























15th. January 2013

Department of
Environment and Heritage Protection.
PO Box 1080
Caboolture QLD 4510

**Attention: Mr. John Harden &
Ms. Joanne Page.**

RECEIVED / REGISTERED	
Dept of Environment and Heritage Protection Moreton Bay	
16 JAN 2013	
File #:	50K/117090.
Item #:	1975952.

Dear John & Joanne,

Re. Fire Incident – 11 December 202 – 6 Potassium Street, Narangba.

In response to your letter of the 14/01/13 regarding the fire and resulting spill of engine and hydraulic oil ex. the aforementioned industrial site, we wish to respond to your claim that "Oil Technology Australia committed an offence against section 427 and section 440ZG of the Environmental Protection Act 1994".

Claim:

Conducting a chapter 4 activity, being ERA 8 (3a) Chemical Storage, on Lot 732 on SP2411692 without being registered for the activity on site.

Response to claim:

Initially Oil Technology Australia agreed to lease Lot 6 Potassium Street from Tasman Sheepskin for the purpose of storing packaging items and some minor in-transit stock.

Over the 6 months, production and dispatch staff saw the need to use these facilities for the storage of additional finished oil stock, which culminated in a greater use of the site for ready-to-use oil products than had been initially intended.

Notwithstanding the above, we were not aware that we were required to hold registration for the storage and dispatch of our range of finished goods. As such, we never made application for registration on this site.

At no time were we aware that we had contravened the legislative requirements for the storage of our range of oils and packaging on this site.

In light of the above, we are appealing for your understanding that we always believed we were acting within our licence requirements, and would have made application to the EHP should we have realised that there was a requirement to do so.

.../2.

Released

Head Office

Cnr Boundary Rd & Potassium St, Narangba QLD 4504
PO Box 139, Deception Bay QLD 4508
Ph: (07) 3203 2833 Facsimile: (07) 3203 3700
email: info@otechaustralia.com.au

web: www.otechaustralia.com.au

Melbourne Office

40 Kimberly Road, Dandenong South VIC 3175
PO Box 4580, Dandenong South VIC 3175
Ph: (03) 9768 3344 Facsimile: (03) 9768 3325
email: sales.melb@otechaustralia.com.au



Claim:

Unlawfully depositing a prescribed water contaminant at a place, and in a way, so that the contaminant could reasonably be expected to wash, blow, fall or otherwise move into waters, a roadside gutter or stormwater drainage.

Response to Claim:

At no time did Oil Technology Australia "unlawfully" or wilfully deposit water contaminants off 6 Potassium Street.

The probable contaminants were washed off the site as a result of excessive water used by the fire brigade to douse the fire.

The fire was caused by un-known person(s) and source, which in no way was a result of any action taken by Oil Technology staff, or to the best of our knowledge people known to us.

Even in the event that bunding had been in place, the amount of fire water that was used to extinguish the fire would have most likely resulted in the overspill of oil products off the site.

The fire brigade staff were notified by me at approximately 1.45am on the 11/12/12, that there were oil products on site in the hope that foam would be used to extinguish the fire, rather than copious amounts of water.

Again, we wish to assure the EHP that we make every endeavour to protect the environment, and we believe we have been completely open, honest and cooperative with the department since the fire, in an effort to ensure that the best outcome in the clean-up was achieved.

In summary, whilst we acknowledge that there have been oversights on our part during the course of conducting our business, we hope that for the reasons outlined above, that further enforcement action against us will not be deemed necessary. On the other hand, should the department decide to the contrary, we would respectfully ask that we be afforded the minimum penalty allowable under the Act.

Sincere Regards,
Oil Technology Australia Pty Limited.

sch4p4(6) Personal information

Ray Georgey.
Group Managing Director.

File Note

File Reference: N/A

Subject: Photos from Site Visit 16 January 2013

Date Occurred: 16/01/2013 – approximately 8.30am

File Reference:

Attendees: Daniel Salomone (DS) – EHP
Joanne Page (JP) – EHP

Subject (Detail):

DS and JP conducted a site visit at 6 Potassium Street, Narangba to assess what clean-up activities have been conducted since the incident on Tuesday 11 December 2012. See photos below and the associated file note for the meeting with land owner, Peter Moffat and Mike Bennett from LeVert Environmental.



