

ATTACHMENT 1

Community Consultative Committee

AGL – Camden Gas Project

Meeting No.33

Held in RPGP Conference Room, Menangle on 16 August 2012 at 5:30pm

Member/Guest	Attendance type
Mrs Margaret MacDonald-Hill (MM) Chair	Present
Mr Brad Staggs (BS)	Absent
Mr David Henry (DH)	Present
Mrs Diane Gordon (DG)	Apology
Cr Fred Anderson (FA)	Present
Ms Jacqui Kirkby (JK)	Present
Mr Jeff Lawrence (JL)	Apology
Mr Michael Banasik (MB)	Absent
Mr Michael Hingley (MH)	Absent
Mr Andrew Spooner	Present
Mr Peter Bloem (PB)	Present
Mr Chris Kelly (CK)- Guest	Present
Mr Simon Hennings (SH)	Present
Mr Troy Platten (TP)	Present
Mr Aaron Clifton (AC)	Present
Mr Adam Lollback (AL)	Present
Jenny O'Brien (JO)	Present
Mike Moraza (MZ)- Guest	Present
Damon Roddis (DR)- Guest	Arrived at 6:20

Meeting opened at 5.35pm

Item	Action
1.0 Welcome Welcome and Introductions by Chair - MM Welcomed guests to the meeting: <ul style="list-style-type: none">• Chris Kelly - EPA,• Mike Moraza - AGL• Damon Roddis – PAE Holmes	
2.0 Apologies As above	
3.0 Confirmation of Previous Minutes 17 May 2012	

<p>Moved – Simon Hennings Second: - Troy Patten</p> <p>Extraordinary meeting 28 June 2012</p> <p>Moved – Simon Hennings Second – David Henry</p>	
<p>4.0 Business Arising</p> <p>MM – Informed the CCC about an e-mail received from the Department of Trade & Investment, Regional Infrastructure & Services (DTIRIS) regarding: information in the media. Email was not tabled but circulated for general information.</p> <p>JK – Reminded that she had previously requested AGL provide a complete picture of Camden Gas Project, including past and future projects.</p> <p>AC- Confirmed the presentation to be given at the CCC would be an operations update including the production wells but not the exploration wells.</p> <p>JK – Queried the process for publicly releasing information such as emails. The issue has been raised in regards to ABC online information. Noted differential treatment in tabling email correspondence with CCC members and that with Government contacts.</p> <p>MM – Confirmed this has been the process. The email answer to JK's question on the Southern Highlands SRLUP was tabled at the previous meeting but did not disclose the source within the DoPI. The DTIRIS email is the same process. It was an informal email and contained other information not relevant to this committee. Questioned the reason for JK's need to know the author. Clarified that e-mails do have privacy issues, particularly with potential to be used as 'broadcast' and in such cases will not be disclosed.</p> <p>JK – Suggested emails from herself had been treated differently. Will write a letter to MM separately on this issue</p> <p>MM– PB provided EPA links, distributed with previous minutes. All documents referred to were also distributed, as well as maps requested.</p>	
<p>5.0 Correspondence</p> <p>IN</p> <p>16 July Email to CCC from JK on behalf of Scenic Hills Association</p> <p>2 August Response from DoPI</p>	

<p>15 August</p> <p>Email from Mike Moraza on Air Monitoring</p> <p>Out</p> <p>13 July</p> <p>Letter to DoPI on public exhibition of future modifications</p>	
<p>6.0 Reports</p> <p>Operations and HSE Update presented by AL and AC</p> <p><i>Slide 2</i></p> <p>JK – Requested clarification about consultation regarding the Gas treatment plant in the northern expansion project area. Since it did not go on public exhibition, queried whether therefore AGL can state the treatment plant was removed because of public consultation</p> <p>AL – Confirmed that consultation was undertaken with DoPI and Campbelltown Council and decision was made based on this.</p> <p>JK – Stated that this information is not consistent with the DoPI media release. Questioned if the gas plant would be replaced</p> <p>AL –No</p> <p>JK – Raised issue of the location of the VV03 well which has caused conflict with nearby neighbours such as Carmelite Friars and the school</p> <p>AL – Confirmed that the location of well is further from the Nuns and the Friars and one km away from the school. It is set on the downside of the hill.</p> <p>JK - Indicated VVo3's position on the hillside was considered worse for many landowners along St Andrews Road compared with previous plan and that AGL could expect great concern in relation to it.</p> <p>JK – Questioned if AGL has the agreement of all the landowners for the wells proposed.</p> <p>AL – Confirmed that agreements with all landowners have not yet been obtained.</p> <p>Committee sentiment that further discussion of landowner agreements was confidential between AGL and the landholders and was not required.</p> <p><i>Slide 3</i></p> <p>DH – Questioned whether the response to submissions expected in the next couple of weeks would include the issue of groundwater</p> <p>AL –Yes</p> <p><i>Slide 4</i></p> <p>JK – Questioned what a dewatering well is and requested a map illustrating where the wells are located. The issue of maps has been raised on ABC</p>	

