

Allen Johns

From: Kim Barry
Sent: Friday, 26 March 2010 1:18 PM
To: Allen Johns
Subject: FW: Accensi

*Kim asked Allen to send out the
response which Darryl drafted up.
26/3/2010*

Kim Barry
Team Leader, Contaminated Land Unit
Telephone: 3330 5693 **Mobile** CTPI Sch 4
www.derm.qld.gov.au
Department of Environment and Resource Management
8th floor 400 George Street
PO Box 15155, City East Q 4002
http://www.epa.qld.gov.au/environmental_management/land/contaminated_land/

Please Note

We have recently moved to the above address.

From: Kim Barry
Sent: Thursday, 18 March 2010 2:08 PM
To: Darryl Byers
Cc: Warren Muller
Subject: FW: Accensi

Darryl,
Please prepare CAR - no conditions for Warren to sign.
thanks
Kim

Kim Barry
Team Leader, Contaminated Land Unit
Telephone: 3330 5693 **Mobile** CTPI Sch 4
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Department of Environment and Resource Management
8th floor 400 George Street
PO Box 15155, City East Q 4002
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Please Note

We have recently moved to the above address.

From: Mark Westaway [mailto:Mark.Westaway@moretonbay.qld.gov.au]
Sent: Wednesday, 17 March 2010 2:24 PM
To: Kim Barry

Subject: Accensi

Hello Kim,

Thank you for your time this morning.

Council has a Material Change of Use application for Accensi to store a maximum of 9 ISOtanks containing a 70% aqueous solution of monoisopropylamine (MIPA) at 195-199 Potassium Street, Narangba.

The application is currently in Decision stage.

The site was previously being used by Australian Biodiesel Group (ABG) for the storage of materials for, and the manufacture of biodiesel on the site. ABG no longer operates from the site. The existing tanks are not being used as a part of this application. This has been verified through the inclusion of a condition of the ERA for this development.

It appears that when the change of ownership occurred, that the Contaminated Land Unit was not notified. When this oversight was brought to Council's attention, Council immediately advised the Contaminated Land Unit.

No decanting of materials will be occurring on site. The tanks are only being stored at this site to ensure that Accensi will not be fined for having more tanks at their manufacturing plant at 60 Potassium St than they are allowed under the conditions of their approval. They have advised this will give them additional flexibility in the event of interruptions to supply of materials from their overseas manufacturer. (Accensi was previously fined for having an excess number of ISOtanks on site at 60 Potassium Street. Apparently deliveries had been delayed due to a storm in the northern hemisphere and a larger number of tanks was delivered in the one shipment than they were allowed to have on site. They do not want a repeat of this situation, hence the application before Council.)

In light of the above, can you advise whether the Contaminated Land Unit will therefore have any requirements, comments or conditions with respect to this matter.

If you require any further information, please contact me on the numbers below.

Kind regards

Mark Westaway
Principal Development Planner
Moreton Bay Regional Council
PO Box 159
Caboolture Qld 4510
Ph 07 5433 2382
Fax 07 5433 2193
Mob CTPI Sch 4

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RTI Act 2009

Notice

**Department of Environment and Resource Management (DERM)
Contaminated Land Unit (CLU) Concurrence Agency Response**

This notice is issued by Department of Environment and Resource Management (DERM) – Contaminated Land Unit (CLU) in of the Integrated Planning Act 1997 to advise of a decision or action.

Moreton Bay Regional Council
PO Box 159
CABOOLTURE QLD 4510
Attn: Mr Mark Westaway

CC: Accensi Pty Ltd
C/- Parsons Brinckerhoff Australia
Pty Limited
GPO Box 2907
BRISBANE QLD 4001

Our reference: 246068
File reference: BNE43542

Re: Application (No. CDE-2224) for development approval for assessable development to be carried out at 195-199 Potassium Street, NARANGBA (Lot 5 CP 913021).

Pursuant to the following items of Table 2 Schedule 2 of the *Integrated Planning Regulation 1998*, the Department of Environment and Resource Management (DERM) – Contaminated Land Unit (CLU) is a concurrence agency for the development application:

☒ Item 22, Table 2 of Schedule 2 of the *Integrated Planning Regulation 1998*

DERM-CLU, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above as attached.

It would be appreciated if Council could provide a signed hard copy of the final development approval issued by Council (which includes the Department's concurrence conditions).

DERM-CLU has not provided a notification to native title parties for this application. The State's Native Title Work Procedures indicate that responsibility for assessment of native title issues for an IDAS application rest with the Assessment Manager. It is recommended that you undertake an assessment using your own guidelines to determine if a native title notification is required for this application. Should you require any further information please do not hesitate to contact Kim Barry on 3330 5693.

CTPI 49-Sch4 - Signature

Signed

**Delegate of Administering Authority
Environmental Protection Act 1994.**

Date

23/03/10

Department of Environment and Resource Management (DERM)
Contaminated Land Unit (CLU) Concurrence Agency Response

Concurrence agency response

Sections 3.3.16 and 3.3.18 Integrated Planning Act 1997

Applicant:	Accensi Pty Ltd C/- Parsons Brinckerhoff Australia Pty Limited
Application Number:	020-080-002095
Date application received by DERM:	18 March 2010
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i>
Jurisdiction:	Chapter 7, Part 8 <i>Environmental Protection Act 1994</i>

Development Description:

Material Change of Use (Development Permit for Special Industry and ERA 8 – Chemical Storage)

where:

- ☐ the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for a notifiable activity under the *Environmental Protection Act 1994*.
- ☐ the proposed use of the land is for child care, educational, recreational, residential or similar purposes and the existing use of the land is, or if the land is vacant land with no existing use the most recent use of the land was, for an industrial activity.
- ☒ **the land is on the Environmental Management Register or Contaminated Land Register under the *Environmental Protection Act 1994*.**
- ☐ the land is wholly or partly within an area for which an Area Management Advice for industrial activity or natural mineralisation has been issued and the proposed use of the land is for child care, educational, recreational, residential or similar purposes.
- ☐ the land is wholly or partly in an area for which an Area Management Advice for unexploded ordnance has been issued.

at the following place(s):

195-199 Potassium Street, NARANGBA
(Lot 5 CP 913021)

Response to Development Application

Department of Environment and Resource Management (DERM) – Contaminated Land Unit (CLU), acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

Department of Environment and Resource Management (DERM) Contaminated Land Unit (CLU) Concurrence Agency Response

The concurrence agency response is that

- ☒ there are no concurrence agency requirements

Conditions of the development approval

Nil

Additional comments or advice about the application

Nil

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18 of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions.

