

**ENVIRONMENT PROTECTION AUTHORITY
LEAD EXPERT WORKING GROUP
LEAD EXPOSURE MANAGEMENT FOR SUBURBS AROUND THE FORMER
PASMINGO SMELTER SITE**

Minutes - Meeting No. 5

20 July 2015, 14:00 – 17:00

Chair: Adam Gilligan (EPA).

Working Group Attendees: Dr Craig Dalton (NSW Health), Graeme Nyland (Environ – Contaminated Site EPA Accredited Auditor), Dean Chapman (Lake Macquarie City Council), Professor Mark Taylor (Macquarie University) and Matthew James (EPA Contaminated Sites Section).

Secretary: Lauren Spring (EPA).

Other Attendees: Brian Gulson (NHMRC Lead Working Group), Tony Morrison (Macquarie University), Susan Thomas (Hunter New England Health).
Anne Sullivan (CRG), Tony Cade (CRG) and Jackie Teal (EPA Newcastle and CRG Secretary) attended the presentation section of the meeting.

Apologies: Associate Professor Stephen Cattle (University of Sydney), Tony Farrell (Lake Macquarie City Council).

Agenda Item A – Welcome

Welcome to NLM Community Lead Reference Group (CRG) members joining the meeting for the presentations from the two guest speakers.

Acknowledgement of Matthew James as the nomination to the role of EPA representative within the LEWG, and Lauren Spring as the nomination to the LEWG secretary role on behalf of the EPA following the retirement of John Coffey.

Welcome and special thanks to Brian Gulson and Tony Morrison for travelling to attend today's meeting.

Agenda Item B – Presentations to LEWG and CLRG

Brian Gulson (NHMRC) and Tony Morrison (Macquarie University)

Brian Gulson presented on NHMRC blood lead level report and decision and also on his research work on isotope fingerprinting of lead around Boolaroo. Brian's biography was supplied and his presentation is provided as Attachment 1.

Tony Morrison presented on the findings of his recent research, quantifying access and mobility of toxic elements in NLM smelter slags. The presentation is provided as Attachment 2.

1. Agenda Item 1 – LEWG Adoption of Agenda

Agenda adopted unanimously.

2. Agenda Item 2 – Declaration of Interests

Lead Expert Working Group (LEWG) members have declared any interests on their member's acceptance and pecuniary interest's declaration and undertaking forms provided to the EPA.

No further updates.

3. Agenda Item 3 – Endorsement of Previous Minutes (Attached)

Minutes of Meeting No. 4 adopted unanimously without amendment.

4. Agenda Item 4 – Updates on the following points:

4.1. Blood Lead Program for 2015 –Action 6, Milestone 1

4.1.1. ACTION 6: NSW Health to share clinical response protocols when finalised.

No action required due to the blood lead levels recorded.

Action Completed

4.1.2. MILESTONE 1: April/May 2015 blood lead program reported to LEWG in May 2015.

Dr Craig Dalton outlined the results of the blood lead program. The program ran for three weeks in which 73 children (under 5 years old) and eight pregnant women were tested. 73 children represents approximately 20% of the under 5 year old children residing in the target area.

Results indicated that 88% of those tested were below the detection limit of 3.3 ug/dL and 12% between 3.3 and 4.7 ug/dL. No clinical intervention required from NSW Health as no reading was >5 ug/dL.

Discussions with community members during the program demonstrated that the primary reasons for testing were curiosity, reassurance or partner/parent concern.

The results are now sent to the Chief Health Officer's Lead Reference Panel (CHO-LRP) for review and recommendation back to NSW Health. NSW Health will pass the findings of the CHO-LRP onto the LEWG for its consideration.

Mark Taylor asked about considerations for further testing based on potential seasonal differences and the error range reported in literature (+/- 3 ug/dL). Craig Dalton stated that the literature was reported in North America where the seasonal fluctuations are very different compared to this part of Australia. NSW Health noted that it will continue to offer monthly testing and monitor ongoing community interest in the program.

It was noted that the CRG has been helpful and responsive with setting up the clinic for the blood lead levels. The CRG is involved within the 'Living Smart' festival run by Lake Macquarie Council on 26 September at Speers Point Park. It was indicated that EPA could establish a branded stall.

4.2. Waste disposal options program

The EPA approved the GIA on 20 May 2015. The final version of the GIA was distributed to the LEWG members.