<p>online.</p> <p>AC – Comment acknowledged, indicated may be security issues but will investigate if a map can be prepared.</p> <p><i>Slide 5</i></p> <p>AC advised that AGL will be preparing a short video which explains the lifecycle of AGL’s produced water from initial production to treatment and beneficial reuse. The video will be shared with the CCC once completed.</p> <p>TP – Questioned who the consultants are conducting the update of the Environmental Management Plan update and whether it went to tender</p> <p>AC – Yes</p> <p><i>Slide 7</i></p> <p>TP – Questioned who owns the Cube and how momentum could be generated in the local community.</p> <p>JO – Cube is owned by AGL but catering for the event will be locally sourced.</p> <p>TP – Stated that he attended the community open day. He commented that it was a good day and although staff did a professional and good job responding and facing the questions from the community, he has some queries of the answers given and some needs to be better substantiated.</p> <p>JK – Questioned whether AGL was satisfied with the articles that were reported in the media after their attendance at the media open day.</p> <p>JO – Stated that there were some inaccuracies in the articles published. AGL has contacted reporters to have this rectified.</p> <p>AL – Provided one example of inaccurate reporting and this was an article that stated fracking would not happen in the area. AGL has since corrected this with the reporter.</p>	<p>AC to investigate map</p> <p>JO to speak to TP about open day questions</p>
<p>Mike Moraza (MZ)–Introduced himself and his role as Director of the Company. His attendance at the meeting is as a visitor by invitation from MM. Introduced DR and his role.</p> <p>MZ – Informed the CCC about the issue of continuous emission monitoring. Continuous emission monitoring required under EPL 12003. During the month of July it was brought to his attention that there was a non compliance with this license. This was a failure by AGL to carry out Continuous Emissions Monitoring. Quarterly monitoring was being undertaken and there was a misunderstanding that this was sufficient. MZ contacted the EPA office as soon as he was aware of the issue and an update to the EPA was provided in August. Email and media release was issued on 15 August 2012.</p> <p>JK – Questioned when continuous monitoring was included as part of the license.</p> <p>MZ – Confirmed that the requirement has been part of the license since the</p>	

Rosalind Park Gas Plant commenced on this site. It is also part of the DoPI conditions of consent.

MZ – Continued to explain Continuous Emission Monitoring and the challenges for undertaking the monitoring and how they relate to the Camden site. Also explained the difference between Continuous and Quarterly monitoring. Confirmed that AGL has ordered new monitoring equipment and a decision has been made to do more regular monitoring at the site. There will now be monthly monitoring by an independent contractor (EML), the results of the monitoring will be available on the website. Introduced DR who AGL commissioned as an independent expert on this issue in July 2012.

Powerpoint presentation - DR

DR – Introduced himself - has almost 20 years experience in the air quality industry and is a manager with PAE Holmes, the largest air quality firm in NSW.

Slide - Background

JK – Requested that CCC be given a copy of the presentation

MZ – Outlined the standard CCC procedure, confirmed that will occur with the minutes and will be uploaded to the AGL website.

Slide – Quarterly monitoring

AS — why is Point 1 so high?

AC – Compressors are different which is why compressor one is higher. It was installed in late 2004 while units 2 and 3 installed by AGL in 2007.

Slide – Discharge Levels

FA – Questioned the time factor involved in the spikes.

AC – Difficult to say as a review of the original data set would be required.

TP – Questioned whether an extreme incident could damage the instrument.

DR – A pollution incident could not damage the instrument, however possible that temperatures or instrument contamination could have caused damage.

Slide - Local Environmental Harm

FA – Questioned if there is a correlation in the spikes between the previous slide and the EPA data from its Metropolitan Air Quality Station at Campbelltown.

DR – Would not expect to see a trend.

Slide – Regional Environmental Harm (industry alone)

TP – Questioned how the level of emissions in Campbelltown compares to those in the greater Sydney area.

