22 February 2008

Greg O'Brien
Chief Scientific Advisor
Environment Protection Agency
PO Box 15155 City East
Qld 4002

Dear Mr O'Brien

LISTING OF L1 RP742725, 32-34 PEASE STREET

I refer to your letter dated 11 February 2008 requesting we supply documentation for the disposal of waste material from our premises. I have enclosed copies of documents provided by Envirosolve, our transport supplier for such transfers.

It should be noted that previous documents were kept at an archive storehouse which was flooded during Cyclone Larry. We have already notified various government authorities at the time of this record loss.

Should you require any additional details please do not hesitate to contact me.

Yours sincerely

Section 78B(2) RTI Act

Colin McDonald

RTI DL RELEASE - EHP

Queensland Government

Enquiries Greg O'Brien
Telephone (07) 3227 7111
Your reference
Our reference BNE26227

Environmental Protection Agency
Incorporating the
Queensland **Parks and Wildlife Service**

FILE COPY

11 February 2008

Mr Colin P J Mc Donald
Bungee Pty Ltd
PO Box 56
Redlynch Qld 4870

RTI DL RELEASE - EHP

Dear Mr McDonald

LISTING OF L1 RP742725, 32-34 PEASE STREET MANOORA ON THE ENVIRONMENTAL MANAGEMENT REGISTER (EMR)

I refer to correspondence from you and your solicitor Mark Johnston (facsimile dated 23 January 2008), to your earlier submissions and our recent telephone discussions regarding the above issue.

The Environmental Protection Agency (EPA) has reviewed the additional material provided and undertaken further searches of the quantities of the regulated waste tetrachloroethene (PCE) transported from the premises. The EPA has also reviewed full copies of the site assessment reports conducted by LeVert dated August and October 2007.

The search for transported waste has found two only Waste Transport Certificates Nos 1104254 and 1688991 which apply for waste transported in 2007. The EPA has no further record of the five copy Certificates from your premises. It has been a mandatory requirement under the Waste Management Regulations of the Environmental Protection Act 1994 (EP Act) since 2001 that regulated waste must be transported under this Certificate system with a copy signed and retained by the producer of the waste. Could you please provide the EPA with a copy of all Waste Transport Certificates for waste transported from the site.

In relation to Certificate No 1104254, the EPA notes the quantity of waste solvent as 400L. The EPA considers that this amount and the quantity of fresh PCE on the premises and the quantity of PCE in the dry cleaning circuit would be an amount in excess of 500L.

The EPA also notes the unsatisfactory state of storage of waste PCE at the time of LeVert's investigations, your recognition of this matter and the positive actions taken by you to provide a secure storage for waste PCE. It is a realistic consideration that the poor storage facilities have, over a long period of time increased the risk of PCE discharging to soil on the site. The presence

160 Ann Street Brisbane
Queensland 4000 Australia
PO Box 15155 City East
Queensland 4002 Australia
Telephone 61 7 32244514
Facsimile 61 7 32277677
Website www.epa.qld.gov.au
ABN 87 221 158 786

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of PCE and related compounds in the groundwater up to 1.98mg/L of PCE on the adjacent property is evidence that soil and groundwater have been affected by a hazardous contaminant.

The EPA has carefully considered all available information including the submissions you have made regarding your operations and the listing of the site on the EMR. The EPA reasonably believes that the site has been used for a notifiable activity and is affected by a hazardous contaminant. Consequently the EPA is obliged under the provisions of Section 374 of EP Act to list the site on the EMR and this action has been taken.

The extent of the contamination in the area can only be determined by further investigations of both soil and groundwater that must occur on your site as well as the adjacent caravan park land. Site investigation professionally conducted under relevant guidelines will determine future activities to address the contamination and any associated health or environmental risks for future land uses. The EPA is not of the opinion that ongoing monitoring of the existing wells on the caravan park site will provide any progress or resolution of this matter.

It is recommended that cooperative action be taken with the caravan park land owner to have site investigations conducted by a consultant accepted for submissions by the EPA and overseen by an independent EPA appointed Third Party Reviewer.

Please contact the undersigned should you require any additional information.

Yours sincerely

Section 78B(2) RTI Act

Greg O'Brien
Chief Scientific Advisor

RTI DL RELEASE - EHP

Greg O'Brien

From: Greg O'Brien
Sent: Wednesday, 4 June 2008 5:26 PM
To: Carlo Zoppo
Subject: RE: Phone conference between the parties to Cairnsvilla matter

Carlo

I have given the same advice to the parties involved that the problem needs to be addressed by a study of soil and groundwater that includes both the dry cleaning site and the caravan park area. The study must be adequately designed and implemented by a person with relevant qualifications and experience according to the requirements of the Environmental Protection Act. While I believe some more monitoring has been done I have not seen the professional reports relating to this or considered any submission under the Act.

As advised it would be appropriate for the parties to carry out a study which will sufficiently identify the presence or otherwise of the contaminants of concern, the area of their influence and to undertake the appropriate risk assessment according to national guidelines and make the certifications about the findings according to the Act. I am unable to make any statutory decision about the land without the appropriate information. It would be a satisfactory outcome if the results demonstrated that there was no risk to human health and the environment for any land use on any potentially affected parcel of land.

I would prefer if the parties discussed this issue on a practical and normal business basis and developed a proposal. I consider the matter to be between the parties to progress and make submissions to the EPA under the relevant laws and guidelines.

Greg O'Brien
Chief Scientific Advisor, Project Support
Environmental Operations
Queensland Environmental Protection Agency

ph 61 07 32244514
fax 61 07 32277677
Visit us on line: www.epa.qld.gov.au

RTI DL RELEASE - EHR

From: Carlo Zoppo [mailto:Carlo.Zoppo@sparke.com.au]
Sent: Tuesday, 3 June 2008 3:48 PM
To: Greg O'Brien
Cc: jam1987@iig.com.au
Subject: Phone conference between the parties to Cairnsvilla matter

Greg

I tried to ring you this afternoon but have been advised that you are out of the office and can not be contacted.

I have been speaking with the solicitor for Kwikleen, Mark Johnston. This email is CC'd to Mark.

We would both like to arrange a phone conference where the parties and the EPA could discuss the best way forward with respect to the contamination at the respective sites.

There seems to be some confusion about the EPA's position on this matter especially with respect to the EPA's requirements before the sites can be removed from the EMR. With the EPA present the parties would be able to listen to the EPA's position on the issue and then discuss, the best way to resolve the contamination issue on the site and remove the Cairnsvilla and Kwikleen sites from the EMR.

We would like to hold the phone conference on either Friday or Tuesday afternoon (say 2pm) when Mr Johnston is available. We will arrange the phone conference from our office.

Can you advise if you are prepared to be involved in the phone conference and if these arrangements are suitable to you.

If they are not please respond by email or by phone to me

Regards

Carlo Zoppo
Senior Associate
Sparke Helmore Lawyers
carlo.zoppo@sparke.com.au

p: +61 2 9373 3592
f: +61 2 9373 3599
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www.sparke.com.au

Please consider the environment before printing my email

RTI DL RELEASE - EHP

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Phone: (07) 3715 7055 • Fax: (07) 3279 3922

TAX INVOICE

ABN 26 094 087 948

CUSTOMER NAME KNIKKER N
ADDRESS 32-34 REASE ST
KUNUNDA
POST CODE

DATE 8 5.06

14 DAYS NETT

ORDER NUMBER

ENVIRONMENTAL LICENSE No. SR1626

PRODUCTS AND SERVICES	QTY	UNIT PRICE	AMOUNT
LARGE PARTSWASHER SERVICE		$	$
SMALL PARTSWASHER SERVICE		$	$
LOWLINER SERVICE		$	$
PAINTEATER SERVICE		$	$
JETWASH SERVICE		$	$
LARGE PARTSWASHER RENTAL		$ P/W	$
SMALL PARTSWASHER RENTAL		$ P/W	$
LOWLINER RENTAL		$ P/W	$
PAINTEATER RENTAL		$ P/W	$
JETWASH RENTAL		$ P/W	$
OIL FILTER BIN REMOVAL		$	$
RAG DISPOSAL		$	$
BATTERY DISPOSAL		$	$
OIL DISPOSAL		$	$
COOLANT / BRAKE FLUID DISPOSAL		$	$
		$	$
		$	$
DRY CLEANING WASTE 200 LITRES	2	$ 580.00	$ 1160.00
		$	$
		$	$

RTI DL RELEASE - EHP

PAYMENT DETAILS

☐ CASH ☐ CHEQUE ☑ ACCOUNT

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Signature

TOTAL PRIOR TO GST	$ 1160.00
GST	$ 116
TOTAL INCLUDING GST	$ 1276

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TRANSMISSION VERIFICATION REPORT

TIME : 02/06/2005 16:02
NAME :
FAX :
TEL :
SER.# : BROJ4J91?538

DATE,TIME	02/06 16:02
FAX NO./NAME	32793922
DURATION	00:00:26
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

ENVIROSOLVE PTY LTD

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Phone: (07) 3715 7055 • Fax: (07) 3279 3922

