indicated the procurement process was underway and a tender has now been released. A new project fact sheet has been prepared and will be forwarded to the CRG. The project includes a study by Umwelt to deliver options for how to manage drainage and PFAS flows and working with challenges presented by fragmented ownership.

Rhianna Gorfine asked whether cost imperatives drove the decision to select Umwelt. Chris Birrer advised it was based on value for money and their experience in undertaking this kind of work. Wayne Wallis added Port Stephens Council's use of Umwelt for past studies also allows continuity in the work.

Rhianna Gorfine advised that Umwelt was the consultant firm who provided advice on the sand mine in Cabbage Tree Road. Chris Birrer advised he was not aware of this.

Rhianna Gorfine emphasised the need to integrate both flooding and contamination aspects through the Study which has been lacking with past studies. AECOM indicated both ground and surface water were considered together, along with inputs from past reports prepared for Council. This integrated review informed the creation of three zones for surface water.

Don Burgoyne highlighted that drainage works in Port Stephens may lead to disturbing acid sulfate soils. Consideration of acid sulfate soils should form part of the Umwelt study, in order to avoid creating new unforeseen problems. Adam Gilligan highlighted there are established systems and procedures to accommodate the management of acid sulfate soils. Chris Birrer emphasised the need for the Umwelt consultancy to pull each of these elements together in delivering on its brief.

Nick Marshall enquired about the timeframe for the work. Chris Birrer indicated work on the Regional Drain Study would be complete by mid-2018, and it would deliver options for managing drainage off base, including consideration of alternative management options. The work would tie in with the Flood Study, which has started to develop options.

Lindsay Clout requested the CRG be kept in the loop as Defence work continues.

Action: Defence to forward new Regional Drain Study project fact sheet electronically for wider distribution by CRG.

Action: Defence to provide a brief to the CRG on the scope of the Regional Drain Study once the tender is awarded.

1707-4

Defence fact sheet on the new water treatment plant has been prepared and was distributed in hard copy.

Action: Defence to forward new water treatment plant fact sheet electronically for wider distribution by CRG members

1707-12

Chris Birrer confirmed seafood testing would likely form part of Defence's ongoing monitoring program, and a forward program of monitoring activities was being developed in consultation with the EPA. AECOM highlighted the significant program of seafood testing undertaken to inform the findings of the Human Health Risk Assessment, accounting for multiple seasons, conditions and scenarios. Sampling was undertaken in partnership with NSW DPI, with specific species targeted for sampling.

4. Revised Human Health Risk Assessment and new Management Zone boundaries

Chair opened the meeting to discussion of this week's release of Defence's revised HHRA and management zone mapping, and highlighting the availability of additional information sessions scheduled by the EPA to allow residents to access tailored face-to-face information on the implications of the release for individual households.

The EPA (Adam Gilligan, Kyle Horner) and Hunter Water Corporation (Brendan Berghout) led the CRG through the EPA's updated management zone mapping.

Adam Gilligan explained that following the CRG's meeting with the Minister for the Environment, it was acknowledged further improvement and refinement of the EPA mapping was required. In response to community CRG member feedback, the mapping:

- has been updated to include all land within individual allotments/properties
- will be supported with a simple two-page explanation of the precautionary advice and requirements applicable to each of the three management zone, responding to initial feedback requesting more details on what the zones mean for individual properties.

The EPA mapping is based on the combination of Defence data sourced from the HHRA, modelling and sampling results and local topography. A series of management decisions have also been taken to simplify the presentation and application of the mapping, such as pulling the boundary out to the edge of properties and to Nelson Bay Road. Following on from initial inputs, additional comments from community CRG members are welcome in assisting to finalise the mapping, and the content of the accompanying two-page explanatory notes.

Kyle Horner and Brendan Berghout expanded on mapping process, reiterating its basis in the latest HHRA data and sampling. Land height contours, hydrological barriers and breaks are considered as part of the design. If the status or extent of contaminant levels for particular lands were unclear, or if there was reason to suspect need for additional precaution, sites were included into a more restrictive management zone. They discussed the environmental data given higher priority for inclusion in order to determine the proposed management areas, and that residential bore data was interpreted to be of lower value as well construction details were not available. Monitoring data between 2015 and today was considered reliable for this analysis, but information on concentration and distributions dating back to 1970s could not be confidently used.

Kathryn Taylor offered to film the session explaining the development of mapping for the benefit of the wider community.

Adam Gilligan asked why 1.5 mAHD is used is used to inform the shape of the management areas. Brendan Berghout explained water in flood conditions when the floodgates close, the 1.5 mAHD contour is a line of best fit to contain the movement of floodwaters. Where elevation was above 1.5 mAHD, the area of land was not included within the management zone. The 1.5 mAHD line is also reasonably consistent with the 1 in 100 year flood line contained within in Port Stephens Council's flood mapping.