Department of Environment and Resource Management Contaminated Land Unit is recognised as a concurrence agency under the *Integrated Planning Regulation 1998* for the protection of the environment by the management of contaminated land. Department of Environment and Resource Management Contaminated Land Unit concurrence agency conditions for this proposed development that are contained within this response are required to prevent or mitigate any potential risk to human health or the environment from possible hazardous contaminants present on the site.

Additional information for applicants

This concurrence response pursuant to Chapter 7, Part 8 of the *Environmental Protection Act 1994* applies only to contaminated land issues and does not remove the need to obtain any further approval for this development which may be required by this or other legislation, State and/or Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

~ End of Concurrence Agency Response ~

11 November 2009

COPY

Site ID: 59718
File Number:
Enquiries to: Contaminated Land Unit
Telephone: (07) 3330 5685

UTR INVESTMENTS PTY LIMITED
PO BOX 596
BURPENGARY QLD 4505

NOTICE OF CONSIDERATION OF LISTING LAND ON THE ENVIRONMENTAL MANAGEMENT REGISTER

In accordance with section 373 of the *Environmental Protection Act 1994 (EP Act)* notice is given that the parcel of land described below is being considered for inclusion on the Environmental Management Register (EMR).

Lot: 5 Plan: CP913021
Moreton Bay Regional Council

195-199 POTASSIUM STREET
NARANGBA 4504

The Department of Environment and Resource Management (DERM) has been notified that the parcel of land has been used for the following notifiable activities or affected by the following hazardous contaminants pursuant to section 373 of the *EP Act*. Notifiable activities are mainly industrial/commercial activities that have been known to cause contamination of land and refer to both past and current activities.

CHEMICAL STORAGE - (other than petroleum products or oil under item 29) - storing more than 10 t of chemicals (other than compressed or liquefied gases) that are dangerous goods under the dangerous goods code.

PETROLEUM OR PETROCHEMICAL INDUSTRIES - including -

- (a) operating a petrol depot, terminal or refinery; or
- (b) operating a facility for the recovery, reprocessing or recycling of petroleum-based materials.

PETROLEUM PRODUCT OR OIL STORAGE - storing petroleum products or oil -

- (a) in underground tanks with more than 200L capacity; or
- (b) in above ground tanks with -
 - (i) for petroleum products or oil in class 3 in packaging groups 1 and 2 of the dangerous goods code - more than 2, 500L capacity; or
 - (ii) for petroleum products or oil in class 3 in packaging groups 3 of the dangerous goods code - more than 5, 000L capacity; or
 - (iii) for petroleum products that are combustible liquids in class C1 or C2 in Australian Standard AS1940, 'The storage and handling of flammable and combustible liquids' published by Standards Australia - more than 25, 000L capacity.

You may make a submission relating to this notice about whether or not the land has been, or is being used, for a notifiable activity or is contaminated land. Submissions must be accompanied by a statutory declaration by the owner, declaring that the owner:

- (i) has not knowingly included any false or misleading information in the submission; and
- (ii) has given all relevant information to the administering authority.

Submissions should be lodged with the DERM within 30 days after receipt of this notice. Your submission must be received no later than Wednesday, 16 December 2009.

After this date, if no submission has been received from the owner, the land will be entered on the EMR, in accordance with section 374 of the *EP Act*. The enclosed leaflet explains the EMR and how potentially contaminated land in Queensland is managed.

Please note that the listing of a site on the EMR does not mean that the DERM requires that the land be investigated and remediated, or that it is unsuitable for its current use, nor does it imply that you are in breach of any conditions set out in any existing Development Approval issued for this site. In the event that the site is redeveloped, the DERM may require that remediation of any contamination be conducted to protect public health and the environment. Remediation would be needed if there were evidence that the site presented an unacceptable health or environmental risk for its current use.

It should also be noted that, with the issuing of this notice under section 373, the following requirement applies under section 421 of the *EP Act*:

If the owner proposes to dispose of the land to someone else, the owner must, before agreeing to dispose of the land, give written notice to the buyer that the owner has been given notice under section 373 and the particulars about the notice.

Further information regarding this notice may be obtained by contacting the Contaminated Land Unit, DERM on telephone (07) 3330 5687. Further information about contaminated land matters may be obtained by visiting our web-site at:
http://www.derm.qld.gov.au/environmental_management/land/contaminated_land/.

Delegate of Administering Authority
Environmental Protection Act 1994

RECEIVED

05 NOV 2009

ECSU

Contaminated Land

Notification of Land

This form should be used by people providing notification to the Environmental Protection Agency of contaminated land or land use for a notifiable activity in accordance with Schedule 2 of the *Environmental Protection Act 1994*. This form relates specifically to Sections 371 and 372 of the *Environmental Protection Act 1994*.

NOTE: You must complete all questions below and use a separate form for each lot.

Site updated

1. Person making notification

NAME Chris Reading	TELEPHONE 5433 2145
COMPANY/ORGANISATION Moreton Bay Regional Council	
POSTAL ADDRESS PO Box 159 Caboolture QLD 4510	
EMAIL chris.reading@moretonbay.qld.gov.au	FACSIMILE 5433 2193

10 547118

DB 11/11/09

2. Site details

2.1. Name by which the property is known locally?

Australian Biodiesel

changed hands

2.2. Please provide details of the Lot on Plan to which the notification applies

Please note that a separate notification form must be used for each Lot on Plan.

FULL STREET ADDRESS OF THE SITE 195 Potassium Street, Narangba	
LOT(S) 5	PLAN(S) GP913021
LOCAL GOVERNMENT AUTHORITY MORETON BAY REGIONAL COUNCIL	

2.3. Area of land parcel in square metres? 8626 m2



Notification of Land

- 2.4. Describe the notifiable activity/ies for which the land is or has been used and the source/s of the suspected contamination. List all notifiable activities that the land has been used for and provide details.