RECEIVED 18 APR 2005

TAX INVOICE 09327

ABN 26 094 087 948

CUSTOMER NAME KNIKLEEN
ADDRESS PO BOX 56
REDLYNCH 4870 QLD
POST CODE

DATE 14-4-05
14 DAYS NETT
ORDER NUMBER

ENVIRONMENTAL LICENSE No. SR1626

PRODUCTS AND SERVICES	QTY	UNIT PRICE	AMOUNT
LARGE PARTSWASHER SERVICE		$	$
SMALL PARTSWASHER SERVICE		$	$
LOWLINER SERVICE		$	$
PAINTEATER SERVICE		$	$
JETWASH SERVICE		$	$
LARGE PARTSWASHER RENTAL		$ P/W	$
SMALL PARTSWASHER RENTAL		$ P/W	$
LOWLINER RENTAL		$ P/W	$
PAINTEATER RENTAL		$ P/W	$
JETWASH RENTAL		$ P/W	$
OIL FILTER BIN REMOVAL		$	$
RAG DISPOSAL		$	$
BATTERY DISPOSAL		$	$
OIL DISPOSAL		$	$
COOLANT / BRAKE FLUID DISPOSAL		$	$
		$	$
		$	$
DRY CLEANING WASTE 205 LITRE DRUM	2	$ 570	$ 1140

PAID 21/4/05

RTI DL RELEASE - EHP

Release

ENVIROSOLVE

ENVIRONMENTAL LICENSE No SR1626

ABN NO. 26 094 087 948

Tax Invoice

TAX REG NO	Date	Tax Invoice #
	11/10/2004	6002

Tax Invoice To

Kwikleen
PO Box 56
Redlynch, Qld. 4870

P.O. No.	Terms	Project

Description	Qty	Rate	TAX AMT	Amount
Disposal of Dry Cleaning Residue	2	540.00	108.00	1,080.00

2842

24/12/04

Tax Summary	
108.00 GST ;	

SUBTOTAL	$1,080.00
Tax Total	$108.00
Total	$1,188.00

Bank Account Detail
BSB: 484-799
Account: 047478860

RTI DL RELEASE - EHP

P.O. BOX 275
SUMNER PARK Q 4074

Phone: (07) 3715 7055
Fax: (07) 3279 3922

CONTINUED DEDICATION TO THE ENVIRONMENT

Release

ENVIROSOLVE PTY LTD

P.O. BOX 275 SUMNER PARK Q 4074
Phone: (07) 3715 7055 • Fax: (07) 3279 3922

TAX INVOICE

ABN 26 094 087 948

CUSTOMER NAME

ADDRESS

POST CODE

DATE

14 DAYS NETT

ORDER NUMBER

ENVIRONMENTAL LICENSE No. SR1626

PRODUCTS AND SERVICES	QTY	UNIT PRICE	AMOUNT
LARGE PARTSWASHER SERVICE		$	$
SMALL PARTSWASHER SERVICE		$	$
LOWLINER SERVICE		$	$
PAINTEATER SERVICE		$	$
JETWASH SERVICE		$	$
LARGE PARTSWASHER RENTAL		$ P/W	$
SMALL PARTSWASHER RENTAL		$ P/W	$
LOWLINER RENTAL		$ P/W	$
PAINTEATER RENTAL		$ P/W	$
JETWASH RENTAL		$ P/W	$
OIL FILTER BIN REMOVAL		$	$
RAG DISPOSAL		$	$
BATTERY DISPOSAL		$	$
OIL DISPOSAL		$	$
COOLANT / BRAKE FLUID DISPOSAL		$	$
		$	$
		$	$
DRY CLEANING WASTE		$	$
		$	$
		$	$

2/6/05 c/claims

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JACQUELINE SUNSTER sch4p3(3) Prejudice the protection of an individuals right to privacy

Expiry Date

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TOTAL PRIOR TO GST	$
GST	$
TOTAL INCLUDING GST	$

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Waste Transport Certificate

Certificate No.

PART 1 This section to be completed by the Producer or Storer of waste

1. Name, Description and Chemical Composition of the Waste: DRY CLEANING RESIDUE

2. U.N. Class: 6 | Subsid Risk: | U.N. Number:
Packaging Group: | Bulk/ No of Packages: 2 | Type of Packaging: 205 LITRES
Amount of Waste: kg OR cubic metres OR 410. Litres
Waste Code No.: 3340 | Contaminant: | Waste Origin:

Queensland Government
Environmental Protection Agency
Environmental Operations
P.O. BOX 155
BRISBANE ALBERT STREET
QLD 4002

3. Name of Waste Producer: KNIGHTEN DRY CLEANERS
Address: 52-54 PEASE ST CAIRNS
Local Gov. Area: Cairns City | Postcode: 4870
Contact Name: Robert Kaye. | Phone: 0408 073 323
Environmental Authority No.: | Approval/Consignment No.:

4. Nominated Disposal/Treatment/Storage Facility: ENVIROSOLVE P/L

I declare that to the best of my knowledge and belief the above information is true and correct.
Name and Position (in block letters): ROBERT KAYE MANAGER
Signature: sch4p3(3) Prejudice the protection of an individuals right to privacy | Date: 7/4/05

PART 2 To be completed by the Waste Transporter.

5. Name of Transporter: SNX
Address: CAIRNS
Mode of Transport: Road ☑ Rail ☑ Air ☐ Sea ☐
Vehicle No. 1 Reg. No: 407 BZO | Environmental Authority No: | Vehicle No. 2 Reg. No: | Environmental Authority No:
I acknowledge receipt of the waste described in part 1
Name (in block letters): PETER HAYES
Signature: sch4p3(3) Prejudice the protection of an individuals right to privacy | Date: 7/4/5

PART 3 To be completed by the Facility Receiving Waste.

6. Name of Receiving Facility: ENVIROSOLVE | Environmental Authority No: SR 1626
Address: 38 BORON ST SUMNER PARK
Intended Disposal: Recycling ☐ Landfill ☐ Chem/Phys Treatment ☐ Method of Treatment:
Storage ☐ Incineration ☐ Immobilisation ☐ Biodegradation ☐ Other ☐ Specify
I acknowledge receipt of the waste described in part 1
Name (in block letters): | Discrepancy Y/N Description:
Signature: | Date: / /

WHITE COPY - TO BE FORWARDED TO REGULATORY AUTHORITY IN STATE OF DESTINATION BY DISPOSER/STORER
PINK COPY - TO BE FORWARDED TO REGULATORY AUTHORITY IN THE STATE OF ORIGIN, WITH PARTS 1 & 2 COMPLETED BY THE PERSON/COMPANY WHO COMPLETED PART 1
GREEN COPY - TO BE RETAINED BY THE PERSON/COMPANY WHO COMPLETED PART 1
YELLOW COPY - TO BE RETAINED BY THE PERSON/COMPANY WHO COMPLETED PART 3
BLUE COPY - TO BE RETAINED BY THE WASTE TRANSPORTER

VERSION 2 - August 2000

RTI DE RELEASE - EHP

Statutory Declaration

I, Colin Patrick John McDonald, of 32-34 Pease Street, Cairns Business Operator solemnly and sincerely declare as follows:

1. I am a Director of Bungee Pty Ltd and I am duly authorised by the company to make this declaration on its behalf. The company is the registered proprietor of the property situated at 32 to 34 Pease Street Manoora, Cairns.

2. Bungee Pty Ltd leases the property to Hospitality Services Pty Ltd which carries on a dry cleaning and laundry business under the name or style "Kwikleen".

3. I am the General Manager of Hospitality Services Pty Ltd and main shareholder and I have the day-to-day control the company and its business.

4. Hospitality Services Pty Ltd has been operating the dry cleaning and laundry business from these premises from June of 1996.

5. I have worked in the dry cleaning and laundry business for a period of 18 years.

6. I am familiar with the provisions of the Environmental Protection Legislation so far as it impacts upon the business of Kwikleen.

7. Kwikleen operates in accordance with industry standards.

8. Perchlorethelyne is utilised in the dry cleaning facility. All new chemical is delivered from Brisbane and stored in a bunded area prior to use. The business carries no more than 400 litres on site at any given time. The chemical residue is stored in a bunded, covered area and then sent to Brisbane for disposal by a certified disposal operator.

9. This bunded storage area was built and given verbal approval by a visiting LeVert engineer as a suitable construction to ensure that no contamination could occur by either pilferage or spillage.

10. I am not aware personally of any contamination arising out of Kwikleen's operations that might pose a material threat to the land or groundwater sources.

11. I was made aware of the concerns of the adjoining property owner following groundwater testing. I co-operated fully with LeVert when they undertook an investigation into the alleged source of the contamination. This included allowing the LeVert representative access to the company's property and allowing that person to take soil samples from the land.

Section 78B(2) RTI Act

Section 78B(2) RTI Act

RTI DL RELEASE - EHP

12. I was not aware that there was a problem with the drums containing dry-cleaning sludge overflowing in wet weather. I have not seen that occur and nor has that been reported to me by staff thus far.

13. When concerns were raised by LeVert about storage of waste dry-cleaning residue I took the issue seriously and took steps to have remedial work undertaken to address the concerns as I have outlined in paragraphs 8 and 9 above.

14. When the issue of the alleged contamination was raised I was concerned that any contamination might have been caused by the act of the third party unbeknown to the company.

15. The LeVert report stated that the soil sample taken from under the dry-cleaning drums contained "low concentrations" of dry-cleaning chemicals.

16. The operation of the Kwikleen business does not fall within the normal guidelines of the Environmental Protection Agency as a "notifiable activity" as I understand them. This site has never had an underground storage tank and nor have the amounts of the dry-cleaning chemical stored on the side exceeded 400 litres. I do not see any compelling reason why the company's property should be listed on the environmental management register.

17. I say that no other sources of contamination have been alleged by LeVert and they have taken a close look at Kwikleen's operations.

18. I have addressed the only possible source of the alleged contamination from the business operations by undertaking the remedial work outlined above.

19. I say that to the best of my knowledge and belief the land owned by the company is not contaminated.

20. I have instructed the company's solicitor Mark Johnston to write to the Environmental Protection Agency. Annexed hereto and marked with the letter "A" is a copy your letter dated 15 January 2008 from Mark Johnston to the Environmental protection Agency. The contents of this correspondence are the best of my knowledge and belief true and correct.

