

callback

Lucke Gavin

Denise Henderson

From: Lucy Dahl - Projex Partners [lucydahl@projexpartners.com.au]
Sent: Tuesday, 23 July 2013 2:41 PM
To: WLCA
Subject: Narangba Industrial Lot 1 on SP241692 and Lot 795 on SL10002

Hello

*treat as a
modification
please*

Sash Hindmarsh from EHP's Environmental Services and Regulation Unit suggested I contact you in regard to confirming further reporting requirements for this site.

Lot 1 on SP241692 and Lot 795 on SL10002 are currently on the EMR. Both lots have recently had Remediation Action Plans approved by EHP's Environmental Services and Regulation Unit as part of Economic Development Qld's remediation works on the sites.

Both sites will remain on the EMR. It is understood that remediation information is required to be recorded on the EMR and as such, please confirm that this can be addressed by recording of the RAP's.

Your earliest response would be appreciated as EDQ are looking at finalising these works asap.

Kind regards,



Lucy Dahl

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Sasha - 5433 7731

Kate -

*FYI - email
forwarded to you*

*Thanks
Gavin*

Assessment report

Environmental Protection Act 1994

Clean-up notice

This document is for internal use to assist Environmental Service officers to record the information considered by the Department when forming the decision to issue a clean-up notice.

Identifying details	
Clean-up notice number	STAT729
Compliance activity number	CA26671
EcoTrack number	240566
Permit number	N/A
File number	N/A
Applicant number	N/A
Trading as	Extra storage area for Oil-Tech
Registered business address	6 Potassium Street, NARANGBA QLD 4504

Note:

1. Assessment reports recommending that a decision be made are to be structured in the format shown below.
2. Explanatory notes for completing the report are given under each heading.
3. The report is to be approved by the responsible officer, supervisor and the delegated decision maker.

1. Brief history of the matter

Outline any historical information relevant to this decision in succinct dot point form.

- Tasman Sheepskin Tannery was one of the first businesses in the Narangba Industrial Estate, commencing business in the 1970's.
- The site was managed by the one owner for the period of its operation, and primarily involved in the tanning of sheepskin's for products such as car seat covers, ugg boots and baby mats.
- The site had a small combustible liquid store and other chemicals used in the tanning process.
- The site was subject to a fire incident in April 2008 which resulted in the business choosing not to re-open after the fire.

- The fire resulted in a formal enforcement being issued by the Department, including a conviction for failing to comply with the requirements of an environmental audit.
- Surrender of the registration certificate for the Tannery's ERA operations were approved in March 2010. The Department of Infrastructure and Planning agreed to accept Lot 795 SL10002 from Tasman Tanneries as Peter Moffat (land owner) had successfully rehabilitated the area.
- A freehold title was issued for Lot 732 SP241692 to Tasman Sheepskin Tannery Pty Ltd (previously held as a special lease)

2. Grounds for use of clean-up notice

Identify the relevant grounds upon which the decision to use a clean-up notice is based:

- ☒ a prescribed person has been identified **and**
- ☒ a contamination incident has occurred **and**
- ☐ the contamination incident has caused or is likely to cause serious environmental harm **or**
- ☐ the contamination incident has caused or is likely to cause material environmental harm.

3. Expand upon the grounds

The next step is to expand upon the grounds identified for issuing the clean-up notice. This can include identifying an alleged offence or any statutory requirement which must be met prior to the Department using a clean-up notice.

Each ground should be listed independently and be allocated a separate number.

Number	Specific ground
1	A fire occurred at approximately 12.30am on 11 December 2012 at 6 Potassium Street, Narangba QLD 4504. The fire resulted in an unknown amount of unknown contaminants being released from the building onsite to the surrounding environment within the site boundary and offsite into the stormwater system and land where the contaminated water flowed.
2	The administering authority is satisfied the contamination incident has caused or is likely to cause serious or material environmental harm.
3	Tasman Sheepskin Tannery Pty Ltd is listed as the register owner of the incident is happening or happened.

4. Detail the matters considered

The purpose of the following table is to ensure that there is evidence to support the grounds for using the statutory tool. This is achieved by linking the elements of the breach to the evidence gathered and the

conclusions formed. This section should also record how the Department has met any statutory requirements associated with the use of the tool.