If you require additional space attach the information on a separate sheet and make reference to that sheet here.

Petroleum products or oil storage

- 2.5. Has a map or locality plan been attached to this notification?

The processing of this information is greatly assisted by the inclusion of a map or locality plan that shows the respective Lot.

☐ NO

☒ YES

3. Details of land owner

NAME UTR Investments Pty Ltd	TELEPHONE
POSTAL ADDRESS PO Box 596, Burpengary QLD 4505	
EMAIL	FACSIMILE

4. Declaration

Please read the certification below before signing.

- I do solemnly and sincerely declare that the information provided is true and correct to the best of my knowledge and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.
- I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the *Freedom of Information Act 1992* and the *Evidence Act 1977*.

NOTIFYING PERSON CTPI 49-Sch4 - Signature	DATE 4 November 2009
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You may apply for exemption from disclosing information contained in a document submitted, or proposed to be submitted with this notification (see Section 564 of the *Environment Protection Act 1994*)

5. Applicant checklist

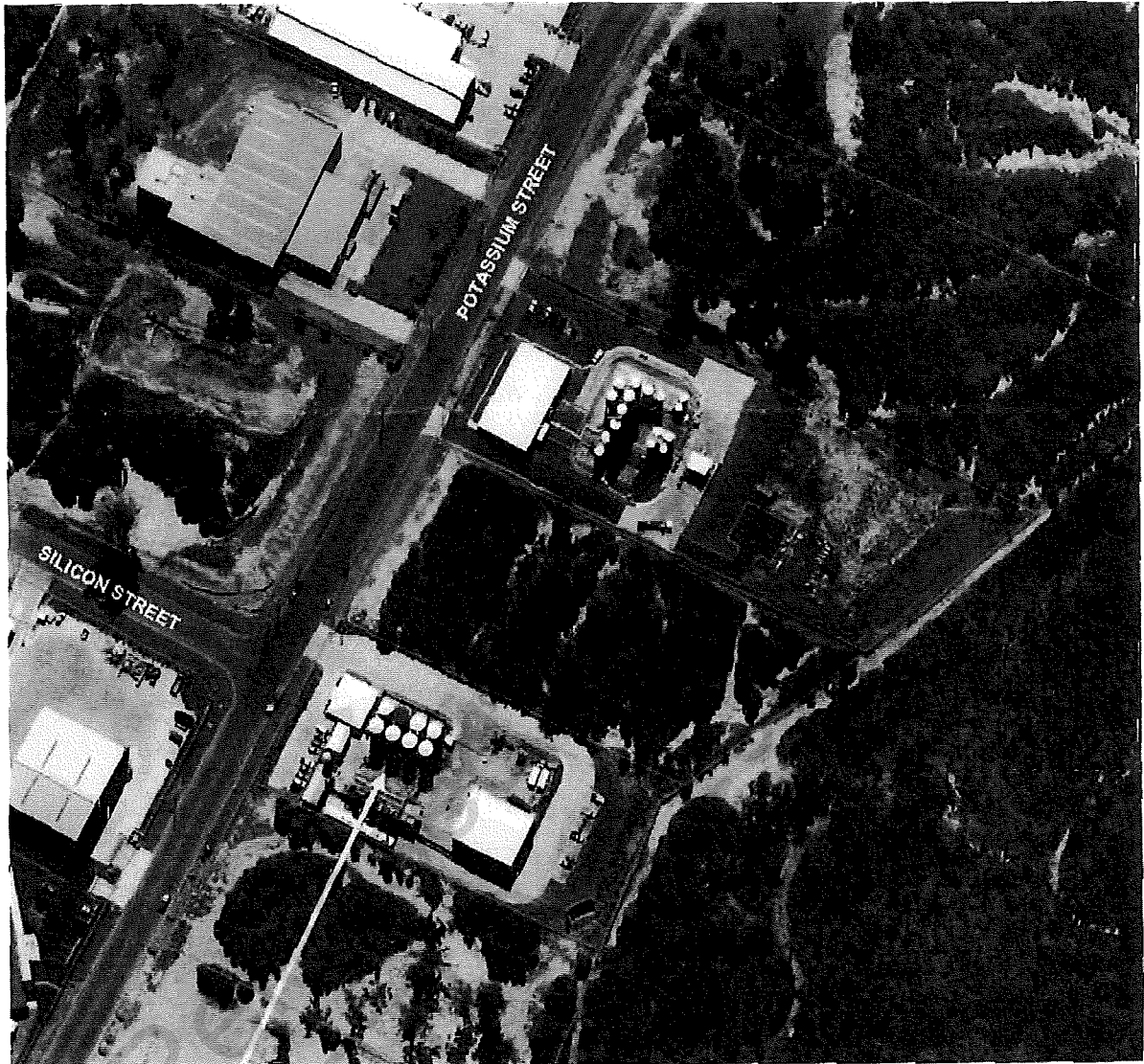
- ☒ Notifying person's details correct.
- ☒ Notification form completed and signed.
- ☒ Supporting information attached.

Please return the completed notification to:

**Contaminated Land Unit
Environmental Protection Agency**

GPO Box 2771
Brisbane
Queensland 4001

Enquiries: (07) 3227 7370
Facsimile: (07) 3247 3278



Location of 195 Potassium Street, Narangba.