21. The information which I have supplied in this declaration is to the best of my knowledge and belief true and correct.

22. I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Oaths Act 1867

Signature of Declarant

Colin Patrick John McDonald

Signature of a qualified witness

At Cairns this 23 January 2008

Section 78B(2) RTI Act

Mark Gerard Johnston
Solicitor.

RTI DL RELEASE - EHP

"A"

Mark G Johnston

SOLICITOR L.L.B. (HONS)

COPY

15 January 2008

Your ref: BNE:26227

The Chief Scientific Advisor
Environmental Protection Agency
PO Box 15155 City East
QUEENSLAND 4002

BY FAX: 3227 7677

Attention Mr Greg O'Reilly

Dear Sir:

re: **CONSIDERATION OF LISTING OF 32-34 PEASE STREET MANOORA ON THE ENVIRONMENTAL MANAGEMENT REGISTER**

I refer to your letter of 10 December 2007 directed to my client Mr Colin McDonald the managing director of Bungee Pty Ltd.

The study by LeVert does not definitively find the source of the alleged contamination. LeVert say in the executive summary of the Final Report:

> *It appears that the source of the groundwater contamination is likely to be the storage area of spent sludge in the dry-cleaning facility.*

The use of the words "appears" and "likely" are not words that could be described as a definitive. The writer is speculating on what he sees as the most probable cause of the alleged contamination. The existence "low levels of contamination" in the soil under the storage area raises issues as to whether this is the mechanism by which chemicals have appeared in the groundwater. Similarly the existence of a second alleged contaminant not consistent with my client operations raises the issue of third-party intervention.

LeVert have speculated that "dry-cleaning chemicals sludge stored in 205 L drums and in open trays on the eastern boundary ... [is the source of the alleged contamination] ... there was no containment and the drums were stored on wooden pallets on bare earth".

LeVert assessed the current risk in the following terms:

> *The current risk to human health is considered low on account of lack of use of the groundwater for the domestic purposes and irrigation. It is assumed that due to natural attenuation and the relatively low concentrations of solvent in the groundwater that the risk to surface water bodies is also low.*

LeVert have suggested that in heavy rain the drums may overflow onto the ground causing contaminant to sink into the sandy soil (page 11 of the Final Report). The sample of soil taken from below the drums identified " low concentrations in the soil (of dry-cleaning chemicals)".

Telephone (07) 4052 1899 Email: jam1987@ig.com.au Facsimile (07) 40521827
2nd Floor, Crangold Building, 129A Lake Street, Cairns P.O. Box 6425, Cairns 4870

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COPY

It is postulated by LeVert that:

> *... if this process has been occurring over the last 10 years than an impact to the local groundwater might be anticipated.*

My client's point is that this is all speculation.

LeVert found as I indicated above another substance 'formaldehyde' the source of which "is unknown". The report writer speculates that "this chemical is used in chemical toilets in camper vans and may be due to illegal dumping of residues" (page 11). This demonstrates the possibility that the intervention of third parties is possible. My client might equally speculate that someone in the caravan park at night thought that my client's drums contained petrol and wheeled a drum away only to find dry-cleaning sludge and emptied the contents in disgust allowing the chemicals to escape and then with subsequent rain soak into the soil and contaminate the groundwater.

The problem is that speculation doesn't amount to evidence that something did or didn't happen. The fact is that the police are regularly called to the caravan park to deal with all sorts of issues so that the involvement of a third-party isn't so fanciful. This is not proof nor is the speculation of the report writer.

LeVert have highlighted concerns about the storage of chemicals and it made recommendations about their better storage. My client has undertaken the following steps:

- Provided a proper bunded and covered containment for the residual sludge and chemical drums stored at the dry-cleaning site.
- Reviewed chemical management at the dry-cleaning facility to ensure there are no other processes that may be releasing solvents to groundwater.

These steps have been undertaken to accord with the recommendations in the LeVert Final Report.

LeVert have confirmed that my client has cooperated with their inquiries and has demonstrated a willingness to work to eliminate any threat of contamination (e-mail 29 August 2007).

LeVert identified chemical storage as a potential risk of contamination. My client responded by taking remedial steps referred to above to ensure that this was not possible source of contamination. There is no suggestion that there are any other concerns of contamination by LeVert. The soil test showed only "low concentrations" of the dry cleaning chemicals but to ensure no possibility of contamination this issue has been addressed.

LeVert have indicated that the current risks to human health are low.

LeVert have indicated that the low concentration of the solvents in the groundwater means there is low-risk to surface water bodies.

LeVert have indicated that the concentrations of the alleged contaminant are relatively low in the groundwater.

LeVert have indicated that the levels of the alleged contaminant should naturally attenuate.

My client is not accept in the circumstances that it is necessary or appropriate for my client's property to be placed on the register.

What my client suggests is that the appropriate course of action is for the owners of the caravan park to conduct further testing in three months time. If the alleged contamination is still an issue than another

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COPY

source may be responsible for the contamination and the parties might be to look elsewhere to establish the source.

Alternatively if the level of the alleged contamination drops then the issue has been addressed and no further action on my client part will be necessary.

My client has indicated to the adjoining owner that it is prepared to work with the adjoining owner in a constructive manner to address any concerns that it may have. This has included an offer to consider independence all testing around the dry-cleaning facility to confirm the absence of any contaminated soil.

My instructions are that the requirement at this point in time for my client to carry out testing by way bores would be highly intrusive and would seriously impact on my client's laundry operations which operate on a 24 hours per day basis. This would in effect highly potentially threaten my client's ability to process goods in a timely manner. This would cause my client considerable commercial loss and threatened employees jobs.

My client appreciates that the alleged contaminated is a major concern to the adjoining owner and is prepared to consider any constructive proposals that might advance the matter. My client might for example agree to independent testing that wasn't overly intrusive and which was conducted at the adjoining owners's cost. My client might be prepared to agree to soil testing around the dry cleaning facility to confirm the absence of contaminated soil. My client might be willing for an independent review of chemicals management in the dry cleaning operation to confirm that there is no risk of contamination to adjourning properties.

The Le Vert report was critical of my client's chemical sludge storage arrangements. The report refers to low concentrations of dry cleaning chemicals in the soil below the storage drums with Mr. Bennett suggesting that with heavy rain dry cleaning chemicals might have escaped from the uncovered drums. My client has attended to this issue with the building of a bund and other protective procedures.

My client isn't required prima facie to be on the register. I respectfully suggest that the Environmental Protection Agency should be very circumspect in considering the current circumstances and should only insist on registering the site is the Agency is satisfied that there is evidence that the site is contaminated. The LeVert report speculates on the source of the contamination. This does not provide conclusive evidence of my clients operations are responsible for the source of the contamination. This is particularly the case when only low concentrations of the dry-cleaning chemical were found in soil tests in relation to soil under the chemical drums. This source has been removed as a possible contaminant by the remedial steps that my client has undertaken at its own cost and expense. Accepting for the sake of argument that the suppositions in the LeVert final report are correct and the storage of chemicals was to blame than the horse has bolted. My client has eliminated this as a potential ongoing source of contamination of groundwater. This being the case there is no need for my client's property to be placed on the register.

I look forward to hearing from you.

Yours faithfully

Section 78B(2) RTI Act

MARK G JOHNSTON
Solicitor and Accredited Mediator

RTI DL RELEASE - EPA

Facsimile 07 40325233

KwiKleen DRYCLEANERS & LAUNDERERS

Greg O'Brien		From:	Colin McDonald
32 277677		Pages:	12
Environmental Protection Agency		Date:	06/10/08
BNE26227		CC:	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply

Hi Greg

Please find the most recent tests done on bore 5 (which had the highest level of all the bores at the initial testing) of Cairns Villa and Leisure Park. The chief chemist confirms that the the results put the level of contamination below Australian standards. He can be reached on 08 93 733 650 should you require any further verification

Best regards,

Colin McDonald
Managing Director

RTI DL RELEASE - EHP

SGS

CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

Your Reference Our Reference Type Of Sample	Units	Sample 1 PERC PE015880-1 Water
Date Extracted		29/03/2008
Date Analysed		29/03/2008
Dichlorodifluoromethane	µg/L	<5
Chloromethane	µg/L	<0.5
Vinyl Chloride	µg/L	<0.5
Bromomethane	µg/L	<5
Trichlorofluoromethane	µg/L	<0.5
Acetone	µg/L	<20
Iodomethane	µg/L	<5
DCM (Methylene Chloride)	µg/L	<20
1,1-Dichloroethene	µg/L	<0.5
Allyl Chloride	µg/L	<2
Carbon Disulfide	µg/L	<0.5
trans-1,2 Dichloroethene	µg/L	1.2
Methyl-tert-butyl Ether (MtBE)	µg/L	<5
1,1-Dichloroethane	µg/L	<0.5
MEK	µg/L	<20
cis-1,2-Dichloroethene	µg/L	52
Bromochloromethane	µg/L	<0.5
Chloroform	µg/L	1.7
2,2-Dichloropropane	µg/L	<0.5
1,2-Dichloroethane	µg/L	<0.5
1,1,1-Trichloroethane	µg/L	<0.5
1,1-Dichloropropene	µg/L	<0.5
Carbon tetrachloride	µg/L	<0.5
Benzene	µg/L	<0.5
Dibromomethane	µg/L	<0.5
1,2-Dichloropropane	µg/L	<0.5
Trichloroethene	µg/L	45
Bromodichloromethane	µg/L	<0.5
MIBK	µg/L	<10

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LABORATORY REPORT COVERSHEET

DATE:	8 April 2008
TO:	Hospitality Services PO Box 56 REDLYNCH QLD 4870
ATTENTION:	Mr Colin McDonald
YOUR REFERENCE:	Sample 1 PERC, (SGS Ref# 59122)
OUR REFERENCE:	PE015880
SAMPLES RECEIVED:	27/3/08
SAMPLES/QUANTITY:	1 Water

The above samples were received intact and analysed according to your instructions. Unless otherwise stated, solid samples are reported on a dry weight basis and liquid samples as received.