When analysing evidence or developing the facts and circumstances, officers are encouraged to consider the accuracy and relevance of the information available, historical details, professional expertise and the weight attributed to any direct testimony provided.

Elements of the offence or legislative requirement	Evidence	Facts and circumstances
<i>List the elements of any alleged offence or (for grounds which are not offences) list the legislative requirement to be met by the Department</i>	<i>Identify the information considered which is relevant to the elements or requirement (i.e. statements, photographs and recordings)</i>	<i>Detail the facts and circumstance that support the Department's findings.</i>
Number 1 (Number taken from Section 2)		
11 December 2012	Note a phone call from Bryce Hertslet to John Harden reporting the incident.	John Harden received a phone call from Bryce Hertslet regarding the details of the incident.
Premises at 6 Potassium St, Narangba Qld 4504	Title Search of Lot732 SP 241692 more commonly known as 6 Potassium Street, Narangba Qld 4504.	Tasman Sheepskin Tannery Pty Ltd is the registered owner of 6 Potassium Street, Narangba Qld 4504.
11 December 2012	Photographs (x3) of the adjacent Stockland owned land.	Photographs show the thick, grey/green oily liquid contaminant that was released to the Stockland land adjacent to 6 Potassium Street, Narangba Qld 4504.
11 December 2012	Photographs (x18) of the external areas to the incident site (e.g. road, footpath, stormwater drain etc.)	Photographs show the thick, grey/green oily liquid contaminant that was released to the surrounding environment adjacent to 6 Potassium Street, Narangba Qld 4504.
11 December 2012	Photographs (x10) of the incident site	Photographs show the contamination that as occurred due to the fire incident at 6 Potassium Street, Narangba Qld 4504.
11 December 2012	Water Samples Taken	Water samples were taken from two locations, the source point (onsite) and the adjacent Stockland area (offsite). PENDING SAMPLE RESULTS
Identified the prescribed person	ASIC company search of Tasman Sheepskin Tannery Pty Ltd.	ASIC company search shows that Mr Peter Alan Moffat and Sandra Kay Moffat are the directors of Tasman

		Sheepskin Tannery Pty Ltd. Mr Peter Alan Moffat and Sandra Kay Moffat are the prescribed persons for the contamination incident.
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5. Natural justice

The responsible officer is required to notify the prescribed person that the Department is considering issuing a clean-up notice and that the person is welcome to make representation to the Department as to why this action should not be taken. Any information provided by the prescribed person is to be documented and considered.

- ☒ The person has been provided with the opportunity to put their side of the story forward.
Peter Moffat was provided with several opportunities to put their side of the story forward during the incident response initially after the fire. Department Officers engaged in communication with Mr Moffat on several occasions during the response.
- ☐ All information and/or defenses provided were considered.
No information or defences were provided. Please note that Peter Moffat did provide his contact details to Department Officers.
- ☐ The Department has considered the information or defences provided.
See above.
- ☒ The decision maker and responsible officer are free from bias or the perception of bias.

6. Recommended actions of the clean-up notice

List the proposed requirements of the clean-up notice below. In order to ensure conditions are enforceable, they should be SMART (specific, measureable, achievable, relevant and time specific). Refer to the *writing effective and enforceable conditions* procedural guide for more information on writing conditions and requirements.

To ensure the requirements are reasonable officers will need to provide justification for the inclusion of the requirement.

Proposed requirement	Justification
Prior to 5:00pm Friday 14 December 2012, engage an appropriately qualified person to assess the environmental impacts and to develop an investigation and rehabilitation plan for the site, including offsite lands and groundwaters, as a result of the incident.	To ensure there are no ongoing or future impacts to the surrounding environment and the site from the incident.
The rehabilitation plan required in 1 above must show that all remediation will be completed as soon as possible and not later than 29 March 2013.	To minimise the potential for environmental harm.
Immediately take action to prevent any further offsite contamination caused by the runoff of	To minimise the potential for environmental harm.