DR – It is comparable with the rest of Sydney.

MM – Questioned the location of the Tower CSM Power Station

MZ – Confirmed that they are gas fired power stations that also have continuous monitoring.

Slide - Conclusion

FA – Requested clarification as to whether there is any difference in the toxicity between vehicle emissions and those emissions from the stack.

DR – There is no difference.

7.0 General business

General discussion about pollutants in the Campbelltown area and the issue of high ozone levels

JK – Asked PB about air quality in the Campbelltown area. Was previously advised by PB that fine particles and ozone are a concern.

PB – Fine particles and ozone can at times be a concern in SW Sydney. There can be days, particularly in the summer, when air quality goals for these pollutants are not met. Ozone is a secondary pollutant that can be formed from NOX, therefore NOX control is important. This might explain the requirement for the continuous monitoring of NOX in the AGL licence.

JK – Questioned if EPA knowledge of air quality in the Campbelltown area is consistent with that presented by DR.

BP – The data presented by DR relates to NOX in the Campbelltown area only. PB has no reason to doubt this data from the EPA air quality monitoring station. No information was included in the DR presentation on ozone. There are National Environment Protection Measures (NEPMs) which define acceptable air quality standards in our community.

JK – Questioned if there is a cumulative impact in pollutants.

PB – Air quality in SW Sydney can be an issue at times, in particular in relation to ozone and fine particles. Emissions can occur from a variety of sources, including industries and motor vehicles. They can be generated locally or transported into the region from other areas. Prevailing winds (for example; north easterly sea breezes) and the nature of the topography of the Sydney Basin can also influence air quality. Reductions from all emission sources that can contribute to fine particles and ozone levels are important.

Continuous versus quarterly monitoring

JK – Queried the need for continuous and quarterly monitoring and requested clarification as to whether the spikes not detected in the quarterly monitoring are important.

PB– AGL has made a number of commitments regarding continuous emission monitoring. It is important that AGL comply with these licence requirements. It is also important that the community have access to accurate and reliable information about emissions from the gas plant. The EPA's focus is understanding the current non-compliance and determining an appropriate regulatory response. AGL has also requested the EPA review the CEMS requirements for NOX on the current EPL. The EPA will consider AGL's request to review the monitoring requirements separately.

Community confidence

JK – Commented that the community is concerned that the Rosalind Park Plant issued a number of reassurances that have not been delivered on. AGL's previous admittance it could not meet these emission targets and the EPA changing these to allow AGL to comply has undermined community confidence in the approval and monitoring process, irrespective of whether it is acceptable to the EPA or not.

PB – Community need to have confidence in the ability of industry to reliably monitor and report emissions. Community also need to have confidence in the EPA's regulation of industry.

Consequence of Non-compliance

TP– Questioned what the consequences for AGL are because of the non-compliance.

PB – EPA is awaiting a report from AGL on this licence non-compliance and will determine an appropriate regulatory response.

TP - Why can't any fine go back into the community where it can more directly benefit the local area, rather than courts or government revenue?

PB - There are a range of regulatory responses and the EPA is yet to make its decision. Generally speaking, enforceable undertakings can sometimes be used whereby a company can commit to providing money to the local community or environment as an alternative to court action or fines.

Role of the EPA

SH – Questioned if the EPA should accept some responsibility for not detecting the non compliance earlier.

PB – The onus is on AGL at all times to comply with its licence. EPA is reliant on information provided by AGL in its Annual Return required to be submitted under the terms of its licence. AGL have not reported any non-compliance with these requirements in its Annual Environment reports and Independent Audits required under planning approvals. The EPA will

investigate why the non compliance was not reported earlier.

AS – Questioned when the non compliance first occurred.

PB– AGL advised EPA the last continuous monitoring was in 2009. Clarified that recent changes to licensee reporting requirements now require AGL to make CEMS data available regularly to the community on a monthly basis via the AGL website. Annual Returns provide annual summaries of monitoring data and are submitted annually to the EPA. Annual summaries of NOX monitoring data were provide in the annual return and AGL did not indicate any problems with the CEMS.

AS – Queried if the issue was because of self reporting and queried if the EPA should be using conditions that can be enforced.

JK– Queried why non compliance was not detected in the last external audit that was in 2010 and stated that the community has concerns about the self reporting process.

SH – Stated that AGL should have some merit because the issue was identified and reported to the EPA and issued in a media release.

JK & AS - Raised concerns that it took three years to detect.