Photo 1 – The front of the destroyed building along Potassium Street (facing south). No change from the site visit on the 18 December 2012. Note some moisture on the ground, likely to be from rainfall. Also note that the bund is still in place around the main building.

Subject: Photos from Site Visit 16 January 2013

Photo 2 – Photo taken in the same location as photo 1. Looking more south east.



Photo 3 – The rear of the main building (facing south west). No change from the site visit on 18 December 2012. Note some moisture on the ground, likely to be from rainfall.

Subject: Photos from Site Visit 16 January 2013

Photo 4 – The rear of the main building (facing south east). No change from the site visit on 18 December 2012. Note some moisture on the ground, likely to be from rainfall.



Photo 5 – The rear of the main building (facing south). No change from the site visit on 18 December 2012. Note some moisture on the ground, likely to be from rainfall.

Subject: Photos from Site Visit 16 January 2013

Photo 6 – The rear of the main building (facing south). No change from the site visit on 18 December 2012.



Photo 7 – The rear of the Telstra tower on the rear corner of the property. Note the white and red stake. This represents the boundary point from where DSDIP will construct a fence from towards boundary road.

Subject: Photos from Site Visit 16 January 2013

Photo 8 – Inside the main building from the rear of the property. No change from the site visit on 18 December 2012.



Photo 9 – Behind the main building from the rear of the property. No change from the site visit on 18 December 2012.

Subject: Photos from Site Visit 16 January 2013

Photo 10 – Behind the main building from the rear of the property. No change from the site visit on 18 December 2012.



Photo 11 – Behind the main building from the rear of the property. No change from the site visit on 18 December 2012.

Subject: Photos from Site Visit 16 January 2013

Photo 12 – Behind the main building at the rear of the property (looking towards the Telstra tower north). No change from the site visit on 18 December 2012.

sch4p4(6) Personal information

Signature:

Date Written: **19/12/12**

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









2025
Release





File Note

File Reference: N/A

Subject: Photos from Site Visit 25 January 2013

Date Occurred: 25/01/2012 (approximately 2.30pm)

File Reference:

Attendees: Joanne Page (JP) – EHP
Alison Hamilton (AH) – EHP

Subject (Detail):

JP and AH conducted a site visit at 6 Potassium Street, Narangba to assess the current measures in place on the site to prevent the release of contaminants offsite. This visit was initiated due to the extreme weather predictions for the upcoming weekend (26/01/2013 – 28/01/2013). See photos below.



Photo 1 – The Stockland land adjacent the Tasman site, across Boundary Road. No contaminants can be seen, indicating that the capping on the pipeline has been successful. However water has started pooling due to the rainfall throughout the day.

Subject: Photos from Site Visit 25 January 2013

Photo 2 – Close up of the Stockland land adjacent the Tasman site, across Boundary Road. No contaminants can be seen, indicating that the capping on the pipeline has been successful. However water has started pooling due to the rainfall throughout the day.



Photo 3 – Close up of the runoff into the Stockland land adjacent the Tasman site, across Boundary Road. No contaminants can be seen, indicating that the capping on the pipeline has been successful. Please note that the water looks clear.

Subject: Photos from Site Visit 25 January 2013

Photo 4 – Rain water running off the Tasman site onto the footpath due to a break in the bund in the top left corner of the photo. Please note that the runoff is clear and it is believe that it did not contain any contaminants.



Photo 5 – Pooling rainwater seen in photo 4 above, at the sediment fence along the footpath of Boundary Road. Please note that there are not contaminants evident in the water.

Subject: Photos from Site Visit 25 January 2013

Photo 6 – Pooling rainwater seen in photo 4 and 5 above, at the sediment fence along the footpath of Boundary Road. Please note that there are not contaminants evident in the water.