contaminated water.	
Immediately take action to remove from the site all contaminated waters including any future contaminated waters that may occur following an event such as rain.	To minimise the potential for environmental harm.
Immediately take action to prevent any further contamination to groundwater.	To minimise the potential for environmental harm.
Immediately take action to ensure that all areas that are not fully sealed and/or have an impervious barrier are protected from contaminated water runoff.	To minimise the potential for environmental harm.
On or before the 05 January 2013 commence remediation of any offsite contamination caused by the runoff of contaminated water in accordance with rehabilitation plan prepared in 1 above.	To minimise the potential for environmental harm.
On or before the 05 January 2013 commence remediation of any onsite contamination caused by the incident in accordance with rehabilitation plan prepared in 1 above.	To minimise the potential for environmental harm.
On or before the 05 January 2013 commence removal any contamination as a result of the incident to mitigate any further environmental harm in accordance with rehabilitation plan prepared in 1 above.	To minimise the potential for environmental harm.
Prior to 5:00pm Friday 14 December 2012, develop and provide to the administering authority a plan of operations which details all steps required in the clean-up operations.	To ensure that the clean-up is conducted in the most effective manner and encompasses all necessary actions to avoid environmental harm.
Take all reasonable and practicable steps to ensure you meet your obligations under the general environmental duty.	To minimise the potential for environmental harm.

7. Recommended decision

I, Joanne Page, the responsible officer recommend that a clean-up notice be issued in relation to the allegation due to the evidence and grounds detailed above.

8. Approval

Responsible Officer	Supervisor
Joanne Page	John Harden

Assessment report
Clean-up notice

Print name: Joanne Page	Print name: John Harden
Date: 12 December 2012	Date: 12 December 2012

Delegate decision maker	Approve/reject recommendation (circle one)
<div style="border: 1px solid red; padding: 5px;"> <p>sch 4(1)(c) Personal information</p> </div>	
Reasons for decision I approve this recommended decision based upon the information set out above. Or, I approve this recommended decision for the reasons set out above and I note Mr Citizen has previously received a warning letter in relation to this matter. Or, I reject the above recommended decision as I consider it more appropriate for the Department to take an educational approach to this breach.	
Print name: Bryce Hertslet	
Date: 13 December 2012	









Release











11/12/2012 12:34

File Note

File Reference: N/A

Subject: Meeting with John White and Consultants Regarding the Adjacent State Owned Land

Date Occurred: 12/12/12 – 9am

File Reference:

Attendees: Daniel Salomone (DS) – EHP
Joanne Page (JP) – EHP
John White (JW) – Department of State Development, Infrastructure and Planning (DSDIP)
John Brun (JBr) – Department of State Development, Infrastructure and Planning (DSDIP)
Lucy Dahl (LD) – Projex Partners
Jeff Bess (JB) – Projex Partners
Other Consultants from Gilbert and Sutherland

Subject (Detail):

JW requested DS and JP to attend a meeting onsite at 6 Potassium Street, Narangba to discuss to options for rehabilitation for the state owned land adjacent to the incident site.

DS conducted a walkthrough of the incident site boundary and the potential areas where contaminants could have entered the state owned land lot either over ground or via groundwater movement.

The following options were discussed for rehabilitating the adjacent state owned land:

- Pumping out the former tannery ponds and disposing of this water to an appropriate facility;
- Filling in the former tannery ponds once the pump out has occurred;
- Bunding all the boundaries of the property that connect to the incident site to prevent further contamination from entering the site
- Surveying and fencing all state owned property boundaries

Some minor contamination from the incident has occurred on the state owned land (see photo 1 and 2 below). DS stated that any filling that was to occur in the former tannery ponds would require correct compaction rates that fit for purpose for the future use of the site.

JW requested that EHP keep DSISP in loop regarding any clean-up on the incident site that impacts the adjacent state owned land. JW also stated they his consultants will keep EHP in the loop regarding the ongoing rehabilitation works for the state owned land site.

Subject: Meeting with John White and Consultants Regarding the Adjacent State Owned Land

After the inspection at 4.55pm, LD then forwarded an email regarding the site and the potential clean up measures that were going to occur and the negotiations that had occurred with the site owner – Peter Moffat.