DH– Questioned whether the EPA would continue to require AGL to report on continuous monitoring on their licenses?

AC – Stated that a new requirement from the EPA is for data to be provided to the community on a monthly basis as part of the license

JK– Expressed concern that the community will have a lack of confidence with the EPA reporting process as a consequence of this incident and will be looking for a stronger response from the EPA than the warning over the Menangle incident.

PB– Clarified that recent changes to the reporting requirements require data to be available to the community on a monthly basis. Previously an annual report was required and the issue was missed in the lack of detail.

Information requested by the next CCC meeting

MM – Questioned whether EPA will be able to advise on its response to this CEMS licence non-compliance at the next CCC meeting in November

PB – EPA will provide its response at the next CCC meeting.

Announcement to the community

TP – Questioned if a public apology been issued and suggested purchasing an advertisement in the local paper to do so.

MZ – Confirmed that there has been a media statement made to the local paper and a FAQ sheet prepared.

FA – Suggested that the advertisement be an explanation, not an apology.

SH – Questioned if an announcement has been made on the ASX

MZ – No.

Detection of the non compliance

AS– Questioned how the non compliance occurred and how it was detected.

MZ – There was confusion with the license because it requires both continuous and quarterly monitoring. It was thought that quarterly was sufficient. The external auditors also did not detect this.

Cumulative impacts

JK – Questioned if the air quality limits are determined by the technology in terms of what can be detected. Queried how cumulative impacts are factored in to the air quality limit calculations.

PB – Confirmed that the EPA has an inventory of emission sources to undertake air quality projections. This can examine what effect adding or reducing emissions can have in an air shed and its effects on meeting recognised air quality goals.

FA – Commented that Camden Council had approached the EPA in the past for additional EPA air quality monitoring stations in the Camden area. PB was not aware of these requests but would be happy to provide further advice if a request was made by Council to the EPA.

General discussion about number of cars in the area and the impact this is having on air quality and the consequent health impacts.

AS – Questioned if there is any indication that NOx will impact Ozone production.

DR – Ozone is generated as a consequence of upwind industry and vehicle emissions, under sunlight, which is why it is seasonal (a function of summertime north- easterlies). The addition of NOx from AGL’s Rosalind Gas Plant would be negligible.

JK – Clarification about the declaration of conflict of interest, because of status as a landowner within the area.

MM – Not viewed as being a conflict of interest.

8.0 Next meeting date

MM – 15 November 2012

Meeting closed at 7:45pm

ATTACHMENT 3



ENVIRONMENT PROTECTION AUTHORITY

SEP20'12 08:14:18 RCVD

Our reference: DOC12-37121:LIC06/638-11:CK
Contact: Chris Kelly (02) 4224 4100

Mr Jeff Lawrence
Director Planning and Environment
PO Box 57
CAMPBELLTOWN NSW 2560

Dear Mr Lawrence

**AIR EMISSION MONITORING ROSALIND PARK GAS TREATMENT PLANT
AGL UPSTREAM INVESTMENTS PTY LTD – LICENCE 12003**

I refer to your letter to the Environment Protection Authority (EPA) dated 3 September 2012 regarding the above.

As Campbelltown City Council (Council) is aware, AGL Upstream Investments Pty Limited's (AGL) advised the EPA and the community of a non-compliance with the continuous emissions monitoring requirement on its EPL. Council has requested that it be advised of the outcomes of the investigation independently of the Camden Gas Community Consultation Committee (CCC) given the location of the premises in the Campbelltown Local Government Area.

The EPA recently received and is currently reviewing the AGL report into the licence non-compliance. The EPA will advise AGL, Council and the CCC of the outcome of the investigation once it has determined an appropriate regulatory response.

Under recent changes to the Protection of the Environment Operations Act 1997, licensees are now required to publish monitoring data that has been collected as a result of a licence condition. All licensed premises are required to comply with these requirements as from 1 July 2012. The monitoring data must be published on the licensee's website or made publicly available if the licensee does not maintain a website, within 14 days of obtaining the data. Council can access the AGL monitoring data at: <http://www.agl.com.au/about/Pages/MonitoringData1.aspx>

I trust this information is of assistance. Should you wish to discuss the matter further, please contact the above officer on (02) 4224 4100.

Yours sincerely

A handwritten signature in black ink, appearing to be 'PB', followed by the date '18/9/12' written in a similar style.

PETER BLOEM
Manager Illawarra
Environment Protection Authority

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