Sustainability - SMTP

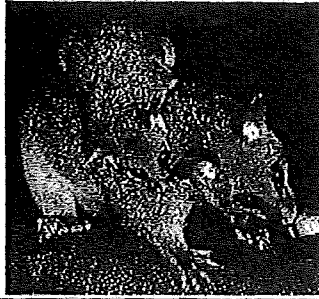
From: CTPI Sch 4 @frankjell.com.au]
Sent: Wednesday, 28 October 2009 5:08 PM
To: Premiers - SMTP; mayor@moretonbay.qld.gov.au
Cc: Murrumba; Sustainability - SMTP; Infrastructure-SMTP; Deputy Premier - SMTP; CTPI Sch 4
CTPI Sch 4 Police - SMTP; harry.pirvics@deir.qld.gov.au
Subject: CTPI Sch 4 @qst.newsltd.com.au); CTPI Sch 4 @qnp.newsltd.com.au';
CTPI Sch 4
Attachments: image001.jpg; Accensi Cont Land Notification Oct 2009.doc

Please find attached further information re Accensi.
Kind regards

CTPI 49-Sch4 - Signatur

Frank Jell Commissioning Services
Phone: (07) 3865 3643
Fax: (07) 3865 4564
Mobile: CTPI Sch 4
Email: CTPI Sch 4 @frankjell.com.au
Web: www.frankjell.com.au

Released by EHP
RTI Act 2009



EAST NARANGBA COMMUNITY ACTION GROUP

GPO Box 89.
KALLANGUR.
4503

Ph. (07) 3888 5287
Fax. (07) 3888 8218

PROMOTING A BETTER ENVIRONMENT FOR OUR
FAMILIES AND FUTURE GENERATIONS.

27th October 2009

Department of Environment & Resource Management
Environmental Protection Agency
Attention: Minister for Environment and Director-General EPA

Dear Sir/Madam,

Re: Former Australian Biodiesel site Contaminated Land Notifiable Activities
Notifiable Activities – S371 Environmental Protection Act
Property Location: 195-199 Potassium Street, Narangba, 4504
Property Description: Lot 5 CP 913021 Parish REDCLIFFE
LGA: MORETON BAY REGIONAL COUNCIL

It has been drawn to our attention during the community's assessment of the Material Change Of Use Application for the above allotment in the Narangba Industrial Estate that it appears there has been an administrative oversight by the Council, EPA, the former owner and the applicant in respect to the contaminated land status as defined by the Environmental Protection Act.

The MCU Application currently lodged with Moreton Bay Regional Council by Accensi on 9 September 2009 clearly states on Form G Environmentally Relevant Activity (ERA) that the site is not on the Contaminated Land Register or the Environmental Management Register and that the proposed activity of storing nine 25,000 litre isotainers of monoisopropylamine (MIPA) (bulk dangerous goods – Class 3 PG I, UN1221) does not constitute a Notifiable Activity. They are also declaring the MIPA to be PG II rather than PGI, which is what all available data and MSDS's on the product state. Maybe it would be best to obtain an MSDS and declaration from the Applicant.

Please note that the Applicant clearly states in Part B of the same Form G that there are existing chemical, coal and petroleum products activities storing more than 500m3 of Class C1 or C2 combustible liquids (also had a multitude of Class 3 and Class 8 bulk storage tanks on site, including underground Class 3 bulk storage tanks).

We are notifying the EPA on behalf of Accensi Pty Ltd and the Moreton Bay Regional Council, in accordance with the provisions of Section 371 of the Environmental Protection Act 1994, for inclusion of the above property on the Environmental Management Register regarding the chemical storage facility at 195-199 Potassium Street, Narangba, 4504. The applicable activity is described as:

6 CHEMICAL STORAGE – (other than petroleum products or oil under item 29) – storing more than 10t of chemicals (other than compressed or liquified gases) that are dangerous goods under the dangerous goods code.

The former owner/occupier conducted biodiesel refining at the site since 2006 and the following notifiable activities were conducted until the end of 2008:

28 Petroleum or petrochemical industries including—

- (a) operating a petrol depot, terminal or refinery; or
- (b) operating a facility for the recovery, reprocessing or recycling of petroleum-based materials.

29 Petroleum product or oil storage—storing petroleum products or oil—

- (a) in underground tanks with more than 200L capacity; or
- (b) in above ground tanks with—
 - (i) for petroleum products or oil in class 3 in packaging groups 1 and 2 of the dangerous goods code—more than 2500L capacity; or

Page 1 of 2



EAST NARANGBA COMMUNITY ACTION GROUP

GPO Box 89.
KALLANGUR.
4503

Ph. (07) 3888 5287
Fax. (07) 3888 8218

PROMOTING A BETTER ENVIRONMENT FOR OUR
FAMILIES AND FUTURE GENERATIONS

- (ii) for petroleum products or oil in class 3 in packaging groups 3 of the dangerous goods code—more than 5000L capacity; or
- (iii) for petroleum products that are combustible liquids in class C1 or C2 in Australian Standard AS 1940, 'The storage and handling of flammable and combustible liquids' published by Standards Australia—more than 25000L capacity.

All notices relating to the inclusion of this land on the register are to be provided to Accensi Pty Ltd, UTR Investments Pty Ltd and the Moreton Bay Regional Council, as per Section 374 of the Environmental Protection Act.

Please do not hesitate to contact Accensi Pty Ltd and the Moreton Bay Regional Council if you have any queries regarding the Notifiable Activities proposed for Lot 5 CP 913021.

Yours faithfully,
East Narangba Community Action Group

CTPI Sch 4
(Secretary)

Sustainability - SMTP

From: CTPI Sch 4 @frankjell.com.au]
Sent: Wednesday, 28 October 2009 4:38 PM
To: Premiers - SMTP; mayor@moretonbay.qld.gov.au
Cc: Murrumba; Sustainability - SMTP; Infrastructure-SMTP; Deputy Premier - SMTP; CTPI Sch 4
CTPI Sch 4 Police - SMTP; CTPI Sch 4 @deir.qld.gov.au
Subject: Accensi Application
Attachments: image001.jpg; image003.wmz; image002.png; image006.jpg

SUBJECT: Accensi Application Narangba Industrial Estate – VERY URGENT

DOES NOT COMPLY WITH HAZARD & RISK – Omits the mention of major hazards in close proximity and therefore the potential for offsite consequence.

Accensi Proposal to Store 9 x 25,000-litre ISOtainers of Monoisopropylamine (MIPA) at the former Australian Biodiesel site, 195-199 Potassium Street, Narangba, NARANGBA INDUSTRIAL ESTATE

Premier Anna,

You publicly pledged on 23 October 2008 that you would “downzone” any future applications in the NIE. Your government also publicly stated on numerous occasions that two of the higher risk businesses would be shifted further away from homes. This application is an expansion to one of these high risk businesses and proposes to place these two high risk businesses together (i.e. Accensi’s MIPA and Steritech) and makes the risk problem an order of magnitude worse than it was previously (even after the Binary Industries fire).