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Section 78B(2) RTI Act

DAVID WILLIAMS
NATA Signatory

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SGS Australia Pty Ltd ABN 44 000 964 278 Environmental Services 10 Reid Road Newburn Western Australia 6105 t + 61 (0)8 9373 3500 f + 61 (0)8 9373 3568 www.au.sgs.com
Member of the SGS Group

SGS

CLIENT: Hospitality Services **OUR REFERENCE:** PE015880

PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

Your Reference Our Reference Type Of Sample	Units	Sample 1 PERC PE015880-1 Water
2 Hexanone	µg/L	<10
cis-1,3-Dichloropropene	µg/L	<0.5
trans-1,3-Dichloropropene	µg/L	<0.5
1,1,2-Trichloroethane	µg/L	<0.5
Toluene	µg/L	<0.5
1,3-Dichloropropane	µg/L	<0.5
Dibromochloromethane	µg/L	<0.5
1,2-Dibromoethane	µg/L	<0.5
Tetrachloroethene	µg/L	49
1,1,1,2-Tetrachloroethane	µg/L	<0.5
Chlorobenzene	µg/L	<0.5
Ethyl benzene	µg/L	<0.5
Bromoform	µg/L	<0.5
m/p-Xylenes	µg/L	<1.0
1,1,2,2-Tetrachloroethane	µg/L	<0.5
Styrene	µg/L	<0.5
o-Xylene	µg/L	<0.5
1,2,3-Trichloropropane	µg/L	<0.5
Isopropylbenzene	µg/L	<0.5
Bromobenzene	µg/L	<0.5
n-Propylbenzene	µg/L	<0.5
2-Chlorotoluene	µg/L	<0.5
4-Chlorotoluene	µg/L	<0.5
1,3,5-Trimethylbenzene	µg/L	<0.5
tert-Butylbenzene	µg/L	<0.5
1,2,4-Trimethylbenzene	µg/L	<0.5
sec-Butylbenzene	µg/L	<0.5
1,3-Dichlorobenzene	µg/L	<0.5
1,4-Dichlorobenzene	µg/L	<0.3
p-Isopropyltoluene	µg/L	<0.5
1,2-Dichlorobenzene	µg/L	<0.5
n-Butylbenzene	µg/L	<0.5
1,2-Dibromo-3-chloropropane	µg/L	<0.5

* 50

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CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

Your Reference Our Reference Type Of Sample	Units	Sample 1 PERC PE015880-1 Water
1,2,4-Trichlorobenzene	µg/L	<0.5
Naphthalene	µg/L	<0.5
Hexachlorobutadiene	µg/L	<0.5
1,2,3-Trichlorobenzene	µg/L	<0.5
Dibromofluoromethane (*surrogate*)	%	112
Toluene-*d8 (surrogate)*	%	101
4-Bromofluorobenzene *(surrogate)*	%	98

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CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

TEST PARAMETERS	UNITS	LOR	METHOD
VOC's in Water			
Date Extracted			
Date Analysed			
Dichlorodifluoromethane	µg/L	5	PEO-800
Chloromethane	µg/L	0.5	PEO-800
Vinyl Chloride	µg/L	0.3	PEO-800
Bromomethane	µg/L	5	PEO-800
Trichlorofluoromethane	µg/L	0.5	PEO-800
Acetone	µg/L	20	PEO-800
Iodomethane	µg/L	5	PEO-800
DCM (Methylene Chloride)	µg/L	20	PEO-800
1,1-Dichloroethene	µg/L	0.5	PEO-800
Allyl Chloride	µg/L	2	PEO-800
Carbon Disulfide	µg/L	0.5	PEO-800
trans-1,2 Dichloroethene	µg/L	0.5	PEO-800
Methyl-tert-butyl Ether (MtBE)	µg/L	5	PEO-800
1,1-Dichloroethane	µg/L	0.5	PEO-800
MEK	µg/L	20	PEO-800
cis-1,2-Dichloroethene	µg/L	0.5	PEO-800
Bromochloromethane	µg/L	0.5	PEO-800
Chloroform	µg/L	0.5	PEO-800
2,2-Dichloropropane	µg/L	0.5	PEO-800
1,2-Dichloroethane	µg/L	0.5	PEO-800
1,1,1-Trichloroethane	µg/L	0.5	PEO-800
1,1-Dichloropropene	µg/L	0.5	PEO-800
Carbon tetrachloride	µg/L	0.5	PEO-800
Benzene	µg/L	0.5	PEO-800
Dibromomethane	µg/L	0.5	PEO-800
1,2-Dichloropropane	µg/L	0.5	PEO-800
Trichloroethene	µg/L	0.5	PEO-800

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CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

TEST PARAMETERS	UNITS	LOR	METHOD
Bromodichloromethane	µg/L	0.5	PEO-800
MIBK	µg/L	10	PEO-800
2 Hexanone	µg/L	10	PEO-800
cis-1,3-Dichloropropene	µg/L	0.5	PEO-800
trans-1,3-Dichloropropene	µg/L	0.5	PEO-800
1,1,2-Trichloroethane	µg/L	0.5	PEO-800
Toluene	µg/L	0.5	PEO-800
1,3-Dichloropropane	µg/L	0.5	PEO-800
Dibromochloromethane	µg/L	0.5	PEO-800
1,2-Dibromoethane	µg/L	0.5	PEO-800
Tetrachloroethene	µg/L	0.5	PEO-800
1,1,1,2-Tetrachloroethane	µg/L	0.5	PEO-800
Chlorobenzene	µg/L	0.5	PEO-800
Ethyl benzene	µg/L	0.5	PEO-800
Bromoform	µg/L	0.5	PEO-800
m/p-Xylenes	µg/L	1.0	PEO-800
1,1,2,2-Tetrachloroethane	µg/L	0.5	PEO-800
Styrene	µg/L	0.5	PEO-800
o-Xylene	µg/L	0.5	PEO-800
1,2,3-Trichloropropane	µg/L	0.5	PEO-800
Isopropylbenzene	µg/L	0.5	PEO-800
Bromobenzene	µg/L	0.5	PEO-800
n-Propylbenzene	µg/L	0.5	PEO-800
2-Chlorotoluene	µg/L	0.5	PEO-800
4-Chlorotoluene	µg/L	0.5	PEO-800
1,3,5-Trimethylbenzene	µg/L	0.5	PEO-800
tert-Butylbenzene	µg/L	0.5	PEO-800
1,2,4-Trimethylbenzene	µg/L	0.5	PEO-800
sec-Butylbenzene	µg/L	0.5	PEO-800
1,3-Dichlorobenzene	µg/L	0.5	PEO-800
1,4-Dichlorobenzene	µg/L	0.3	PEO-800
p-Isopropyltoluene	µg/L	0.5	PEO-800

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CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

TEST PARAMETERS	UNITS	LOR	METHOD
1,2-Dichlorobenzene	µg/L	0.5	PEO-800
n-Butylbenzene	µg/L	0.5	PEO-800
1,2-Dibromo-3-chloropropane	µg/L	0.5	PEO-800
1,2,4-Trichlorobenzene	µg/L	0.5	PEO-800
Naphthalene	µg/L	0.5	PEO-800
Hexachlorobutadiene	µg/L	0.5	PEO-800
1,2,3-Trichlorobenzene	µg/L	0.5	PEO-800
Dibromofluoromethane (*surrogate*)	%		PEO-800
Toluene-*d8 (surrogate)*	%		PEO-800
4-Bromofluorobenzene *(surrogate)*	%		PEO-800

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CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

QUALITY CONTROL	UNITS	Blank	Replicate Sm#	Replicate Sample||Replicate	Spike Sm#	Matrix Spike (%)
Dichlorodifluoromethane	µg/L	<5	[NT]	[NT]	Control	-
Chloromethane	µg/L	<0.5	[NT]	[NT]	Control	-
Vinyl Chloride	µg/L	<0.3	[NT]	[NT]	Control	-
Bromomethane	µg/L	<5	[NT]	[NT]	Control	-
Trichlorofluoromethane	µg/L	<0.5	[NT]	[NT]	Control	-
Acetone	µg/L	<20	[NT]	[NT]	Control	-
Iodomethane	µg/L	<5	[NT]	[NT]	Control	-
DCM (Methylene Chloride)	µg/L	<20	[NT]	[NT]	Control	-
1,1-Dichloroethene	µg/L	<0.5	[NT]	[NT]	Control	125%
Allyl Chloride	µg/L	<2	[NT]	[NT]	Control	-
Carbon Disulfide	µg/L	<0.5	[NT]	[NT]	Control	-
trans-1,2 Dichloroethene	µg/L	<0.5	[NT]	[NT]	Control	113%
Methyl-tert-butyl Ether (MtBE)	µg/L	<5	[NT]	[NT]	Control	-
1,1-Dichloroethane	µg/L	<0.5	[NT]	[NT]	Control	109%
MEK	µg/L	<20	[NT]	[NT]	Control	-
cis-1,2-Dichloroethene	µg/L	<0.5	[NT]	[NT]	Control	-
Bromochloromethane	µg/L	<0.5	[NT]	[NT]	Control	-
Chloroform	µg/L	<0.5	[NT]	[NT]	Control	103%
2,2-Dichloropropane	µg/L	<0.5	[NT]	[NT]	Control	-
1,2-Dichloroethane	µg/L	<0.5	[NT]	[NT]	Control	107%
1,1,1-Trichloroethane	µg/L	<0.5	[NT]	[NT]	Control	105%
1,1-Dichloropropene	µg/L	<0.5	[NT]	[NT]	Control	-
Carbon tetrachloride	µg/L	<0.5	[NT]	[NT]	Control	102%
Benzene	µg/L	<0.5	[NT]	[NT]	Control	108%
Dibromomethane	µg/L	<0.5	[NT]	[NT]	Control	-
1,2-Dichloropropane	µg/L	<0.5	[NT]	[NT]	Control	102%
Trichloroethene	µg/L	<0.5	[NT]	[NT]	Control	101%
Bromodichloromethane	µg/L	<0.5	[NT]	[NT]	Control	100%
MIBK	µg/L	<10	[NT]	[NT]	Control	-