Photo 7 – The break in the bund wall (referenced in photo 4). This bund wall was installed by Projex Partners (DSDIP consultants). It is broken where the bund turns the corner and runs parallel with Boundary road. As the bund is broken where the new fence posts start, it is possible that the break could have been caused by the fence contractors (the fence contractors were seen onsite on Thursday 24/01/2013 – see file note)

Subject: Photos from Site Visit 25 January 2013

Photo 8 – Water pooling within the bunded area at the front of the southern end of the building (parallel to Potassium Street)



Photo 9 – Water pooling within the bunded area at the front of the building (photo is looking south from the northern end of the building – parallel to Potassium Street). Please note the blue sheen on the water indicating that contaminants are exiting the building due to the rainfall.

Subject: Photos from Site Visit 25 January 2013

Photo 10 – Close up of the water pooling within the bunded area at the front of the building (photo is looking south from the northern end of the building – parallel to Potassium Street). Please note the blue sheen on the water indicating that contaminants are exiting the building due to the rainfall.



Photo 11 – Contaminants exiting the building due to the rainfall. Photo taken of the northern end of the building parallel to Potassium Street.

Subject: Photos from Site Visit 25 January 2013

Photo 12 – Close up of the contaminants exiting the building due to the rainfall. Photo taken of the northern end of the building parallel to Potassium Street.



Photo 13 – Pooling of water on the eastern side of the building. Please note no contaminants can be seen in the pooled water.

Subject: Photos from Site Visit 25 January 2013



Photo 14 – The eastern side of the building. Please note no contaminants can be seen exiting the building on this side.



Photo 15 – An IBC of this product was seen at the northern end of the eastern side of the building. JP has not noticed this product on the site before and noted that it looked new and as if it had been recently used. AH could not determine what the product is use for once back in the office.

Subject: Photos from Site Visit 25 January 2013



Photo 16 – An overview of the IBC in photo 15.

sch 4(1)(6) Personal info

Signature:

Date Written: **30/01/13**

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









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Non-Toxic, Non Flammable

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MSDS available at
www.ausblue.com.au

Use ONLY IN SCR Tank

Never put AUSblue in diesel. AUSblue must only be used in the SCR tank. Failure to comply may cause damage to equipment.



File Note

File Reference: N/A

Subject: Photos from Site Visit 18 December 2012

Date Occurred: 18/12/12 – approximately 2.30pm

File Reference:

Attendees: Daniel Salomone (DS) – EHP
Joanne Page (JP) – EHP

Subject (Detail):

DS and JP conducted a site visit at 6 Potassium Street, Narangba to assess what clean-up activities have been conducted since the incident on Tuesday 11 December 2012. See photos below.



Photo 1 – Photo taken from the main driveway on Potassium Street facing east. Please note that the fence around the former tannery pond on the left has been removed and the vegetation along the fence boundary has also been removed. The former tannery ponds have also been drained.

Subject: Photos from Site Visit 18 December 2012

Photo 2 – This photo is taken from the same position as photo 1 but facing north. The middle of the photo shows the former tannery ponds which have now been drained.



Photo 3 – This photo has been taken from the same location as photo 1 and 2 but facing south. Significant clean-up has occurred. Please note there is no contamination on the concrete.

Subject: Photos from Site Visit 18 December 2012

Photo 4 – The photo is taken at the rear of the main building on the site facing east. Please note the hardstand areas at the back of the site used for tank storage for the former tannery have been removed.



Photo 5 – The photo is taken from the same position as photo 4 but facing south. Significant actions have taken place including the removal of vegetation and the fence line to the left and the placement of a large bund in the middle of the photo.

Subject: Photos from Site Visit 18 December 2012

Photo 6 – The photo is taken from the same position as photo 4 but facing south. Significant actions have taken place including the removal of vegetation and the fence line to the left and the placement of a large bund in the middle of the photo.



Photo 7 – The photo is taken from the rear of the site (behind the main building) towards the Boundary Road facing north west. Please note the large bund that has been placed around the building in the middle of the photo. This bund has been placed by SDIDP contractors to protect the adjacent state land from further contamination.

Subject: Photos from Site Visit 18 December 2012



Photo 8 – This photo is taken from the same position as photo 7 but facing west. Please note the large amount of waste. Contaminants have made its way into these waste piles.



