

**INQUIRY INTO PERFORMANCE OF THE NSW
ENVIRONMENT PROTECTION AUTHORITY**

Name: Mr Tony Pickard

Date received: 27/08/2014

The Chairman

No. 5 Inquiry into EPA re the Bibblewindi Pond Leakage and Subsequent Uranium Contamination.

Sir

I am commenting on only one aspect of these inquiries terms and that is the matters dealing with the Santos CSG Project in the Narrabri and Pilliga State Forest regions of NSW.

I have been involved over many years looking into the activities of the Coal Seam Gas Industry in the Narrabri and Pilliga State Forest, and have reported many instances of spills and excessive clearing and other matters to the EPA, only to be told that as the matters involve the Exploration for Coal Seam Gas, the EPA has no authority concerning matters connected with that activity and has passed all reports onto the Government Department responsible, which is now called the Office of Coal Seam Gas (OCSG).

The EPA officially took control over the supervision of the CSG Industry on 28th June 2013, yet Santos is quoted in the reporting time-line as reporting the problem on 26th March 2013, whereas with previous events these reports went to the predecessor of OCSG. This then leads me to wonder as to why, in the case of Santos's CSG operation in the Narrabri Pilliga State Forest region of NSW, we are not also looking into the role that the OCSG and its predecessor's had in administrating and investigating incidents of a similar nature to the aquifer/dam/pond leaks at Bibblewindi and whether or not this body have any involvement in either investigating, advising or the collection of data prior to and after the handing over of some of its responsibilities to the EPA?

With regards to the Leak at the Bibblewindi No.3 Storage Pond and the subsequent Uranium contamination, I have now obtained a copy from Santos of the Hydrogeological Definition Study-Bibblewindi prepared for Santos by CH2MHILL dated 09 April 2013, which I am sure would have been presented to the Investigation, along with other requested material, because it is from the EPA Investigation Report that I first found out about the Hydrogeological Definition Study-Bibblewindi. I would like to bring this document to the attention of the Committee with particular reference to the item on the first page titled "1.1 Background".

1.1 Background states that the writer was only asked to do a study to *"assess potential water loss through the base of Pond 3 at Bibblewindi"*. Yet in the course of this study CH2MHILL uncovered earlier material dated June 2012, where Santos had commissioned a company called Geotest Pty. Ltd. to do an electrical potential survey. This report is called "Santos Bibblewindi Pond3 Electrical Survey Technical Report HDPE Geomembrane Liner, 28 June 2012". In that report it was noted that there was an **indication of a direct connection between the saline water in each pond and the sub-grade beneath the liners existed. The electrical survey and visual examination of the liners indicated that the liner installation for each pond is of poor quality. In Pond 1 and Pond 2, there were considered to be substantial leaks in the liner and evidence that the sub-grade is unstable. In Pond 3, the primary areas of concern are the north-west and south-west corner of the pond,**

I do have photos and video tape showing Geotest Pty. Ltd. on the south-western corner of Pond 3 date stamped 12-5-12, so I know they were there in the time frame mentioned. These can be provided if required.

This section alone raises enough questions as to put the EPA in the clear on at least part if not all of the grounds of this particular part of the No.5 Inquiry.

Also, wasn't the OCSG the leading authority at the time and if so, shouldn't they have been responsible for investigating Santos for withholding information concerning a polluting event?

Not only is this withholding of information contrary to the Acts overseeing this Industry, but it may also be considered as a possible corruption, Santos did inform the Authorities of multiple leaks from all 3 ponds, however, only one leak was ever investigated, that being the north-west corner on Pond 3.

The south-east corner of Pond 3 has been forgotten and yet this is the closest mentioned area, unless you accept my photos and video taken at the south-western corner as being a testament to being a closer location of leakage, to the State Forest and to the Industrial Freshwater Bore located at the Bibblewindi Water Storage site. This groundwater bore is located just south of the south-western corner of Pond 3, but the ground water flow lines as indicated in the report, would move any leakage from the south-eastern corner of Pond 3 away from this bore. But not so the *substantial leaks* from Ponds 1&2 as mentioned in the Geotest Pty Ltd Report of 2012, these would have travelled in a south-easterly direction at the Southern end of the Bibblewindi Storage Pond Complex.

So why then was sampling and examination of the piezo bores in the southern section of the Bibblewindi Storage Pond complex not carried out as a response to the information provided by Santos in the Hydrogeology Report?

Further to this, Santos started to decommission Pond 1 in November/December 2013 but then instead of filling in the hole they dug down into the sub-strata, stock piled the soil on the floor of the hole and left the site open until late January 2014, despite have a large stock pile of imported soil and the bulldozer on the stock pile from mid-December 2013. I have photos and videos and can supply them upon request.

I have not gone into the very suspect Uranium sampling of the cores from the piezo bore holes located within the area of a possible contaminated site and the comparison with soil samples taken from another location 11 km away.

Santos documents to hand show Santos did not cover up any information in the investigation of the Uranium Contamination case, however the material does however expose that Santos knew of leaks in all 3 ponds/dams at Bibblewindi back in June 2012. The question to ask is who in the Government knew, when was the Office of Coal Seam Gas told and if they were, why was only one (1) leak looked at and prosecuted when clearly there were three (3)?

I feel that just by exposing only part of one very recent example of what can only be described as "deliberate bashing" of one NSW Government Department and not looking into the very long and suspicious behaviour of another NSW Government Department in its handling of the Coal Seam Gas Industry in PEL 238, is so wrong as to border on Criminality itself.

I would like to suggest that the NSW No.5 Inquiry apply to broaden its terms of enquiry and look into the behaviour of the Office of Coal Seam Gas, the past Ministers responsible that Department, the past and present Departmental Managers, the past and present connections between all levels of Management in the CSG companies and the Government and Government Departmental representatives.

I have material that can be supplied to such an Inquiry, some of which have Government Departmental letter heads.

Mr A J Pickard
26th August 2014

Addresses not for publication