If this application is allowed to proceed, then it is a clear demonstration that both you and the entirety of your government have learned absolutely nothing from all of the Binary Industries fire investigations, proceedings and fallout. If this application succeeds, given it is worth tens of millions of dollars a year in profits (not necessarily returned to the economy) to the applicant, it would not be unreasonable to suspect that some inappropriate transactions have occurred at council and State Government level.

These companies have the modus operandi: maximise profits irrespective of social and environmental consequences. They and Binary have certainly proven this many times in the past.

I remind you that this application is a direct consequence of this company being caught by this community group in March last year with up to 16 x 25,000-litre ISOtainers (i.e. 400,000 litres) of monoisopropylamine (MIPA) as well as loading and unloading them on the road outside their premises.

I also remind you that the Binary Industries fire involved only 20 x 1,000-litre containers of MIPA, which caused the intense mushroom clouds that are so very memorable to all those who witnessed the power of this chemical in a fire and this company was willing to break the law and store twenty times the Binary Industries fire within 500 metres of residential areas. Please see our youtube page – <http://www.youtube.com/encag>

We implore you to live up to your government’s promises for this community and stop this application. The proposed site is closer to North Lakes and increasing the potential for a radiological disaster is certainly not a desirable outcome for any party. When the application is assessed with the surrounding immediate radiological and bulk flammable liquids hazards, it cannot possibly comply with the Hazards & Risk section of the Caboolture Shire Plan and this must be emphasised with MBRC in the nearest time.

CTPI Sch 4

We understand that you are third party advice for the Accensi development application to store MIPA at the former Australian Biodiesel site

(<http://pdonline.caboolture.qld.gov.au/modules/applicationmaster/default.aspx?page=found&1=lastmonth&4a=633,634,667&6=F>)

CTPI Sch 4

Our assessment of this application, despite this not being a publicly notifiable application under the Integrated Planning Act, is that it must be refused on the grounds that it has the potential for extreme consequence in the event that the Steritech gamma irradiation plant that is less than 200 metres than the proposed MIPA storage area within the former Australian Biodiesel site.

CTPI Sch 4

This Development Application has been made exclusively as an integral component of the MHF that you regulate and is for the supply of MIPA to this operation that was caught last year illegally storing this substance. This site, if the application is successful, MUST be made a MHF with offsite consequence analysis of a BLEVE worst-case scenario for 9 x 25,000-litre ISOTainers as outlined in the application. The application doesn't mention proximity to Steritech and the effect of a BLEVE resulting in the destruction of the tin-clad building housing the controls for the irradiation process. Shouldn't this be an integral part of risk assessment?

Isn't this an amendment to the existing MHF. The existing Accensi MHF operation is dependant on this application, therefore, the application is an extension to this operation as CTPI Sch 4 stated in the Narangba Industrial Estate Reference Group meeting on 2 September 2009 that the Department would not permit Accensi the ability to expand its operations in this industrial estate or at its existing site. Accensi's Emergency Response Plan for their existing site is included as supporting information in the application.

Has your department received any application for MHF from Accensi or has it made application to modify the existing MHF?

Can you please inform me of the progress in prosecuting Accensi for illegally storing the ISOTainers last year? Why is an application being considered when Anna Bligh declared in August 2008 there would be no more applications considered for HNO in the NIE and when Accensi have demonstrated a propensity for operating illegally with total disregard for safety and the environment? This is referred to as "applicant suitability" in the context of the Integrated Planning Act.

Accensi concealed a large numbers of ISOTainers on their MHF site last year which, among other things, concealed a very terrible danger that could very easily led to numerous deaths and injuries of emergency responders in the event of a fire at that site who would have falsely believed they were dealing with only one ISOTainer of MIPA, as per the Local Area Plan devised by the local Fire & Rescue personnel. So, other than making alterations at a MHF without proper notification, they are also in breach of the Emergency Services Legislation and Workplace Health and Safety Act as they did not have an Emergency Response Plan to handle this volume of MIPA, nor did they have their site personnel trained or equipped to handle a worst-case event.

The fact that Accensi have purchased the Australian Biodiesel Group site under a different name does not alter the fact that this is storage for Accensi's existing MHF operations and it does not invoke transit storage under the ADG Code, as you well know. The Owners Consent is signed on behalf of UTR Investments Pty Ltd by TPI Sch, Vice President & Chief Operating Officer and CTPI Sch 4 vice president for finance of CK Life Sciences Int'l., Inc., the company that purchased Accensi in late 2007.

29/10/2009

These are not what are termed "at-arms-length" companies as they involve the same people as Directors in one shelf company owned by CK Life Sciences formed for owning the land to benefit another company that is owned by CK Life Sciences to have an appearance of being separate when in fact they form one entity with the objective of pure profits by herbicide manufacture using MIPA.

This quantity of ISOTainers proposed for storage at this site is almost TEN times greater than that MIPA volume involved in the Binary fire. The potential outcome, with BLEVE of at least one ISOTainer considered, this still does not address the outcome for the other 8 ISOTainers. An article in the Australian Journal of Emergency Management by CTPI Sch 4 and other authors states in a footnote reference:

"BLEVE. Boiling Liquid Expanding Vapour Explosion. Computer modelling carried out by the CHEM Unit, Queensland Department of Emergency Services, indicates that a BLEVE of a 14 tonne LPG tanker would have injurious thermal effects within a radius of 240metres."

We demand that your department verifies Accensi's consultant's BLEVE statements and model by modelling the worst-case scenario on the department's chemical and fire hazards \$75,000 modelling software (SAFETI) and supply the output report to the Moreton Bay Regional Council and all stakeholders. The East Narangba Community Action Group requests a copy of your departments' modelling verification.