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CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

QUALITY CONTROL	UNITS	Blank	Replicate Sm#	Replicate Sample||Replicate	Spike Sm#	Matrix Spike (%)
2 Hexanone	µg/L	<10	[NT]	[NT]	Control	-
cis-1,3-Dichloropropene	µg/L	<0.5	[NT]	[NT]	Control	100%
trans-1,3-Dichloropropene	µg/L	<0.5	[NT]	[NT]	Control	101%
1,1,2-Trichloroethane	µg/L	<0.5	[NT]	[NT]	Control	102%
Toluene	µg/L	<0.5	[NT]	[NT]	Control	99%
1,3-Dichloropropane	µg/L	<0.5	[NT]	[NT]	Control	-
Dibromochloromethane	µg/L	<0.5	[NT]	[NT]	Control	98%
1,2-Dibromoethane	µg/L	<0.5	[NT]	[NT]	Control	-
Tetrachloroethene	µg/L	<0.5	[NT]	[NT]	Control	111%
1,1,1,2-Tetrachloroethane	µg/L	<0.5	[NT]	[NT]	Control	-
Chlorobenzene	µg/L	<0.5	[NT]	[NT]	Control	103%
Ethyl benzene	µg/L	<0.5	[NT]	[NT]	Control	99%
Bromoform	µg/L	<0.5	[NT]	[NT]	Control	99%
m/p-Xylenes	µg/L	<1.0	[NT]	[NT]	Control	-
1,1,2,2-Tetrachloroethane	µg/L	<0.5	[NT]	[NT]	Control	109%
Styrene	µg/L	<0.5	[NT]	[NT]	Control	-
o-Xylene	µg/L	<0.5	[NT]	[NT]	Control	-
1,2,3-Trichloropropane	µg/L	<0.5	[NT]	[NT]	Control	-
Isopropylbenzene	µg/L	<0.5	[NT]	[NT]	Control	-
Bromobenzene	µg/L	<0.5	[NT]	[NT]	Control	-
n-Propylbenzene	µg/L	<0.5	[NT]	[NT]	Control	-
2-Chlorotoluene	µg/L	<0.5	[NT]	[NT]	Control	-
4-Chlorotoluene	µg/L	<0.5	[NT]	[NT]	Control	-
1,3,5-Trimethylbenzene	µg/L	<0.5	[NT]	[NT]	Control	-
tert-Butylbenzene	µg/L	<0.5	[NT]	[NT]	Control	-
1,2,4-Trimethylbenzene	µg/L	<0.5	[NT]	[NT]	Control	-
sec-Butylbenzene	µg/L	<0.5	[NT]	[NT]	Control	-
1,3-Dichlorobenzene	µg/L	<0.5	[NT]	[NT]	Control	96%
1,4-Dichlorobenzene	µg/L	<0.3	[NT]	[NT]	Control	105%
p-Isopropyltoluene	µg/L	<0.5	[NT]	[NT]	Control	-

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CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

QUALITY CONTROL	UNITS	Blank	Replicate Sm#	Replicate Sample||Replicate	Spike Sm#	Matrix Spike (%)
1,2-Dichlorobenzene	µg/L	<0.5	[NT]	[NT]	Control	105%
n-Butylbenzene	µg/L	<0.5	[NT]	[NT]	Control	-
1,2-Dibromo-3-chloropropane	µg/L	<0.5	[NT]	[NT]	Control	-
1,2,4-Trichlorobenzene	µg/L	<0.5	[NT]	[NT]	Control	-
Naphthalene	µg/L	<0.5	[NT]	[NT]	Control	-
Hexachlorobutadiene	µg/L	<0.5	[NT]	[NT]	Control	-
1,2,3-Trichlorobenzene	µg/L	<0.5	[NT]	[NT]	Control	-
Dibromofluoromethane *(surrogate)*	%	122	[NT]	[NT]	Control	98%
Toluene-*d8 (surrogate)*	%	98	[NT]	[NT]	Control	97%
4-Bromofluorobenzene *(surrogate)*	%	98	[NT]	[NT]	Control	100%

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CLIENT: Hospitality Services **OUR REFERENCE:** PE015880
PROJECT: Sample 1 PERC, (SGS Ref# 59122)

LABORATORY REPORT

NOTES:
LOR - Limit of Reporting.

This test is not covered by the scope of our NATA accreditation.

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Unless otherwise stated the results shown in this test report only refer to the sample(s) tested and such sample(s) are only retained for 60 days only. This document cannot be reproduced except in full, without prior approval of the Company.

RTI DL RELEASE - EHP

03 86878967

Enquiries Kim Barry
Telephone (07) 3225 1045

Your reference
Our reference BNE26227

FILE COPY

10 December 2007

Section 78B(2) RTI Act

Mr Colin P J McDonald
Bungee Pty Ltd
PO Box 56
REDLYNCH QLD 4870

Dear Mr McDonald

CONSIDERATION OF LISTING OF L1 RP742725, 32-34 PEASE STREET MANOORA ON THE ENVIRONMENTAL MANAGEMENT REGISTER (EMR)

I refer to the attached s373 Notice to list on the EMR the above site owned and operated by you as a dry cleaning facility. This correspondence is to inform you of the Queensland Environmental Protection Agency's (EPA) reasons for considering this listing.

The EPA has reviewed the following site investigation report prepared under the Environmental Protection Act's (EP Act) provisions that relate to the adjacent land occupied by a caravan park being Lot 1 RP745758, 10-30 Pease Street.

> Final Report Groundwater Investigaton Cairnsvilla & Leisure Park Pease Street Cairns Queensland, prepared by LeVert Pty Ltd dated August 2007 (Doc No. 07281-001).

This report has revealed the presence of the common dry cleaning solvent tetrachloroethylene in groundwater at a number of monitoring wells on the caravan park land beside the boundary of your property. The report has also established that groundwater flow direction in the area is from your site towards the caravan park.

The EPA has considered the information you have supplied from earlier correspondence about the quantity of dry cleaning solvent stored on your property and that the amount has not exceeded that required for EMR listing as a "notifiable activity". However on the scientific evidence available, the EPA reasonably believes that your site is affected by a hazardous contaminant and is contaminated land.

Should you have commissioned a site investigation by a person qualified under s381 of the EP Act that has proved that your site is not contaminated land, the EPA would carefully consider this report prior to confirming the EMR listing. If a site investigation has not been undertaken, it is recommended that this work be done by a professional acceptable to the EPA under EP Act

RTI DL RELEASE - EHP

160 Ann Street Brisbane
Queensland 4000 Australia
PO Box 15155 City East
Queensland 4002 Australia
Telephone 61 7 32244514
Facsimile 61 7 32277677
Website www.epa.qld.gov.au
ABN 87 221 158 786

provisions. The investigation should determine the quantity and extent of soil and groundwater contamination, any human health and environmental risk relative to foreseeable land uses and the steps to be taken to address these risks.

Please advise the contact officer above or the undersigned should you require any additional information.

Yours sincerely

Greg O'Brien
Chief Scientific Advisor

RTI DL RELEASE - EHP

Release

BNE 26227

MEMORANDUM

Queensland Government
Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

BNE 26227

Enquiries Paul Butcher
Telephone (07) 3225 8416
Your reference
Our reference

30 October 2007

To: Annemarie Lewis

From: Paul Butcher

Subject: Deletion – **Lot 1 on RP745758,** 32-34 Pease St Manoora

---

Hi Annemarie,

In light of the statutory declaration received from the site owner, please **do not** list Lot 1 on RP745758 on the EMR for the NA Dry Cleaning, as the site does not meet the criteria outlined in Schedule 2 of the EP Act 1994. Whilst this site is most likely affected by hazardous contaminants, there is insufficient evidence of this at this stage and thus cannot be listed for Hazardous Contaminant either.

Thanks,

Paul

sch4p3(3) Prejudice the protection of an individuals right to privacy

Site Deleted.
Site ID 7054 9

Paul Butcher
Environmental Officer

sch4p3(3) Prejudice the protection of an individuals right to privacy

RTI DL RELEASE - EHP

288 Edward Street Brisbane
Queensland 4000 Australia
GPO Box 2771 Brisbane Queensland
Queensland 4001 Australia
Telephone
Facsimile
Website www.epa.qld.gov.au
ABN 87 221 158 786

Department of Environment and Heritage Protection (EHP)
ABN 46 640 294 485
400 George St Brisbane, Queensland 4000
GPO Box 2454 Brisbane QLD 4001 AUSTRALIA
Email: emr.clr.registry@ehp.qld.gov.au

Queensland Government

03 October 2007

Site ID: 70549
File Number:
Enquiries to: Contaminated Land Unit
Telephone: (07) 322 58487

BUNGEE PTY LTD AS TTE
PO BOX 65
REDLYNCH QLD 4870 4870

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: 1 Plan: RP745758
CAIRNS CITY COUNCIL

32-34 PEASE STREET
MANOORA QLD 4870

The Environmental Protection Agency (EPA) 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.