The EPA remains in dialogue with local landfills and LMCC regarding preparations to receive waste under this GIA. Newcastle City Council has expressed interest and is undergoing a design phase for new cells at its Summerhill landfill. Council is currently in discussion with the EPA's Waste team.

The EPA presented the final 'preliminary waste classification' report to the LEWG and CRG. The report was amended slightly following comments from LEWG members (no comments from

the CRG). The final report is provided as Attachment 3 and will be made publicly available when these minutes are published.

4.3. Community Lead Reference Group (CLRG) – Action 2.1 and Action 10

- 4.3.1. ACTION 2.1:** LEWG Members to be provided with the Terms of Reference for the CRG and consider options for how best the LEWG and CRG can work cooperatively and effectively together.

Both the LEWG and CRG understand the roles of the two groups and that requests/proposals can be made to/from each group.

No further action required.

- 4.3.2. ACTION 10:** The EPA to consider developing a suitable public sharing arrangement for the information exchange portal.

CRG Members have access to the current portal for public sharing of documentation.

The LEWG suggested the CRG should have a similar portal of its own.

4.4. Other Action Items – Action 9 and 12

ACTION 9: Mark Taylor to distribute his draft paper on the data collected around the former lead smelter to LEWG members for discretionary comment.

The draft paper was distributed out of session, no comments were received. However this paper may be used when evaluating effectiveness of the LAS.

Action completed.

ACTION 12: The EPA to invite Tony Morrison to a future LEWG meeting to present on slag morphology.

Action completed – Refer to Agenda Item A.

5. Literature review

ACTION 4.1: LEWG Members to provide comment to the EPA regarding the draft literature review procurement document.

The literature review is proposed to be split into:

- Useful reference information (formal literature review).
- Review of the LAS and 'other actions taken to date'.

Adam Gilligan requested that the LEWG conduct this review in-house. The LEWG review will be guided by a 'work plan' which is to be developed.

It was stated by Adam Gilligan that although the results of the blood level testing indicate all values were < 5 ug/dL, it does not mean that no more needs to be done. However, the blood lead levels provide context to the literature review. The review is an exercise to determine the actions that have been undertaken in similar circumstances.

Matthew James stated that a review of the LAS is necessary but the literature review is about forward vision. Confounding factors influence the comparison of blood lead levels and the LAS, therefore the information regarding the LAS can be included in the background section of the review.

MILESTONE 2: Literature review scope, tender, award and final report.

ACTION 14: Develop a workplan which will provide an in-house review of the LAS.

ACTION 15: LMCC to invite Council Planner(s) to LEWG meeting #6 to describe the planning process and controls currently in place for management of legacy contamination in the Council area.

MILESTONE 3: LAS review workplan development, implementation and report to the LEWG.

5.1. Discussion

Further discussions occurred regarding the current draft scope of works and that a new spec for 'fit for purpose' review would be sent to the committee as would a work plan for the LEWG review of the LAS.

6. The LAS – Actions 8 and 11

6.1. The Grid

Mark Taylor discussed the possibility of removing the grid, indicating that it may not be meaningful to have a 'line' separating areas of north Lake Macquarie.

The CRG asked the LEWG to look into the history of the grid, how it was selected and its current relevance.

It was considered by the LEWG that it was difficult to ascertain how the grid was originally developed, and Mark Taylor suggested conducting further investigations (such as with the use of an X-ray fluorescence (XRF) to redefine 'the grid' using current data and give certainty to decision making.

Matthew James suggested that the LAS, LMCC and auditor data could be collated to inform the grid patterns. This work is to come under the 'work plan' of the LAS review.

ACTION 8: LMCC to consider how it can best share the existing LAS data set in an appropriate spatial manner.

Ongoing: Dean Chapman stated that this action is an ongoing issue as the Council is unable to report in a spatial context but can report on an individual basis. Council is streamlining a 'certificate' system, which is a property enquiry system that can possibly go online. Making the data accessible and useable is an ongoing process.

ACTION 11: The EPA to provide relevant documentation regarding the development and regulation of the LAS to the LEWG.

Adam Gilligan stated that given the obligation to creditors, there is an objection to releasing this information. He believes that caution should be exercised around information that might hold corporate value and third party information. The EPA will consider if the documents should be released under the *Government Information (Public Access) Act 2009*. This process is ongoing.