Another article by CTPI Sch 4 and other authors published in the Australian Journal of Emergency Management, with very specific reference to road tanker BLEVE's, states

"Two broad response patterns were evident in dealing with the pre-BLEVE fire, should Queensland Fire and Rescue Services (QFRS) crews arrive in time. One view was that if QFRS could get to the scene quickly enough (within minutes) and play water onto the LPG tanker to cool its temperature, a BLEVE could be avoided. Some QFRS officers considered that taking such action, would lead to a high probability of injury or death to attending personnel placed in the danger zone. Nevertheless, an emergent view was that this approach may 'buy time' for evacuating the public. Furthermore, some QFRS participants felt that pressure from public and community expectations would mean that crews would attempt to fight the fire – even if the professional judgement suggested that to do nothing, except to evacuate the area, was the best action. Other QFRS officers made a much more conservative initial risk assessment and insisted that 1500m clearance be achieved from the accident site. One group commented that after conducting an evacuation there would be little more that they could do to modify the hazard."

This application by Accensi may only be for storage of 9 x 25,000-litre ISOTainers, however, probability of an event occurring is based on the exposure to that event and the overall risk of an event's occurrence can never be low when the consequences are extreme. These ISOTainers will be moved into and out of this facility with regular monotony. Nothing is said of the traffic and transport risk nor is there anything stated about lightning strike.

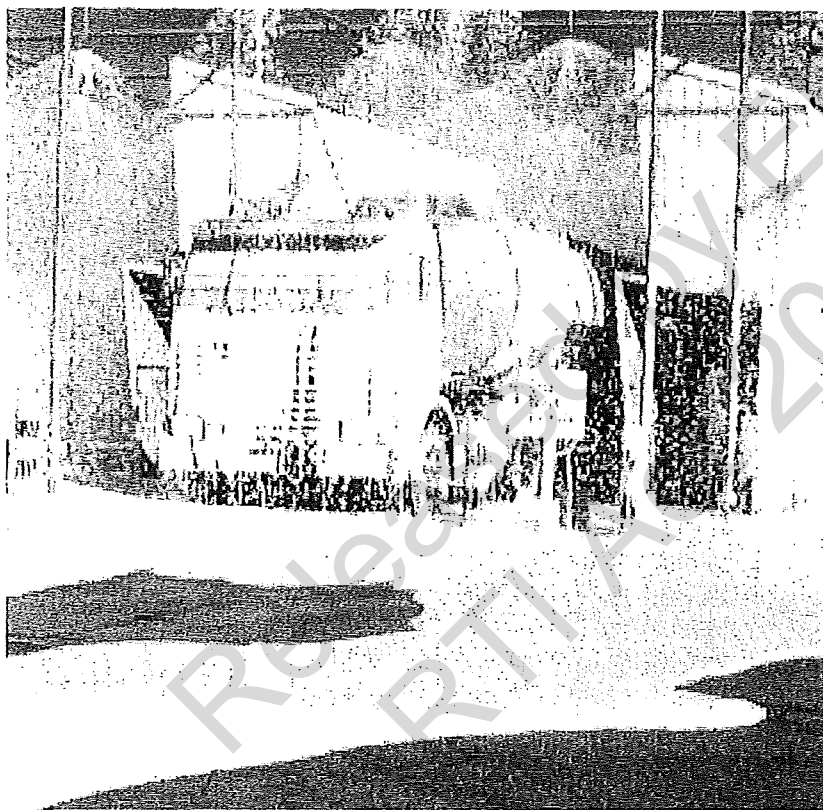
We all understand that lightning is a natural hazard, but when a chemical hazard that is always present interacts with this natural, itinerant lightning activity (which just happens to be at its highest probability in the months when MIPA manufacturing utilisation is at its highest) presents a very real hazard that is not discussed at all. We also understand that the existing biodiesel site has some lightning protection and we understand that this form of "protection" is not 100% effective.

Irrespective, the applicant does not so much as once mention that the proposed storage site for these 9 x 25,000-litre ISOTainers is within 100 metres of the Ecotech Biodiesel methanol 100,000-litre bulk tank (another Class 3 Packing Group I – greatest danger flammable liquid). It almost appears that the applicant is endeavouring to conceal very real threats in close proximity to the propose MIPA storage location and not calculating offsite consequence potential to either the methanol bulk tank or the gamma irradiation plant.

One main question that must be answered in every detail is "does the local Fire & Rescue stations and crews have the equipment, capability and training to handle an emergency situation at the proposed MIPA storage site?". The Accensi Emergency Response Plan only documents how an emergency situation at the existing MHF would be handled with a significantly higher manning level and has in no way demonstrated how an emergency at a site that will be predominantly vacated by people will be handled.

The other question requiring answers is "how often has the Queensland government conducted radiological emergency drills, either on-the-ground or desktop and when was the most recent emergency drill and training?".

Control of Major Hazard Facilities - National Standard [NOHSC:1014(2002)]; and National Code of Practice [NOHSC:2016 (1996)]



CTPI Sch

Are you going to extend and amend the HIA process to include the potential for radiological emergency in the event of a BLEVE event involving 9 x 25,000-litre ISOtainers of Class 3 packing group 1 directly opposite Steritech? That certainly changes the HIA picture a little bit doesn't it? Is application insignificant in terms of community health impact potential.

Ref:

Australian Journal of Emergency Management. 2001 The Brisbane - Gladstone transport corridor - identification of risk and vulnerability for the bulk transport of dangerous goods. CTPI Sch 4 and

CTPI Sch 4

Perception by Counter Disaster Personnel of the risks of bulk transport of dangerous goods along the

29/10/2009

RTI-17-101

File A

Page 18 of 27

Brisbane-Gladstone transport corridor. CTPI Sch 4 and CTPI Sch 4

I am writing this letter as a result of a meeting and on behalf of a very large number of residents of Narangba and Deception Bay and some from Northlakes.