DRY CLEANING - operating a dry cleaning business where -
(a) solvents are stored in underground tanks; or
(b) more than 500 L of halogenated hydrocarbon are stored.

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 EPA within 30 days after receipt of this notice. Your submission must be received no later than Wednesday, 07 November 2007.

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 EPA requires that the land be investigated

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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 Environmental Authority issued for this site. In the event that the site is redeveloped, the EPA 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, EPA on telephone (07) 322 58487. Further information about contaminated land matters may be obtained by visiting our web-site at: www.epa.qld.gov.au/environment/business/contaminated.

Delegate of Administering Authority
Environmental Protection Act 1994

RTI DL RELEASE - EHP

Mark G Johnston
SOLICITOR L.L.B. (HONS)

15 January 2008

Your ref: BNE:26227

The Chief Scientific Advisor
Environmental Protection Agency
PO Box 15155 City East
QUEENSLAND 4002 BY FAX: 3227 7677

Dear Sir:

re: **CONSIDERATION OF LISTING OF 32-34 PEASE STREET MANOORA ON THE ENVIRONMENTAL MANAGEMENT REGISTER**

I refer to your letter of 10 December 2007 directed to my client Mr Colin McDonald the managing director of Bungee Pty Ltd.

The study by LeVert does not definitively find the source of the alleged contamination. LeVert say in the executive summary of the Final Report:

> *It appears that the source of the groundwater contamination is likely to be the storage area of spent sludge in the dry-cleaning facility.*

The use of the words "appears" and "likely" are not words that could be described as a definitive. The writer is speculating on what he sees as the most probable cause of the alleged contamination. The existence "low levels of contamination" in the soil under the storage area raises issues as to whether this is the mechanism by which chemicals have appeared in the groundwater. Similarly the existence of a second alleged contaminant not consistent with my client operations raises the issue of third-party intervention.

LeVert have speculated that "dry-cleaning chemicals sludge stored in 205 L drums and in open trays on the eastern boundary ... [is the source of the alleged contamination] ... there was no containment and the drums were stored on wooden pallets on bare earth".

LeVert assessed the current risk in the following terms:

> *The current risk to human health is considered low on account of lack of use of the groundwater for the domestic purposes and irrigation. It is assumed that due to natural attenuation and the relatively low concentrations of solvent in the groundwater that the risk to surface water bodies is also low.*

LeVert have suggested that in heavy rain the drums may overflow onto the ground causing contaminant to sink into the sandy soil (page 11 of the Final Report). The sample of soil taken from below the drums identified " low concentrations in the soil (of dry-cleaning chemicals)".

Telephone (07) 4052 1899 Email: jam1987@big.com.au Facsimile (07) 40521827
2nd Floor, Crangold Building, 129A Lake Street, Cairns P.O. Box 6425, Cairns 4870

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It is postulated by LeVert that:

> *... if this process has been occurring over the last 10 years than an impact to the local groundwater might be anticipated.*

My client's point is that this is all speculation.

LeVert found as I indicated above another substance 'formaldehyde' the source of which " is unknown". The report writer speculates that "this chemical is used in chemical toilets in camper vans and may be due to illegal dumping of residues" (page 11). This demonstrates the possibility that the intervention of third parties is possible. My client might equally speculate that someone in the caravan park at night thought that my client's drums contained petrol and wheeled a drum away only to find dry-cleaning sludge and emptied the contents in disgust allowing the chemicals to escape and then with subsequent rain soak into the soil and contaminate the groundwater.

The problem is that speculation doesn't amount to evidence that something did or didn't happen. The fact is that the police are regularly called to the caravan park to deal with all sorts of issues so that the involvement of a third-party isn't so fanciful. This is not proof nor is the speculation of the report writer.

LeVert have highlighted concerns about the storage of chemicals and it made recommendations about their better storage. My client has undertaken the following steps:

- Provided a proper bunded and covered containment for the residual sludge and chemical drums stored at the dry-cleaning site.
- Reviewed chemical management at the dry-cleaning facility to ensure there are no other processes that may be releasing solvents to groundwater.

Any other steps ?

These steps have been undertaken to accord with the recommendations in the LeVert Final Report.

LeVert have confirmed that my client has cooperated with their inquiries and has demonstrated a willingness to work to eliminate any threat of contamination (e-mail 29 August 2007).

LeVert identified chemical storage as a potential risk of contamination. My client responded by taking remedial steps referred to above to ensure that this was not possible source of contamination. There is no suggestion that there are any other concerns of contamination by LeVert. The soil test showed only " low concentrations" of the dry cleaning chemicals but to ensure no possibility of contamination this issue has been addressed.

LeVert have indicated that the current risks to human health are low.

LeVert have indicated that the low concentration of the solvents in the groundwater means there is low-risk to surface water bodies.

LeVert have indicated that the concentrations of the alleged contaminant are relatively low in the groundwater.

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LeVert have indicated that the levels of the alleged contaminant should naturally attenuate.

My client is not accept in the circumstances that it is necessary or appropriate for my client's property to be placed on the register.

What my client suggests is that the appropriate course of action is for the owners of the caravan park to conduct further testing in three months time. If the alleged contamination is still an issue than another source may be responsible for the contamination and the parties might be to look elsewhere to establish the source.

Alternatively if the level of the alleged contamination drops then the issue has been addressed and no further action on my client part will be necessary.

My client has indicated to the adjoining owner that it is prepared to work with the adjoining owner in a constructive manner to address any concerns that it may have. This has included an offer to consider independence all testing around the dry-cleaning facility to confirm the absence of any contaminated soil.

My instructions are that the requirement at this point in time for my client to carry out testing by way bores would be highly intrusive and would seriously impact on my client's laundry operations which operate on a 24 hours per day basis. This would in effect highly potentially threaten my client's ability to process goods in a timely manner. This would cause my client considerable commercial loss and threatened employees jobs.

My client appreciates that the alleged contaminated is a major concern to the adjoining owner and is prepared to consider any constructive proposals that might advance the matter. My client might for example agree to independent testing that wasn't overly intrusive and which was conducted at the adjoining owners's cost. My client might be prepared to agree to soil testing around the dry cleaning facility to confirm the absence of contaminated soil. My client might be willing for an independent review of chemicals management in the dry cleaning operation to confirm that there is no risk of contamination to adjourning properties.

The Le Vert report was critical of my client's chemical sludge storage arrangements. The report refers to low concentrations of dry cleaning chemicals in the soil below the storage drums with Mr. Bennett suggesting that with heavy rain dry cleaning chemicals might have escaped from the uncovered drums. My client has attended to this issue with the building of a bund and other protective procedures.

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My client isn't required prima facie to be on the register. I respectfully suggest that the Environmental Protection Agency should be very circumspect in considering the current circumstances and should only insist on registering the site is the Agency is satisfied that there is evidence that the site is contaminated. The LeVert report speculates on the source of the contamination. This does not provide conclusive evidence of my clients operations are responsible for the source of the contamination. This is particularly the case when only low concentrations of the dry-cleaning chemical were found in soil tests in relation to soil under the chemical drums. This source has been removed as a possible contaminant by the remedial steps that my client has undertaken at its own cost and expense. Accepting for the sake of argument that the suppositions in the LeVert final report are correct and the storage of chemicals was to blame than the horse has bolted. My client has eliminated this as a potential ongoing source of contamination of groundwater. This being the case there is no need for my client's property be placed on the register.

I look forward to hearing from you.

Yours faithfully,

Section 78B(2) RTI Act

MARK G JOHNSTON
Solicitor and Accredited Mediator

RTI DL RELEASE - EHP

Waste Transport Certificate

Certificate No. 1104254

PART 1 This section to be completed by the Producer or Storer of waste

1. Name, Description and Chemical Composition of the Waste
DRY CLEANING RESIDUE (TETRACHLOROETHYENE)

2. U.N. Class 6 | Subsid Risk | U.N. Number 1897
Packaging Group III | Bulk/ No of Packages 2 | Type of Packaging STEEL DRUMS
Amount of Waste 400 kg OR cubic metres OR 400 Litres
Waste Code No. | Contaminant | Waste Origin

Queensland Government
Environmental Protection Agency
Environmental Operations
P.O. BOX 155
BRISBANE ALBERT STREET
QLD 4002

3. Name of Waste Producer
KWIKKLEEN DRY CLEANERS
Address 36 PEASE STREET
MANUNDA - CAIRNS - Q.LD Postcode 4870
Contact Name JOHN BATTS Phone 40825333
Environmental Authority No. Local Gov. Area

4. Nominated Disposal/Treatment/Storage Facility
ENVIROSOLVE.

I declare that to the best of my knowledge [redacted] ormation is true and correct.
sch4p3(3) Prejudice the protection of an individuals right to privacy
Name and Position (in block letters) JOHN BATTS.
Signature Date 13/08/07

PART 2 To be completed by the Waste Transporter.

5. Name of Transporter NQX CAIRNS
Address 14 LYONS ST CAIRNS
Mode of Transport: Road ☒ Rail ☐ Air ☐ Sea ☐
Vehicle No. 1 Reg No Environmental Authority No. SA1088
Vehicle No 2 Reg No. Environmental Authority No.
I acknowledge receipt of the waste described in part 1
Name (in block letters) GRAEME WHITE
sch4p3(3) Prejudice the protection of an individuals right to privacy Date 8/8/07

PART 3 To be completed by the Facility Receiving Waste.