Email from LD –

“Hi Peter

I refer to your telephone conversation with Jeff Bess this afternoon regarding commencement of emergency response works on the State owned land adjoining your property at Potassium Street, Narangba and confirm the following:

- *works will be commencing on the State owned land tomorrow morning which include:*
 - *tree clearing*
 - *bund construction along the eastern boundary*
 - *removal of the concrete hardstand*
 - *removal of materials contaminated by spills caused by the fire*
 - *fencing along the common boundaries*
- *we confirm your advice that you are in agreement to the State’s contractor completing minor works within your land including:*
 - *Relocation of plant and material currently stored on State land to a location within your site.*
 - *Translocation of materials excavated from the State owned land that have become contaminated as a result of the fire to a location within your site. We confirm that this material will be left un-compacted and without erosion and sediment control on the basis that you will be responsible for these matters on your site.*
- *We understand from your advice that the truck and trailer closest to Boundary Rd cannot be moved at this stage and confirm that we will work to accommodate this, however your earliest removal of the truck and trailer from the State owned land would be appreciated.*
- *We understand that arrangements for the immediate removal of the truck and trailer currently located on State land adjacent to the northern boundary and the Telstra enclosure will be made by you.*

Can you please provide your email confirmation of the above.

The State’s contractor in this regard is Shadforth Contracting. Contact details are:

*Geoff Shadforth - sc04p4(6) Persi
geoff@shadcivil.com.au”*

**Subject: Meeting with John White and Consultants Regarding the
Adjacent State Owned Land**



Photo 1 – Minor contamination on state owned land. The contamination is found adjacent to the east boundary of 6 Potassium Street, Narangba.



Photo 2 – Minor contamination on state owned land. The contamination is found adjacent to the east boundary of 6 Potassium Street, Narangba. Please note the fence in the image indicates the incident site boundary.

**Subject: Meeting with John White and Consultants Regarding the
Adjacent State Owned Land**

Signature:

sch4p4(6) Personal information

Date Written: 14/12/12

Author: Joanne Page
Position: Environmental Officer
Unit/Office: ES - Moreton Bay (Caboolture)
Phone: 07 5433 7773

Signature:

sch4p4(6) Personal information

Date Written: 14/12/12

Author: Daniel Salomone
Position: Senior Environmental Officer
Unit/Office: ES - Moreton Bay (Caboolture)
Phone: 07 5433 7731





File Note

File Reference: N/A

Subject: Photos from Site Visit 28 March 2013

Date Occurred: 28/03/2013 (approximately 10.30am)

File Reference:

Attendees: Joanne Page (JP) – EHP

Sasha Hindmarsh (SH) – EHP

Mark Cunningham (MC) – Rainbow Environmental

Subject (Detail):

JP and SH conducted a site visit at 6 Potassium Street, Narangba to assess progress of the clean-up notice requirements. Rainbow Environmental and their associated contractors were onsite when JP and SH arrived facilitating the removal of the contaminated soil (as per the disposal permit) and the clean out of the stormwater drains. MC stated that once these actions are complete his involvement in the site clean-up is completed. See photos below.



Photo 1 – Photo taken looking south-east from the potassium street entrance gate at the top of the property. Note that the stock piles of contaminated soil were being loaded into a truck for disposal.



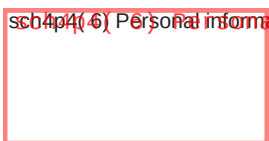
Photo 2 – Photo taken looking south from the potassium street entrance gate at the top of the property. Note The liquid waste truck at the rear of the photo. This truck was being used to clean the out the stormwater drainage systems in order for the system to be re-opened.



Photo 3 – Photo taken looking south-east from the potassium street entrance gate at the top of the property. Close up of the stock piles of contaminated soil were being loaded into a truck for disposal.

Subject: Photos from Site Visit 28 March 2013

Signature:



Date Written: **02/04/13**

Author: Joanne Page
Position: Environmental Officer
Unit/Office: ES - Moreton Bay (Caboolture)
Phone: 07 5433 7773

Released by EHP
RTI Act 2009

File Note

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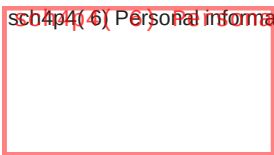


Photo 3 – Photo taken looking south-east from the potassium street entrance gate at the top of the property. Close up of the stock piles of contaminated soil were being loaded into a truck for disposal.

Subject: Photos from Site Visit 28 March 2013

sc04p4(6) Personal informa

Signature:



Date Written: **02/04/13**

Author: Joanne Page
Position: Environmental Officer
Unit/Office: ES - Moreton Bay (Caboolture)
Phone: 07 5433 7773

Released by EHP
RTI Act 2009