Photo 9 – This photo is a close up of the image taken from the same location photo 8. It shows the large pile of picture tubes at the back of the main building which has contaminants throughout the pile.

Subject: Photos from Site Visit 18 December 2012

Photo 10 – The photo is taken from the rear of the site (behind the main building) towards the Boundary Road facing north west. Please note the large bund that has been placed around the building in the middle of the photo. This bund has been placed by SDIDP contractors to protect the adjacent state land from further contamination.



Photo 11 – This photo is taken from the boundary of the site along Boundary Road. This is a sump that catches contaminants before stormwater flows into a drain on the other side of Boundary Road (Stockland land). This sump is currently contaminated and must be remediated as part of the site clean-up.

Subject: Photos from Site Visit 18 December 2012

Photo 12 – This photo is taken from the site boundary along Boundary Road facing north. It shows the bund in place around the main building to the left and the remediation works by SDIDP on the right.

Subject: Photos from Site Visit 18 December 2012

Photo 13 – This photo is taken from the same location as photo 12 but facing west. It shows the work Moreton Bay Regional Council has done along the footpath of the site to remediate the contaminated land. Please note the sediment fence that has been placed on the site boundary.

Subject: Photos from Site Visit 18 December 2012

Photo 14 – This photo is taken where the concrete stormwater drain enters into a grass spoon drain approximately 200m done Boundary Road. Please note the remediation works completed by MBRC. This includes digging out the contaminated parts of the drain and installing sediment fences in the drain.

Subject: Photos from Site Visit 18 December 2012

Photo 15 - This photo is taken approximately 30m from the location in photo 14. It shows some contaminated land that remains in the grass spoon drain after the MBRC remediation works.

sch4p4(6) Personal inform

Signature:

Date Written: **19/12/12**

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





2016

Release









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Revised





Use of Property	The site was formerly used for the Tasman Sheepskin Tannery. It is currently leased to at least three parties for use as a metal recycler, truck storage yard and also to neighbouring business Oil Technology Australia Pty Ltd as a storage facility.
Matter	A fire occurred on the former Tasman Tannery site at approximately 12.30am on 11 December 2012. The cause of the fire is unknown, but it is believed to have started in one of the heavy vehicles stored onsite. The incident resulted in unknown amounts of oil, greases and other contaminants being released from the site and into the stormwater system.
Other Persons Involved	<p>Transpacific have been engaged by the site owner, Peter Moffat, to clean-up the site.</p> <p>Moreton Bay Regional Council facilitated the clean-up of contaminated roadways, footpaths and stormwater drains.</p> <p>Queensland Fire and Rescue Service were responsible for the extinguishing the fire.</p> <p>Queensland Police Service managed access and security of the site during the incident.</p> <p>Oil Technology Australia Pty Ltd was using the site as a storage facility and they are situated adjacent to the site.</p> <p>Unity Water was onsite during the incident to facilitate any issues related to sewage and water mains.</p> <p>EHP was onsite to assess if any environmental harm has occurred as a result of the incident.</p>
Known Witnesses	<p>Transpacific have been engaged by the site owner, Peter Moffat, to clean-up the site. The primary contact is John Lee.</p> <p>Lachlan McCulloch is the Council contact for any environmental issues and attended the incident site. Justin McDonnell and Rob Lewis of Council also attended the incident between the hours of 3:00am and 7:30am on 11 December 2012. Other Council officers included Alan Williams and Warren Doyle.</p> <p>Queensland Fire and Rescue Service were responsible for extinguishing the fire. Simon Ball was the incident controller for the site. It was noted that between 50-60 QFRS officers attended the site during the incident.</p> <p>Queensland Police Service managed access and security of the site during the incident. The station these officers were based is unknown, however it is noted that the Deception Bay police station is in close proximity to the location of the incident.</p> <p>Oil Technology Australia Pty Ltd was using the site as a storage facility and they are situated adjacent to the site. Oil Technology Australia Pty Ltd have confirmed that they have some surveillance of the incident (Contact Ray Georgey 3203 2833/sch4p4(6) Person and Brent Bates 3203 2833/sch4p4(6) Person).</p> <p>Unity Water officers were onsite during the incident to facilitate any issues related to sewage and water mains. The officers names are unknown to the department</p>

Formal Investigation Request

Enforcement Services

This request is to be submitted by business units following a decision that a matter warrants formal investigation with a view to prosecution. This request and any supporting documentation are to be sent to Investigation.requests@ehp.qld.gov.au.