6. Name of Receiving Facility ENVIROSOLVE PTY LTD
Address 38 Boron St Smithfield Park
Environmental Authority No. ER1626
Type of Treatment
Intended Disposal Recycling ☐ Landfill ☐ Chem/Phys. Treatment ☒
Storage ☐ Incineration ☐ Immobilisation ☐ Biodegradation ☐ Other ☐ Specify
I acknowledge receipt of the waste described in part 1.
Name (in block letters) R WILLIAMS Discrepancy Y/N Description
sch4p3(3) Prejudice the protection of an individuals right to privacy Date 23/08/07

WHITE COPY - TO BE FORWARDED TO POLLUTION & WASTE MANAGEMENT UNIT, EPA BY RECEIVER.
PINK COPY - TO BE FORWARDED TO POLLUTION & WASTE MANAGEMENT UNIT, EPA WITH PARTS 1 & 2 COMPLETED, BY THE PERSON/COMPANY WHO COMPLETED PART 1
GREEN COPY - TO BE RETAINED BY THE PERSON/COMPANY WHO COMPLETED PART 1
YELLOW COPY - TO BE RETAINED BY THE PERSON/COMPANY WHO COMPLETED PART 3
BLUE COPY - TO BE RETAINED BY THE WASTE TRANSPORTER

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Queensland Government
Environmental Protection Agency

Waste Transport Certificate

1688991

Part 1
This section is to be completed by the Producer or Storer of waste

Name, Description and Chemical Composition of the Waste: DRY CLEANING RESIDUE LIQUID

U.N. Class: 6.1 | Subsid Risk: 2.2 | U.N. Number: 1897 | Bulk/No of Packaging: 200 | Type of Packaging: DRUM | Packaging Grp: PG III

Amount of Waste: 205 ☑ Litres ☒ Cubic Metres ☒ Kilograms | Waste Category and Code: ☑ | Waste Origin: 4

Name of Waste Producer: KWIKLEEN LAUNDRIES

Address: 32 PEASE ST MANUNDA CAIRNS Postcode: 4870

Contact Name: JOAN BATTS | Phone No.: (07) 40[illegible]333

Environmental Authority No: | Local Government Area:

Nominated Disposal/Treatment/Storage Facility: ENVIROSOLVE PTY LTD.

I declare that to the best of my knowledge and belief the above information is true and correct (Name and Position): JOAN BATTS – MANAGER

Signature: sch4p3(3) Prejudice the protection of an individuals right to privacy | Date: 13/02/07

Part 2
To be completed by the Waste Transporter

Name of Transport Company: MQX TRANSPORT

Address: 74 LYONS ST CAIRNS Postcode:

Vehicle No. 1 Rego. No.: | Vehicle No. 2 Rego. No.:

Mode of Transport: ☑ Road ☐ Air ☐ Rail ☐ Sea

Environmental Authority No.: | Environmental Authority No.:

I acknowledge the receipt of the waste described in part 1.

Name: DARLENE CALL | Phone No.: (07) 40549515

Signature: sch4p3(3) Prejudice the protection of an individuals right to privacy | Date: 15/02/07

Part 3
To be completed by the Facility Receiving Waste

Name of Receiving Facility: ENVIROSOLVE

Address: 38 BOLON STREET SUMNER PARK Postcode: 4074

Intended Disposal: ☐ Recycling ☐ Incineration ☐ Landfill ☐ Immobilisation ☐ Chem/Phys. ☐ Biodegradation ☒ Storage ☐ Other

Treatment Type: | Waste Category and Code: D 340

Environmental Authority No.: SR1626

Amount of Waste: 205 ☑ Litres ○ Cubic Metres ○ Kilograms

Discrepancy: Yes ☐ No ☒ Description:

I acknowledge the receipt of the waste described in part 1. (Name and Position): B WILLIAMS | Phone No.: ( )

Signature: sch4p3(3) Prejudice the protection of an individuals right to privacy | Date: 15/02/07

WHITE COPY - TO BE FORWARDED TO EPA BY RECEIVER
PINK COPY - TO BE FORWARDED TO EPA WITH PARTS 1 & 2 COMPLETED, BY THE PERSON/COMPANY WHO COMPLETED PART 1
GREEN COPY - TO BE RETAINED BY THE PERSON/COMPANY WHO COMPLETED PART 1
YELLOW COPY - TO BE RETAINED BY THE PERSON/COMPANY WHO COMPLETED PART 3
BLUE COPY - TO BE RETAINED BY THE WASTE TRANSPORTER

W 0838322792

PLEASE FORWARD E.P.A. COPIES (WITHIN 7 DAYS) TO WASTE TRACKING, ENVIRONMENTAL OPERATIONS, PO BOX 15155, CITY EAST Q 4002

RTI DL RELEASE EHP

Rec Waste Category	Rec Waste Code	Rec Waste Amt	Rec Waste Unit	Waste Description
s.73 Irrelevant information				
L	G150	400	Litres	DRY CLEANING RESIDUE

RTI DL RELEASE - EHP

White	White

RTI DL RELEASE - EHP

Release

Vehicle 2	Receiver Permit Ref	Receiver Name	Rec Address	Rec Address 2	Date Received
s.73 Irrelevant information					
	SR1626	ENVIROSOLVE - SUMNER PARK	38 BORON ST	SUMNER PARK	13-Aug-07

RTI DL RELEASE - EHP

Rec Contact	Rec Contact Phone	Treatment Type	Discrepancy	Discrepency Text
s.73 Irrelevant information				
	3718 7055	D15		N

RTI DL RELEASE - EHP

Subsidiary Risk	UN Number	Pack Grp	No Packages	Packaging Type	Transporter Permit Ref 1
s.73 Irrelevant information					
					SR1088

RTI DL RELEASE - EHP

Transporter Name	Trans Date	Trans Contact	Trans Contact Phone	Trans Method	Vehicle 1
s.73 Irrelevant information					
NQX - CAIRNS	13-Aug-07			Road	

RTI DL RELEASE - EHP

Waste Origin	Proposed Receiver	Proposed Disposal Location
s.73 Irrelevant information		
Q963	ENVIROSOLVE - SUMNER PARK	SUMNER PARK

RTI DL RELEASE - EHP

Gen Waste Category	Gen Waste Code 1	Gen Waste Amt	Gen Waste Unit	UN Class
s.73 Irrelevant information				
L	G150	400	Litres	

RTI DL RELEASE - EHP

Load No	Env auth no	Interstate Approval No	Generator Name
s.73 Irrelevant information			
1104254			KWIK KLEEN DRY CLEANERS

RTI DL RELEASE - EHP

Generator Address 1	Gen Suburb	Date Waste Sent	LGA	Gen Contact	Gen Contact Phone
s.73 Irrelevant information					
32 PEARSE ST	CAIRNS	13-Aug-07	Cairns (City)		4052 3333

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RTI DL RELEASE - EHP

Release

MOST RECENT SUMMARY DATA.

Cairnsvilla VOC Groundwater Monitoring Comparisons

ADWG	30-60	3	70	50
	cis-1,2dichloroethene	Chloroform	Trichloroethene	Tetrachloroethene
s.73 Irrelevant information				
Sample Rec date 27/3/08	52.0	1.7	46.0	49.0
s.73 Irrelevant information				
ANZECC 2000 95%	NS	NS	NS	NS
Dutch Intervention Level	20	NS	500	40

(Kwik clean data fax 6/10/08)

Note
NS Not Specified
Exceeds Criteria
s.73 Irrelevant information

RTI DL RELEASE - EHP

AUSTRALIA

STATUTORY DECLARATION

(1) Here insert name, address and occupation of person making the declaration.

I, (1) (Name) COLIN PATRICK JOHN M°DONALD

(Address) P.O. BOX 56 Redlynch
CAIRNS 4870

(Occupation) Director

(2) Here insert matter declared to. Where the matter is long, add the words "as follows:" and then set the matter out in numbered paragraphs.

do solemnly and sincerely declare (2)

as follows

I make this solemn declaration by virtue of the *Statutory Declarations Act 1959* as amended and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

(3) Signature of person making the declaration.

(3) Section 78B(2) RTI Act

Declared at (place)

on (date) ,

before me (in the presence of):

(4) Signature of person before whom the declaration is made.

(4) .....

(5) Here insert title of person before whom the declaration is made.

(5) Com Dec. 67645

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NOTE 1.-A person who willfully makes a false statement in a statutory declaration under the *Statutory Declarations Act 1959* as amended is guilty of an offence against that Act, the punishment for which is a fine not exceeding $200 or imprisonment for a term not exceeding six months or both if the offence is prosecuted summarily, or imprisonment for a term not exceeding four years if the offence is prosecuted upon indictment.