Adam Gilligan raised the area immediately north of Cabbage Tree Road. Nick Marshall pointed out that surface and groundwater detections were found in this area when previous testing found no detects. Rhianna Gorfine also raised the variations in the depth of residential bores and the conclusiveness of sample results. Brendan Berghout explained the areas she was concerned about were not included as they were above 1.5 mAHD, and therefore flooding was unlikely. Kyle Horner explained confidence levels for test results are lower in areas where residential bores are relied upon as the primary data source, and confidence levels are higher nearer the base. Therefore, buffer areas were incorporated to capture and precautiously accommodate this uncertainty.

Nick Marshall emphasised the combined role of groundwater and surface water in understanding movement of, and exposure to contaminants. Amanda Lee highlighted the significance of residential bores, as they are the most representative data source for residential exposure. She confirmed the HHRA considers both surface and groundwater as equally important components of the full contamination picture.

Adam Gilligan discussed the physical extent of contamination spread, referencing the movement south into the Fullerton Cove area. Brendan Berghout highlighted Hunter Water has detected PFAS from multiple sources throughout the area, so the conceptualisation of the mapping is underpinned by confidence levels of detections emanating from the Base as the primary source.

Lindsay Clout pointed out an area missed in the mapping, centred around a drain leading into 10 foot drain to the west of (immediately beside) Nelson Bay Road, which in flood drains westward toward Fullerton Cove. Justin Hamilton points out the drain also flattens out to low swamp at southern extent.

Justin Hamilton asked whether investigations are still occurring in the management zones, or whether we are purely 'managing' the issue now. Adam Gilligan explained the approach is to manage, but to continue monitoring.

Justin Hamilton suggests need for management zone to extend west into the Fullerton Cove water body, given the known flow of contaminants into the cove.

Lindsay Clout asked why residents in Willow Lane not included in the PMZ, given the application of Primary Management Zone restrictions to the drains traversing this area. Brendan Berghout explained the diluting impact of floodwaters, hence the PMZ applying to drains for which the flow of water is constant. Lindsay reiterated the need for ground truthing as opposed to desk top analysis.

Lindsay Clout and Kim Smith expressed concerns about ponding and heavy rains creating new or occasional contaminant pools. Brendan Berghout agrees this may be an outcome. Adam Gilligan suggests there may be a case to heighten the precautions in the areas to the southern extent up to the alignment of the 10 foot drain to allay Lindsay's concerns about the need for added precaution in flooding events. Amanda Lee reiterated that sampling occurred covering all types of weather and flooding conditions, which was disputed by community members. Don Burgoyne suggests testing soils in these temporary ponds, but EPA representatives suggest this will not allow correlation.

Lindsay Clout suggested advice be added to the advisories covering what residents should do under flood conditions. Karen Marler urged caution to ensure the messages are clear and not confusing. Kat Taylor reiterates all precautionary advice and zone boundaries are predicated on calculations around Tolerable Daily Intakes (TDIs), the amount a person can safely be exposed to, every single day for a 70-year lifetime of exposure. EPA will continue working on refined messages, particularly as they relate to TDIs and flood conditions.

Nick Marshall asked about movement of contaminated groundwater and further expansion of management zone boundaries. Brendan Berghout and Kyle Horner confirmed in the absence of Defence base lead remediation, the contaminant plume will continue to migrate. The rate of underground contaminant plume spread is best considered in terms of '2-5 metres per year' as opposed to metres per month, based on estimates of historical movement patterns. Lindsay Clout raised increasing groundwater use may increase the spread of contaminant, but Brendan Berghout considers the proportion to residential groundwater use to be minor compared to natural processes such as evaporation. Don Burgoyne suggested the rate of spread might be faster in particular localised areas.

Nick Marshall asked if testing has been undertaken in the Rooks Road and Lemon Tree Passage area. Defence indicated that sampling had occurred in that area. Chris Birrer undertook to follow up and report back.

Action: Defence to report back to the CRG on future sampling and monitoring activity in the SAWR area

Nick Marshall asked about the impacts of Base development and dewatering - is this leading increased rates of contaminant spread downstream? Brendan Berghout and Adam Gilligan highlighted the spread of contaminations via surface water flows are the most likely implication of development activity.

Rhianna Gorfine, Adam Gilligan and Brendan Berghout identified there are ongoing issues with the boundary alignments north of Cabbage Tree Road in the area of the sand mine, including the presence of swamp in that area that should be re-evaluated.