1. Contact details

Date of request	13 December 2012
Name of EHP officer	Joanne Page – Environmental Officer
Location of EHP officer	Level 4, 33 King Street, Caboolture Qld 4510
Contact details of EHP officer	07 5433 7773 joanne.page@ehp.qld.gov.au
Other relevant EHP officers	Daniel Salomone – A/Principal Environmental Officer. Daniel was the lead incident response officer onsite for EHP.
Timing	This matter is to be addressed as soon as possible due to the Premier designating EHP at the agency responsible for the recovery of the site ☒ Tick this box if the matter urgent (i.e. requires action within 6 months)

2. Incident details

Source of Incident	EHP were notified of the incident through the pollution hotline via telephone through to on-call SIRN officer David Everitt on 11 December 2012 at approximately 3.30am
Date(s)	11 December 2012 at approximately 12.30am
Alleged Offender(s)	Tasman Sheepskin Tannery Pty Ltd and Oil Technology Australia Pty Ltd
Location(s)	The land described as Lot 732 on SP241692 situated at 6 Potassium Street, Narangba QLD 4504. Contamination occurred to the incident site, to the adjacent Stockland property (adjacent to the incident site on Boundary Road) and to the road, footpath and stormwater drain along Boundary Road and on parts of Potassium Street.
Property details	Lot 732 on SP241692 situated at 6 Potassium Street, Narangba QLD 4504
Property tenure	Lot 732 on SP241692 situated at 6 Potassium Street, Narangba QLD 4504 is listed as freehold land

	<p>at this stage.</p> <p>EHP officers were onsite to assess if any environmental harm had occurred as a result of the incident (up to four officers from the regional office were onsite a one time – Officers who attended the incident included Daniel Salomone, Joanne Page, John Harden, Matthew Lawrence, Alison Hamilton and Peter Morall). David Everitt was the SIRM officer who first responded to the incident.</p>
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3. Alleged offence details

Primary Legislation	<i>Environmental Protection Act 1994 s437</i>
Penalty provisions	Maximum penalty – 4165 penalty units or 5 years imprisonment
Issue	Unlawfully causing serious environmental harm.
Other Legislation	N/A
Other Potential Offences	<p><i>Environmental Protection Act 1994</i></p> <p>s434 – Contravention of a site management plan (Dependent upon information requested in the s451 notice – see below)</p> <p>s435 – Offence to contravene development condition (It is believed that Oil Technology Australia Pty Ltd has contravened condition E5 of development approval IPDE00459306D11)</p> <p>s440ZG – Depositing prescribed water contaminants in waters and related matters (The incident result in contaminants from the site being released into the stormwater drains along Boundary Road)</p> <p><i>Sustainable Planning Act 2009</i></p> <p>s578 – Carrying out assessable development without permit (It is believed that Oil Technology Australia Pty Ltd were operating ERA56 – Regulated waste storage on the incident site without a permit)</p> <p>Please Note – that the above listed potential offences are dependent on further information and investigation.</p> <p>The Department has issued two s451 notices (under the <i>Environmental Protection Act 1994</i>) (to Tasman Tannery and Oil Technology Australia Pty Ltd) and are waiting on further information from the offenders regarding the material stored at the site and the site management procedures. This information will feed into the potential offences above.</p>
Multi-jurisdiction	<p>Queensland Fire and Rescue Service</p> <p>Queensland Police Service</p> <p>Workplace Health and Safety Queensland</p>

	HICB – Department of Justice and Attorney General Moreton Bay Regional Council Unity Water Queensland Health ☒ Tick this box if this is a multi-jurisdictional issue
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4. Records

CIRaM Reference	N/A
Ecotrack Reference	240566 / CA26671 / STAT729
Other relevant EHP system records	The site is listed on the EMR/CLR register.