7. Agenda Item 7 - Other Business

7.1. Vege Safe Grant Application

Question of whether there was some resolution from LEWG or CRG regarding support to fund this program. There appears to be general community support but needed to be included in other outreach programs. Council requires information on how this program will fit into the wider scheme.

Dean Chapman asked about the usefulness of data and the community engagement component. Mark Taylor stated that Vege Safe will be used as a screening tool and not for publishing data. He indicated that it can be used to educate people. Individuals can contextualise information in their own home environment which can improve community engagement with the lead in soil issues.

7.2. Draft Table of Contents for LEWG Report (Adam Gilligan)

The draft table of contents has been distributed for general comments prior to the next LEWG meeting. This has been provided as Attachment 4.

It was considered that further discussions are required around the Literature Review which is inextricably linked to the LAS.

The Section titled Planning and Development Constraints was identified as a significant issue for the community. Inclusion of information into this section would require consultation with the CRG. Mark Taylor suggested that the CRG create its own report in regards to this section to be included within the Appendix documents.

It was stated that a Section '*Dissenting Statements if Required*' may be included should there be differing views where LEWG members are not able to reach consensus agreement.

Mark Taylor suggested an additional section for 'lessons learnt'.

Dean Chapman suggested inclusion of terms of reference of the committee, including GIA approval and recommendations for disposal options.

It was considered that the LEWG should aim to have the report out before Christmas 2015.

MILESTONE 4: LEWG report by 25 December 2015

7.3. Phytoremediation for Lead in Soil

The idea was brought to the LEWG by LMCC. After consideration, it is thought that the application of phytoremediation in this context was not suitable.

8. Agenda Item 8 - Working Group Administration

Meeting expenses

A half day sitting fee of \$110 or full day of \$220 as nominated in the "Classification and Remuneration Framework for NSW Government Boards and Committees" prepared by the Public Service Commission Directive 2012 will be available to those eligible members.

Invoices for claiming meeting expenses should be sent to the Secretary of the LEWG for processing.

9. Agenda Item 9 - Confirmation of Actions

Actions from Meetings #1 to #5

Action Number	Action Item	Responsible for Action
December 17#2	ACTION 2 (ongoing): The EPA to develop an effective community engagement strategy for the work of the LEWG.	All
December 17#4	ACTION 4 (ongoing): The EPA to commission an external party to conduct a literature review of smelter remediation practices in order to establish 'best practice'. ACTION 4.1 (ongoing): LEWG Members to provide comment to the EPA regarding the draft literature review procurement document for potential endorsement prior to the next meeting.	All
January 29 #3	ACTION 8 (ongoing): LMC Council to consider how it can best share the existing LAS data set in an appropriate spatial manner.	LMCC
January 29 #5	ACTION 10: The EPA to consider developing a suitable public sharing arrangement for the information exchange portal. (ongoing – discuss with Community Reference Group)	EPA
March 26 #1	ACTION 11: The EPA to provide relevant documentation regarding the development and regulation of the LAS to the LEWG. (ongoing)	EPA
July 20 #1	ACTION 14: Develop a workplan which will provide an in-house review of the LAS.	All
July 20 #2	ACTION 15: LMCC to invite Council Planner(s) to LEWG meeting #6 do describe the planning process and controls currently in place for management of legacy contamination in the Council area.	LMCC

10. Agenda Item 10 – Next Meeting Date Proposal

The next meeting date has been proposed for Monday 31 August 2015 at 2:30 pm.

Milestone established in meeting #1 (Dec 2014), updated in meeting #5 (July 2015).

Milestone Number	Milestone Item	Responsible for Updates on Milestone
#1	MILESTONE 1: June/July 2015 blood lead program reported to LEWG in July/August 2015	NSW Health
#2	MILESTONE 2: Literature review scope, tender, award and final report.	All
#3	MILESTONE 3: LAS review workplan development, implementation and report to the LEWG.	All
#4	MILESTONE 4: Completion of LEWG Report by December 25	All

Attachments:

1. Brian Gulson Presentation: 12+ Years of Activity in NLM
2. Tony Morrison Presentation: Quantifying Access and Mobility of Toxic Elements in NLM Smelter Slags
3. Preliminary Waste Classification – Suburbs Surrounding the Former Pasmenco Smelter Report
4. LEWG Report Draft Table of Contents