

John C Thomson <john.c.thomson01@gmail.com>

Letter of response to Industry & Investment

Stewart Ewen <sfe364@primusonline.com.au>

Sun, Aug 29, 2010 at 9:07 AM

To: John Thomson <john.c.thomson01@gmail.com>, Graeme GIBSON <graemegibson1@bigpond.com>Cc: Hu UPWARD <hupward@bigpond.com.au>[Email received this morning...](#)

From: Greg Sullivan [<mailto:Greg.Sullivan@environment.nsw.gov.au>]**Sent:** Sunday, 29 August 2010 8:54 AM**To:** Stewart Ewen**Subject:** RE: Letter of response to Industry & Investment

Good Morning Stewart

Thank you for keeping me up to date with progress on the AGL issue. I can understand your confusion about why DECCW is not the responsible agency for the complaint you have made. My initial thought was that it would be us as well, but upon closer examination of the jurisdictional arrangements, the critical aspect appears to be that it is activity that has occurred under an exploration lease which brings it under the minerals/petroleum/gas suite of legislation administered by DII. I checked on Thursday and confirmed that they are continuing to investigate your concerns.

In addition, the run off of the contaminated water is an incident for which either the local government or the Office of Water would be the "Appropriate Regulatory Authority" (ARA). The ARA concept is at the core of the operation of the Protection of the Environment Operations Act (POEO) and basically divides different classes of activity or incident between different regulators - primarily DECCW and local government. My suggestion would be to also bring the incident to the attention of the relevant local government.

Please thank John for his attendance at the consultation meeting with the Minister last Thursday. John raised the cancer in cattle issue and the Minister has asked me to stay in touch with John to follow up the issue. John has indicated that he will have a package of material ready shortly.

Regards

Greg

From: Stewart Ewen [sfe364@primusonline.com.au]**Sent:** Monday, 23 August 2010 2:51 PM**To:** Sullivan Greg**Cc:** 'John Thomson'**Subject:** FW: Letter of response to Industry & Investment

Greg,

Below is a letter received from the Dept of Industry and Investment.

Attached is our response that was sent Friday.

We would like to keep you informed as to the progress of this matter.

I must admit we are very confused as to why this event is not covered by your Dept !

We believe the other issue we spoke to you and the Minister about being the cancer in the cows will be ready to lodge with you mid September.

We will remain in touch with you and would appreciate any assistance you may be able to provide.

cheers

Stewart Ewen

Chair

HVPA

Subject: FW: Letter of response to Industry & Investment



Mr John C Thomson
Executive Officer
Hunter Valley Protection Alliance
johnct@huntervalleyprotectionalliance.com

Dear Mr Thomson

I refer to your email of 17 August 2010 to Ms Karen Smith, Executive Director, Energy & Legal, Industry & Investment NSW, concerning a potential breach of environmental conditions by AGL on the 'Windermere' property in the Broke-Bulga area.

I am advised that, on the basis of preliminary investigation, the incident that is referred to was the drilling of several water monitoring bores by AGL on the property using a licensed water well drilling contractor. The bores were not gas wells but shallow bores to permit monitoring of the groundwater table between the gas wells. AGL obtained a bore license for the construction program from the NSW Office of Water prior to commencing the work. The works would appear to have been completed in accordance with the bore license conditions, although further information has been requested by Industry & Investment NSW as to the quality of water discharged.

Industry & Investment NSW has confirmed that the drill site is located in an area more than 400m from Wollombi Brook and the discharged water has not entered any watercourse that leads to Wollombi Brook.

The water bore drill cuttings were contained within sediment pits and most of the water taken to licensed disposal sites in the Hunter and Western Sydney. The final 120,000L of produced water, once the cuttings had settled, was discharged onto the adjacent lucerne paddock.

AGL reports that the water quality was brackish and did not contain any known contaminants. AGL states that this activity was in accordance with the NOW bore license conditions and the practice is typical for the construction of water bores on agricultural properties.

Officers from Industry & Investment NSW have inspected the site and have requested further information to complete its investigation.

Yours sincerely

A handwritten signature in black ink that reads 'B.W. Mullan'.

BRAD MULLARD
EXECUTIVE DIRECTOR
MINERAL RESOURCES
August 2010

19/8/10

Mineral Resources – Office of the Executive Director
PO Box 344 Hunter Region Mail Centre NSW 2310
516 High St MAITLAND NSW 2320
Tel: 02 4931 6422 Fax: 02 4931 6793
www.industry.nsw.gov.au
ABN 72189 919 072

From: Stewart Ewen [mailto:sfe364@primusonline.com.au]
Sent: Saturday, 21 August 2010 12:45 PM
To: 'David Clarke (CEX)'
Subject: FW: Letter of response to Industry & Investment

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