NOTE 2.-A statutory declaration may be made before a Magistrate, a Justice of the Peace, a Commissioner for Affidavits, a Commissioner for Declarations, a Notary Public, **a person before whom a statutory declaration may be made under the law of the State in which the declaration is made**, an Australian Consular Officer or an Australian Diplomatic Officer as defined by section two of the Consular Fees Act 1995, a chiropractor, a dentist, a legal practitioner, a medical practitioner, a nurse, a patent attorney, a pharmacist, a veterinary surgeon, an agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public, a bailiff, a bank officer with five or more years of continuous service, a building society officer with five or more years of continuous service, the chief executive officer of a Commonwealth court, a civil marriage celebrant, the clerk of a court, a credit union officer with five or more years of continuous service, the holder of a statutory office, the Judge of a court, the Master of a court, a member of the Australian Defence Force who is an officer or a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with five or more years continuous service or a warrant officer within the meaning of the Act, a member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants, a member of the Institute of Corporate Managers, Secretaries and Administrators, a member of the Institution of Engineers, Australia other than at the grade of student, a member of the Parliament of the Commonwealth, the Parliament of a State. a Territory legislature or a local government authority of a State or Territory, a minister of religion registered under Division 1 of Part IV of the Marriage Act 1961, a permanent employee of the Commonwealth or of a Commonwealth authority or a State or Territory or of a State or Territory authority or a local government authority with five or more years continuous service, a permanent employee of the Australian Postal Corporation with five or more years continuous service who is employed in an office supplying postal services to the public, a police officer, the Registrar or Deputy Registrar of a court, a Senior Executive Service officer of the Commonwealth or of a State or Territory or of a Commonwealth, State or Territory authority, a Sheriff, a Sheriff's officer, or a teacher employed on a full-time basis at a school or tertiary education institution.

Release

STATUTORY DECLARATION

In regards to site ID70549 re notice of consideration of listing land (Lot 1 Plan RP745758 Cairns City Council) on the Environment Register. I confirm that the land is being used as a drycleaning business, however I state that (a) there are and never have been solvents stored in underground tanks and (b) less than 500 L is stored on the site at all times.

Therefore the above land should not be listed on the Environmental Register

Signed:..... Section 78B(2) RTI Act .....

Name:.....Colin P.T. McDonald.....

Date:.....17/10/07.....

Witnessed by: Section 78B(2) RTI Act .....

Name of witness.....JACQUELINE SWINDON.....

RTI DL RELEASE - EHP

Angelina Smolkova-Bismarck

From: Helen Tynan
Sent: Tuesday, 16 October 2007 11:25 AM
To: Angelina Smolkova-Bismarck
Subject: Dry cleaning question

Hi Angelina

The explanatory notes re when Notifiable Activities were introduced into the Act (see clause 38) say nothing about individual items (i.e. drycleaning).

See: http://www.legislation.qld.gov.au/Bills/48PDF/1997/EnvirOtherLegAmdB97E.pdf

The below definition of "store" from the Macquarie dictionary emphasises that when a thing is for future use it is stored.

/stɔ/ (*say* staw)
noun **1.** a large shop with many departments or belonging to a chain with many branches: *a Myer store.*
2. a small shop stocking, largely but not exclusively, items of food: *go down to the corner store.*
3. a supply or stock of something, especially one for future use.
4.
a. a place on a country property where supplies are held for sale or distribution to workers.
b. (*plural*) supplies of food, clothing, or other requisites, as for a household or other establishment, a ship, naval or military forces, or the like.
5. a beast in store condition.
6. a storehouse or warehouse.
7. measure of esteem or regard: *to set little store by a thing.*
8. quantity, especially great quantity; abundance, or plenty.
9. a computer memory.
--*adjective* **10.** of or relating to sheep, cattle, etc., bought to be fattened for market: **stations far out have long been regarded and managed as sources of store cattle to be fattened in areas closer to the southern markets.* --C.D. ROWLEY, 1970.
--*verb* (*t*) (**stored, storing**)
11. to supply or stock with something, as for future use.
12. Also, **store up**. to lay up or put away, as a supply for future use.
13. to deposit in a storehouse, warehouse, or other place, for keeping.
--*phrase* **14. in store,**
a. kept in readiness for future use.
b. coming in the future: *I did not know what was in store for me.*
c. deposited in a warehouse until needed.
15. set (great) store by, to regard as important or valuable: *he sets great store by her opinion.*
16. the stores, *Australian History* government rations. [Middle English, aphetic variant of *astore*, from Old French *estorer* build, furnish, stock, from Latin *instaurare* renew, restore, make]
--**storable,** *adjective*

It is not considered that the material in machinery in use would be stored; only material that is placed somewhere for future use. The material in storage is where there would be most environmental risk e.g. forklift accident etc. There may be some ambiguity is there was a large amount of material in some sort of reserve connected to the machinery. I assume this is not the case.

Hope this helps.

Kind regards,

Helen Tynan
Principal Environmental Officer
Compliance Support
Systems & Support Branch
Environmental Operations, EPA
Ph 3896 3468
Fax 3225 1316

16/10/07 11:45 am.
Mr Cal McDonald.
L1 RP745758
Q: Definition of NA 12
A: "Stored" - refers to the chemical in the container (clean) before use or after use (e.g. waiting for collection)

Section 78B(2) RTI Act

RTI DL RELEASE - EHP

sch4p3(3) Prejudice the protection of an individuals right to privacy

Memorandum

To F.G File Reference BNE 26227

From Paul Bristow

Subject 10-30 Lease St Manoora Cairns Date 19/9/07

Notes 24/9/07

Phoned Mal Lennon of Cadence
- on leave til Mon 24 Sept 2007
Phoned Mike Bennet of he Vert at 4.05
He has hinted into re efforts to get
Dry Cleaner owner to cooperate with
stopping source. I said I would speak
to Mal before requesting EPA Cairns
to inspect + before issuing EE or EPO.

sch4p3(3) Prejudice the protection of an individuals right to privacy

Mal Lennon returned my call at 2.08 24/9/07
I enquired as to progress on gaining
Dry Cleaners cooperation in
investigating + eliminating contam source.
He said Kinkleen agreed to change
practices re bunding + roofing of
waste drums but he is unsure re to
commitment to further investigate
contam levels on his site. I said I
would look into an EE or other type
of action that may help to progress
investigation + remediation.

sch4p3(3) Prejudice the protection of an individuals right to privacy

RTI DL RELEASE - EHP

Memorandum

To File File Reference BN526227

From Paul Butcher

Subject 10-30 Pease St Manoora Kwinkleen Date 17.10.07

Notes

Kyle/Carl? McDonald from Kwinkleen Dry Cleaners in Pease St called re intended listing of his site for NA. He stated that he intended to dispute the listing based on the criteria of the NA. I told him he was entitled to do so + if info supplied was sufficient then site would not be listed for NA. I outlined EPA position regarding site next door ie interested in outcomes - stopping source of contam. He stated that he was cooperating with neighbouring owners + had roofed + bunded waste chem storage + had systems to prevent spillages. He admitted no liability + refused to be drawn on poss. contam on his site. He was amenable to EPA inspection of his waste storage but did not want testing undertaken of his soil or groundwater. ~~state~~ nor the site listed on the EMR. I said I would speak to he vet re latest testing next door + any EPA action would be based on assessment of contam issues for both sites.

RTIDL RELEASE - EHP

Release

KNE 2622 } ID. 13085
ID. 70549

FILE NOTE

Queensland Government
Environmental Protection Agency
Incorporating the
Queensland Parks and Wildlife Service

Enquiries Paul Butcher
Telephone (07) 3225 8416
Your reference
Our reference

20 July 2007

To: Karen Francis, Acting Registrar

From: Paul Butcher, Environmental Officer

Subject: s.73 Irrelevant information **and Lot 1 on RP745758**

Hi Karen,

s.73 Irrelevant information

Further, it is noted that the lot s.73 Irrelevant information Dry Cleaners but is not on the EMR. Please list this lot – **Lot 1 on RP745758** – for NA 12 – Dry Cleaning. The business name is Kwikleen Drycleaners and Launderers.

Please refer any future correspondence regarding these sites to myself.

Thanks,

Paul

sch4p3(3) Prejudice the protection of an individuals right to privacy

Paul Butcher
Environmental Officer

RTI DL RELEASE - EHP

288 Edward Street Brisbane
Queensland 4000 Australia
GPO Box 2771 Brisbane Queensland
Queensland 4001 Australia
Telephone
Facsimile
Website www.epa.qld.gov.au
ABN 87 221 158 786

Paul Butcher

From: Paul Butcher
Sent: Tuesday, 28 August 2007 2:05 PM
To: 'l.phipps@cairns.qld.gov.au'
Cc: Scott Robinson
Subject: groundwater contamination report

Hi Laurie,

I spoke to Mark Dillon yesterday who suggested I contact you regarding a matter involving a business in Cairns. I have received a groundwater investigation report from the owners of Cairnsvilla and Leisure Park in Pease Street, Cairns. The report details groundwater contamination by chemicals used in dry cleaning and concludes that the most probable source of the contamination is the dry cleaner Kwikleen, whose premises, at 32-34 Pease St, are immediately adjacent to the subject site and were inspected as part of the investigation. The report also details poor chemical waste storage practices at Kwikleen that may be the cause of the contamination.
As I am unfamiliar with council processes, I am interested to know what local regulations would apply to such a business, in the form of licenses or planning approvals, which could be used to investigate environmental non-compliance. The dry cleaner site is not yet on the Environmental Management Register for contaminated land as at present there is insufficient investigation to support a listing for hazardous contaminants (the investigation only confirms high levels of contaminants on the Cairnsvilla site, not the possible source site). Other EPA contaminated land provisions seem a bit draconian at this stage given this lack of information. Can you advise what council regulations would apply to this business and if you are in a position to act on the possible non-compliance issues? I have an e-copy of the report that I can send you if this would be of assistance.

Regards

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28/8/07 approx. 2-30pm Toni Johnston of Cairns CC called in response to above email. She informed me that CCC have no jurisdiction over the Dry Cleaning premises as it is a commercial business. There are no environmental conditions involved in the planning approval unless there is an ERA component involved which there is not in this case. Thus the issue outlined above is considered a state matter and Cairns CC cannot investigate.

RTI DL RELEASE - EHP

sch4p3(3) Prejudice the protection of an individuals right to privacy