Kind regards

CTPI 49-Sch4 - Signatur

Frank Jell Commissioning Services

Phone: (07) 3865 3643

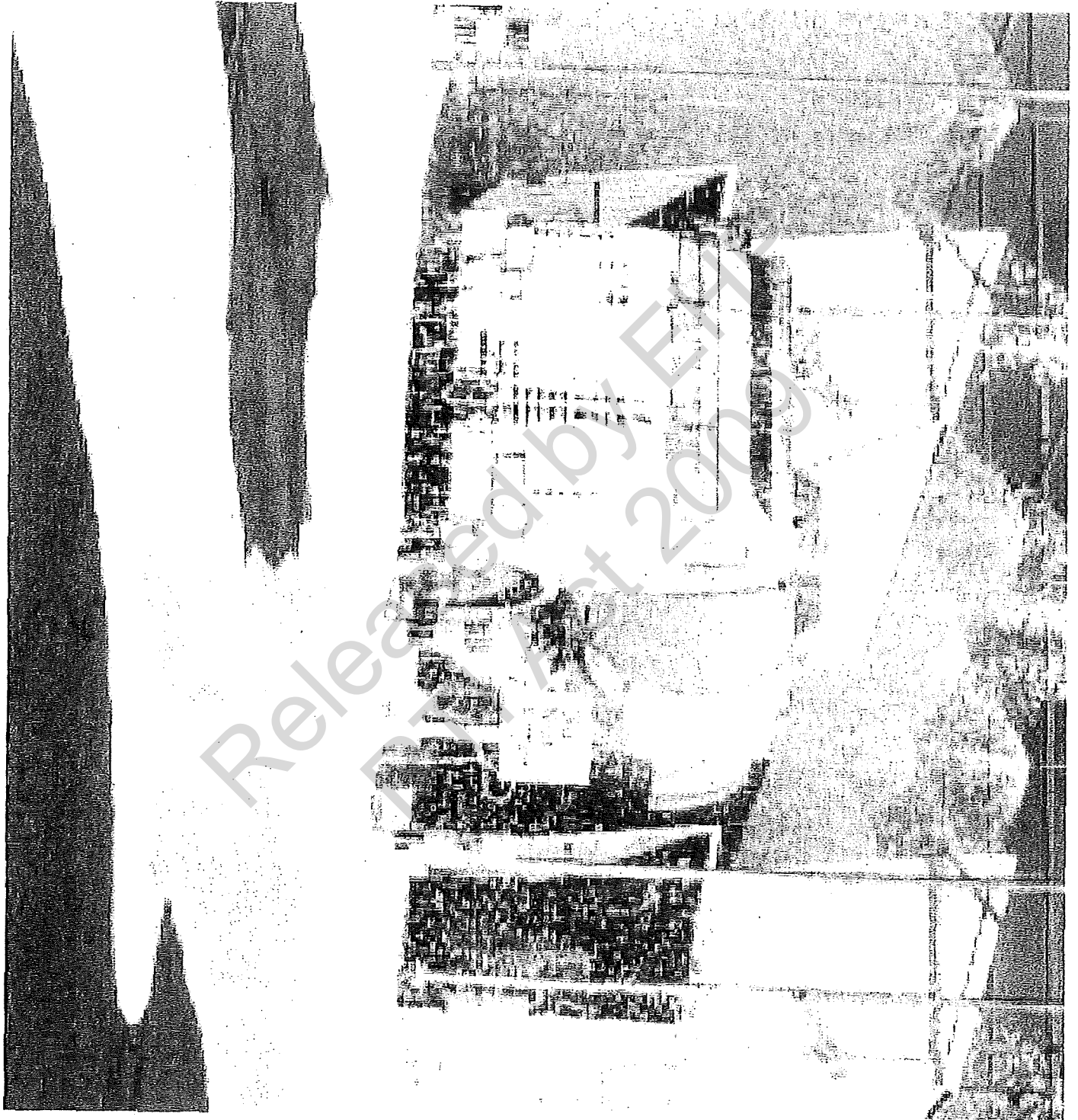
Fax: (07) 3865 4564

Mobile: CTPI Sch 4

Email: CTPI Sch 4 frankjell.com.au

Web: www.frankjell.com.au

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RTI Act 2009



Darryl Byers

From: Matthew Lawrence [Matthew.Lawrence@moretonbay.qld.gov.au]

Sent: Wednesday, 11 November 2009 10:04 AM

To: CTPI Sch 4

Subject: 195 Potassium St

Tank Number	Product Name	Class of Liquid	Capacity (Litres)	Nature
33TK1	90% Acetic Acid	3	11,000	Flammable
35TK2	Potassium Methoxide	3/8	4,000	Flammable
35TK1	Potassium Methoxide	3/8	10,000	Flammable
34TK1	Methanol (underground)	3	112,000	Flammable
34TK2	Methanol (underground)	3	71,700	Flammable
	Laboratory Chemicals	3/8	270	Flammable
36TK1	Biodiesel	C2	280,000	Combustible
36TK2	Biodiesel	C2	280,000	Combustible
36TK3	Biodiesel	C2	280,000	Combustible
37TK1	Glycerine	C2	280,000	Combustible
31TK1	Tallow	C2	280,000	Combustible
31TK2	Tallow	C2	280,000	Combustible
31TK3	Tallow	C2	280,000	Combustible
31TK4	Tallow	C2	280,000	Combustible
Total Storage Capacity			2,448,970	

Matthew Lawrence
Team Leader Environmental Health - North
 Environment & Local Laws Directorate
 Moreton Bay Regional Council

Tel: 07 5433 2139
 Fax: 07 5433 2353
 Mobile: CTPI Sch 4
 E-mail: Matthew.Lawrence@moretonbay.qld.gov.au

Web: www.moretonbay.qld.gov.au

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RTI Act 2009

Date Prepared:	12-NOV-09	Prepared by:	Leonie Crane
Approved by:	Damien Brown	Title:	Senior Environmental Officer
Position:	Assistant Director-General	Division/Region:	Environmental Services North, South
Date Approved:	(date)	East Region	
		Telephone:	07 5459 6135
		Other Refs:	(Your section's references for tracking)

Lot 5 CP918021

Ref: [Bne No.]
CTS No. 12794/09

CTPI Sch 4
Fran Jell Commissioning Services
TPI Sch@frankjell.com.au

~~Atte~~ Note: relates to
BNE26074
V1-V8 - all
files lost
2007

Dear CTPI Sch 4

Thank you for your letter of 9 November 2009 concerning Accensi Pty Ltd located at Narangba Industrial Estate. The Honourable Kate Jones MP has asked me to respond on her behalf.