5. Background

Date matter brought to EHP's attention	11 December 2012
How matter came to EHP's knowledge?	EHP were notified of the incident through the pollution hotline via telephone through to on-call SORN officer David Everitt on 11 December 2012 at approximately 3.30am
Parties involved	<p>Transpacific have been engaged by the site owner, Peter Moffat, to clean-up the site.</p> <p>Moreton Bay Regional Council facilitated the clean-up of contaminated roadways, footpaths and stormwater drains.</p> <p>Queensland Fire and Rescue Service were responsible for the extinguishing the fire.</p> <p>Queensland Police Service managed access and security of the site during the incident.</p> <p>Oil Technology Australia Pty Ltd was using the site as a storage facility and they are situated adjacent to the site.</p> <p>Unity Water were onsite during the incident to facilitate an issues related to sewage and water mains.</p> <p>EHP officers were onsite to assess if any environmental harm have occurred as a result of the incident.</p>

6. Primary Considerations

Considerations for Comment	Y/N	Comments (Where any of the questions are answered 'Yes' please include facts/relevant information/circumstances of the conduct to support your position)
Did the conduct involve dishonesty?	Unknown	Not enough information to determine yet.
Has there been an attempt to deceive EHP?	Unknown	Not enough information to determine yet.
Has EHP been given false or misleading information by the alleged offender?	Unknown	Not enough information to determine yet.
Was the conduct wilful (i.e. was it intentional, reckless or negligent)?	Y	It is possible that the fire started due to negligence. Further information and investigation required. Environmental harm could have occurred due to poor chemical storage practices.
Was the conduct motivated wholly or partly by commercial considerations?	Y	The site was leased to at least three parties for use as a metal recycler, truck storage yard and also to neighbouring business Oil Technology Australia Pty Ltd as a storage facility. These arrangements could have resulted in negligent practices which lead to environmental harm from the incident.
Was there a failure to assess, manage or mitigate risk associated with the conduct or the activity?	Unknown	Not enough information to determine. The activities onsite were not licenced by EHP or local government.
Did the conduct result in commercial gain?	N	The incident will result in the owner spending money to clean up the site.
Does the conduct have the <i>potential</i> to result in commercial gain?	Y	The owner could have a commercial gain from the incident from insurance payouts.
Did the conduct result in severe or irreversible harm to the environment, natural resources, human health or property?	Y	The incident resulted in the main building on the site being destroyed. Contaminants were released to the surrounding environment from the incident. The release resulted in a significant clean-up process being initiated.
Did the conduct have the <i>potential</i> to result in severe or irreversible harm to the environment, natural resources, human health or property?	Y	The incident had the potential to damage surrounding properties in the industrial estate. If the contaminant release was not effectively contained by the local council, it had the potential to cause severe and irreversible harm to surrounding waterways and Moreton Bay Marine Park. Human health could have been affected due to the proximity of the surrounding residential estates and the contaminants that were released. This impact was mitigated through the effective response of the Queensland Fire and Rescue.

		Service.
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7. Other Considerations (tick if applicable)

☐	Serious offence	☒	Field/site inspection conducted (attach copy of Field Inspection Report)
☒	Previous offences/history with EHP	☐	Two or more years since the offence
☐	Offence is continuing/ongoing	☐	Other <provide details>

Comments:

Historical Issues

- 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).

Field Site Inspection

Department officers conducted a brief site visit on 17 November 2012 to determine what activities were being conducted on the site. Upon arrival at the site the officers discovered that no activity operators were present. The department officers decided to exit the property and make an external observation of the activities. Photographs of the external areas of the property were taken from the footpath along Potassium Street and Boundary Road (see attached). The visit was also voice recorded.