Adam Gilligan invited other suggestions on how the mapping and other explanatory information might be improved. Community comments on boundary alignments, associated messages and further EPA management considerations should be fed back to the EPA for consideration and review. Kyle Horner reiterated ongoing monitoring and validation remains priority for the EPA. Rhianna Gorfine thanked EPA for taking into account their specific site specific concerns and amending the mapping accordingly.

Karen Marler confirmed community comments are required by next week to allow finalisation and publication of the materials in a timely manner.

Action: Community CRG members to provide comments on site-specific aspects of the mapping and the supporting explanatory notes to the EPA by Tuesday 12 December

5. Community Feedback

Nick Marshall asked what advice and recommendations had been given to civilian workers on the Base, and whether Safework NSW has been involved. Chris Birrer advised Comcare has jurisdiction on the base, and have been provided with the relevant information. Adam Gilligan agreed to liaise with Newcastle Airport to ensure precautions relevant to the Primary Management Zone are being enforced with their workers, noting updates and discussions have been ongoing with the Airport. Kyle Horner advised that any development in the Williamstown area would require tailored site-specific assessments, as opposed to the standard contamination assessment requirements typically applied in normal circumstances.

Action: EPA to liaise with Newcastle Airport about worker safety and other management implications.

Rhianna Gorfine asked about the impacts of DAREZ development for contaminant movements/flows? Kyle Horner confirmed it could have consequences, as all development does. The Expert Panel's Water Working Group has been asking these questions and seeking responses from Defence.

Rhianna Gorfine asked about a nearby development application to provide fill for a retirement village near the Airport, and the broader impacts of development involving throughout the Primary Management Zone. Brendan Bergout suggests proper assessment requires a commitment from developers to detailed design and modelling. Adam Gilligan suggests development assessment processes typically require these impacts to be rigorously considered.

Nick Marshall and Kim Smith raised the new restrictions on the use of bore water for watering animals and irrigating paddocks, and the possibility of new fencing to prevent livestock from consuming contaminated water. Reticulated water provision is intended for household use, and is expensive for animal consumption. Residents in the Primary Management Zone seek an urgent response from Defence. Chris Birrer stated the provision of reticulated water aimed to respond to HHRA advice, but there is no position as yet regarding water supplies for livestock and irrigation. Kim Smith requested a Defence response within a week, given the pressing need to respond to concerned community members.

Action: Defence to provide its response to the new restriction on using bores for watering paddocks and livestock in the Primary Management Zone.

Rhianna Gorfine raised the issue of safe levels of water consumption by livestock. Kat Taylor suggested this is a matter for consideration by the NSW Expert Panel.

Action: NSW Health/EPA to refer the issue of safe levels of bore water consumption by livestock to the NSW Expert Panel for their consideration.

Nick Marshall conveyed the concerns of a local resident seeking resolution, compensation and a way out of this problem. The CRG acknowledged this is beyond the control of Chris Birrer and the PFAS Management team. The recent Federal Senate motion seeking Government action to assist the residents of Williamstown is due for response in February 2018 and is hoped will set out a way forward.

Nick Marshall raised a question from within his community about the adequacy of the three filtration facilities operated by Defence. Concern was expressed that contaminants are still escaping the based during periods of heavy rain and additional filtration facilities are required. Chris Birrer stated that Defence is working with the NSW Expert Panel on plans for the resolution of this issue.

Nick Marshall raised a suggestion from a local resident for Defence to relocate people out of the Primary Management Zone. Chris Birrer suggested this is a matter for consideration by the Prime Minister and Cabinet PFAS Taskforce, and suggested he could invite them to the next CRG meeting. Chair suggested she had information suggesting the Taskforce is to be disbanded. Chris Birrer undertook to confirm this and report back.

Action: Defence to confirm future of Taskforce and seek attendance at a future CRG meeting.

Lindsay Clout informed the CRG individual residents/households have been engaging Hunter Water for plumbing connections at their own personal expense. Chris Birrer undertook to seek confirmation of Defence's commitment to reimbursing residents for plumbing connections.

Action: Defence to confirm reimbursement arrangements for plumbing connections funded by individual residents/households.

Lindsay Clout asked whether the EPA mapping would be used as the basis for installing new reticulated water connections. Adam Gilligan confirmed this is correct.

6. Updates

Transition of CRG

Adam Gilligan advised the briefing recommending is transition arrangements for to a new community engagement model remains in the hands of the Minister for the Environment, and that a response and resolution is being pursued with her office by the EPA. Chair apologised for the length of time taken to resolve, but this issue and the question of elected representative participation in the new community group are out of the control of agency staff. Agency staff are seeking a speedy resolution, and in the interim, community members should continue to make use of the information hotlines and web information available, and to email Defence, EPA and other relevant agencies as issues of wider community interest arise.

Meeting closed: 6:10pm