Accensi, located at 195-199 Potassium Street, have a current Certificate of Registration with the Department of Environment and Resource Management (DERM) to conduct the following activities;

ERA 55 Regulated waste recycling or reprocessing – operating a facility for receiving, and recycling or reprocessing, regulated waste to produce saleable products;
ERA 8 Chemical storage Threshold 2 – storing 50t or more of chemicals of dangerous goods class 6, division 6.1 in containers capable of holding at least 900kg of the chemicals;
ERA 8 Chemical storage Threshold 3(b) – storing more than 500m³ of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3; and
ERA 8 Chemical storage Threshold 5 – storing 200m³ or more of chemicals that are liquids, in containers of at least 10m³, other than chemicals mentioned in items 1 to 3.

DERM have received a material change of use (development approval) application through Moreton Bay Regional Council for ERA 8 Chemical storage Threshold 3(b) for the Accensi site located at 195-199 Potassium Street. The proposal is for the storage of nine 25kL intermodal storage tanks (isotainers) containing 70% MIPA in aqueous solution. As well as the storage of MIPA, Accensi are proposing to continue using the eight existing 280kL vertical heated tanks for the purposes of storing up to 2,240kL of C2 liquids (tallow) on behalf of other entities. It is proposed that the existing storage shed will be used to store non-combustible materials and equipment.

DERM has a concurrence response role in assessing this application and will assess the application as per the requirements of the *Integrated Planning Act 1997* and *Environmental Protection Act 1994*. DERM has considered the information provided by Accensi and requested further information to complete a proper assessment.

The Department acknowledges your notification to have the property at 195-199 Potassium Street, Narangba included on the Environmental Management Register (EMR). A notice

has been issued to the lands owner under the *Environmental Protection Act 1994* proposing listing of the land on the EMR. The owner has 22 business days in which to make a submission.

The Minister thanks you for bringing this matter to her attention and hopes this information is of assistance.

Should you have any further enquiries, please contact Ben Sale of the Department of Environment and Resource Management on telephone (07) 5459 6136.

Yours sincerely

Michael Dart
Principal Policy Advisor

Released by EHP
RTI Act 2009

17 December 2009

Site ID: 59718
File Number:
Enquiries to: Contaminated Land Unit
Telephone: (07) 3330 5685

UTR INVESTMENTS PTY LIMITED
PO BOX 596
BURPENGARY QLD 4505

NOTICE OF LAND LISTED ON THE ENVIRONMENTAL MANAGEMENT REGISTER

In accordance with section 374 of the *Environmental Protection Act 1994 (EP Act)* notice is given that the parcel of land described below has been listed on the Environmental Management Register (EMR).

Lot: 5 Plan: CP913021
Moreton Bay Regional Council

195-199 POTASSIUM STREET
NARANGBA 4504

The parcel of land has been recorded on the EMR as, after careful consideration of submissions, it is decided that the land has been, or is being used, for the following notifiable activities pursuant to section 374 of the *EP Act*. Notifiable activities are mainly industrial/commercial activities that have been known to cause contamination of land and refer to both past and current activities.

CHEMICAL STORAGE - (other than petroleum products or oil under item 29) - storing more than 10 t of chemicals (other than compressed or liquefied gases) that are dangerous goods under the dangerous goods code.

PETROLEUM OR PETROCHEMICAL INDUSTRIES - including -

- (a) operating a petrol depot, terminal or refinery; or
- (b) operating a facility for the recovery, reprocessing or recycling of petroleum-based materials.

PETROLEUM PRODUCT OR OIL STORAGE - storing petroleum products or oil -

- (a) in underground tanks with more than 200L capacity; or
- (b) in above ground tanks with -

- (i) for petroleum products or oil in class 3 in packaging groups 1 and 2 of the dangerous goods code - more than 2, 500L capacity; or

- (ii) for petroleum products or oil in class 3 in packaging groups 3 of the dangerous goods code - more than 5, 000L capacity; or

- (iii) for petroleum products that are combustible liquids in class C1 or C2 in Australian Standard AS1940, 'The storage and handling of flammable and combustible liquids' published by Standards Australia - more than 25, 000L capacity.

The owner may apply for a review of the decision to record the land in the EMR within 14 days after receipt of this notice, in accordance with section 521 of the *EP Act*. If you decide to apply for a review you must, in accordance with section 521(3), also give notice to the local government that you are seeking a review. You must forward to the local government the following documents:

- a notice of the application (the "review notice");
- a copy of the application and supporting documents.

The review notice must inform the local government that submissions on the application may be made within 7 days after the application is made to the DERM, as required by section 521(4) of the *EP Act*. A land owner dissatisfied with a review decision may appeal against the decision in accordance with section

531 of the *EP Act*. A copy of sections 521 and 531 is attached to this notice.

Please note that the listing of a site on the EMR does not imply that the DERM considers the site to be "contaminated", nor does it require that the land be investigated and remediated. The listing does not imply that this site is unsuitable for its current use, nor does it imply that you are in breach of any conditions set out in any existing Development Approval issued for this site. Remediation would be needed if there were evidence that the site presented an unacceptable health or environmental risk for its current use. In the event that the site is redeveloped, the DERM may require that remediation or management of any contamination be conducted to protect public health and the environment.

It should also be noted that, with the issuing of this Notice under section 374, the following requirements apply under section 421 of the *EP Act*.

If the owner proposes to dispose of the land to someone else, the owner must, before agreeing to dispose of the land, give written notice to the buyer that the particulars of the land have been recorded in the register.

Further information regarding this notice may be obtained by contacting the Contaminated Land Unit, DERM on telephone (07) 3330 5687. Further information about contaminated land matters may be obtained by visiting our web-site at:
http://www.derm.qld.gov.au/environmental_management/land/contaminated_land/.

CTPI 49-Sch4 - Signature

Delegate of Administering Authority
Environmental Protection Act 1994

17 December 2009

Site ID: 59718
File Number:
Enquiries to: Contaminated Land Unit
Telephone: (07) 3330 5685

The Chief Executive
Moreton Bay Regional Council
PO Box 5070
STRATHPINE
QLD 4500

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