8. Additional Information

Details	Y/N	Comments (include facts, relevant information and circumstances of the conduct etc)
Does the conduct relate to an approval/authority or code?	Y	The site is not licensed by EHP or Moreton Bay Regional Council. Moreton Bay Regional Council has confirmed that the only DA approved since 2009 for the incident site was for

		<p>the Telstra Tower behind the main tannery building:</p> <p>DA/25921/2011/DA – Material Change of Use – Development Permit for Telecommunication Facility.</p> <p>The neighbouring Oil Technology Australia Pty Ltd site is licensed by EHP – Development Approval IPDE00459306D11</p>
Are there any characteristics about the alleged offender that may be relevant (e.g. age, physical/mental health)?	N	
Does the alleged offender carry a high degree of culpability?	N	
Has the alleged offender provided any excuse or justification for the alleged offence?	N	
Has EHP taken enforcement action against the alleged offender for the alleged offence (e.g. warning, EPO issued)?	Y	A clean-up notice was issued to the owner, Peter Moffat, on 12 December 2012.
Are there any other jurisdictions involved or impacted (e.g. other Departments, Councils)?	Y	<p>Queensland Fire and Rescue Service</p> <p>Queensland Police Service</p> <p>Workplace Health and Safety Queensland</p> <p>HICB – Department of Justice and Attorney General</p> <p>Moreton Bay Regional Council</p> <p>Unity Water</p> <p>Queensland Health</p>
Has there been any media or community interest?	Y	The site triggered large media and community interest.
Are there any views of traditional owners of the area?	N	

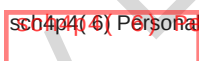
9. Enforcement Action

Actions Considered		Details (Provide details of action and reasons why action may/may not be appropriate)
☐	Education Letter	<INSERT details>

Notice
Formal Investigation Request

☐	Warning Letter	<INSERT details>
☐	PIN	<INSERT details>
☒	Statutory Notice/Order	A clean-up notice was issued to the owner, Peter Moffat, on 12 December 2012 (please see the attached).
☐	Court Order	<INSERT details>
☒	Other	A letter outlining the legal responsibilities of the site owner under the <i>Environmental Protection Act 1994</i> was sent on 11 December 2012 (please see the attached).

10. Requesting officer sign off

Name	Position	Signature	Date
Joanne Page	Environmental Officer	 <small>sch4p4(6) Personal</small>	13 December 2012

11. Attachments

Attached documents include:			
☒	Historical Title Search	☒	Photos
☒	Company Search	☒	Correspondence – emails, faxes and letters
☒	Business Name Search	☐	Previous notices/history
☐	Motor Vehicle Search	☒	Other – Clean Up Notice
☐	Relevant Approval/Authority/Code		
☒	Maps		

12. Approval

Formal Investigation Request Approval	
<i>Important – requests that are not signed by appropriate delegates will not be accepted</i>	
<p>Manager</p> <p>☒ Supports Request</p> <p>Comments There are a number of unknowns attached to this matter; however it is clear that the fire resulted in serious or material environmental harm. It is uncertain whether there were any environmental breaches in:</p> <ul style="list-style-type: none"> ➤ operating on the site possibly without sufficient safeguards to show that the property owner had taken all reasonable and practicable steps to meet his general environmental duty; and ➤ the use of the site as a metal recycler, truck storage yard and storage facility (Oil Technology Australia Pty Ltd). <p>With the issue of the Clean Up Notice on the owner, there may be a need to deal with any breaches of that</p>	

Notice
Formal Investigation Request

notice.		
Name	Signature	Date
John Harden	sch4p4(6) Person	13 December 2012

Regional Manager ☒ Supports Request Comments <INSERT comment>		
Name	Signature	Date
Bryce Hertslet	sch4p4(6) Per	13 December 2012

Executive Director ☒ Supports Request Comments Unless it has been discounted by investigations, there also remains a possibility that the fire was deliberately lit.		
Name	Signature	Date
Andrew Connor	Email approval.	14 December 2012

MAP OR PLAN OF SITE:



- Flow of contaminants (please note that the contaminants were contained further east along Boundary Road by Moreton Bay Regional Council)
- Incident Site --- No Contaminants were found (by visual inspection) north of this line
- Contaminants found offsite and clean-up facilitated by Moreton Bay Regional Council