



DOC20/129571

Mr A J Pickard

Email: people4theplains@gmail.com

16 MAR 2020

Dear Mr Pickard

Thank you for your representations on behalf of the People for the Plains (PFTP) about the Narrabri Gas Project. The Legislative Council Portfolio Committee 4 – Industry have referred your questions for a direct response to the Environment Protection Authority (EPA). The Committee has also asked that a copy of this letter be forwarded to them.

The EPA notes that the questions for which you are seeking a response are the same as those tabled at the Narrabri Community Consultative Committee (CCC) on 10 September 2019 meeting. Unfortunately, due to the EPA's bushfire response we were unable to attend the Narrabri CCC November 2019 meeting and formally respond to your questions.

Please find enclosed Attachment A in response to your questions. These responses will also be provided to the Narrabri CCC.

If you have any further questions about this issue, Mr Andrew Cowan, Program Manager, Gas Regulation, EPA, can be contacted on 9995 6941 or by email at [Andrew.Cowan@epa.nsw.gov.au](mailto:Andrew.Cowan@epa.nsw.gov.au).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R Bean', is written over a horizontal blue line.

**RICHARD BEAN**  
**Interim Chief Executive Officer**  
**Environment Protection Authority**

cc. The Hon Mark Banasiak, MLC  
Chair, Portfolio Committee No. 4 – Industry

Att: Attachment A – People 4 The Plains Response

Response to questions tabled by the PFTP representative, Tony Pickard, to NSW EPA, during September 2019 NCCC meeting.

**Question 1**

- 1a. When did the EPA last check that Santos' de Weeding & Seeding procedures that ensure their vehicles are free of weed seed were current?
- 1b. How often are these inspections conducted?
- 1c. Who completes the work and writes the reports of Certification?
- 1d. Where can these reports and Certification of Cleanliness be found?
- 1e. If a Contractors vehicle left the area of PEL238 and travelled interstate to another Gas Field or interstate gas related infrastructure, would that vehicle have to be cleaned down as per the above Certification process before re-entering the Pilliga and private lands that make up PEL238?
- 1f. Are there size and types of vehicles that are exempt for the above requirement?

**EPA Response (to questions 1a – 1f)**

The existing Narrabri gas activities have been approved under multiple consents and instruments with varying general requirements in relation to weeds and seeds. Weeding and seeding associated triggers under existing consent conditions are often associated with certain activities, such as construction and rehabilitation.

As part of the EPAs proactive and responsive monitoring program, the EPA has been monitoring the presence of weeds across the gas field in accordance with regulatory requirements. The monitoring of weeds has been, and will continue to be, a key focus by the EPA while undertaking site inspections. Since becoming the lead regulator, in 2015, for gas activities in NSW, there has not been a trigger for the EPA to investigate Santos' weeding and seeding procedures in relation to vehicles.

**Question 2**

- 2a. Can EPA detail how they require Santos prepare for significant rainfall events, in and around the Narrabri Gas Project Area?

**EPA Response**

Santos is required to prepare and implement a Soil and Water Management Plan (SWMP) to prepare for significant rainfall events. A copy of the SWMP is publicly available at:  
[https://narrabrigasproject.com.au/uploads/2019/09/Soil-and-Water-Management-Plan\\_July-2017.pdf](https://narrabrigasproject.com.au/uploads/2019/09/Soil-and-Water-Management-Plan_July-2017.pdf)

- 2b. Have the areas listed below, some photographed, been cleaned up and the problems identified corrected?

**EPA Response**

Santos is currently undertaking ongoing progressive rehabilitation at these sites. Rehabilitation activities may extend beyond fence lines, including the application of mulch, planting of saplings, ground cover (such as logs) and irrigation. As such, fence lines cannot always be used to determine if offsite impacts have occurred. Therefore, it is difficult from the photos provided to determine that a non-compliance has occurred; however, the EPA will continue to inspect activities being undertaken by Santos in accordance with the regulatory framework.



2c. Does the EPA intend to prosecute Santos for the litter from their operations located and photographed wholly within the Pilliga State Forest?

**EPA Response**

The EPA applies a responsive and risk-based approach to its regulatory functions and considers a range of factors when assessing environmental risk. In accordance with its compliance Policy, the EPA does not believe prosecution in this instance, based on the information provided, is appropriate.

**Question 3**

*In 2010 the then regulator informed the then PEL238 operator that a number of ponds and pads were allowing rain/storm water to traverse the well sites and enter the surrounding areas of forest and private lands and that suitable measures must be taken to eliminate the problem. The Operator did some work to please the then Regulator.*

*The Dewhurst North (Dewhurst 22-25 including Dewhurst 6) gas field also had a problem with run-off rainwater entering and leaving the well pads, (identified and reported by a member of the community) so much so that the Regulator required that Bunds on the high and low sides of all well pads were made a requirement. These were constructed as per the Regulators instructions.*

*Concerns centre around the very real possibility of pollution of the surrounding Forest and private lands with salts from any spilt produced water and other material from the partial and full rehabilitation being carried out, the carry-over of fertilizers and other none natural material, such as treated wood chips as found at all the Rehabilitation, into the Forest and Private lands which may cause an acceleration or deceleration of natural growth of the surrounding natural Pilliga Forest vegetation.*

3a. Are these bunds still able to perform the function for which they were intended?

**EPA Response**

Bunds are inspected during the EPAs proactive and responsive monitoring program. If issues with bunds are identified during inspections the EPA require that Santos undertakes appropriate and timely remediation action.

Mitigation and management activities at well sites vary depending on the associated activity approval requirements and each well's current life cycle status; e.g. construction, production, rehabilitation.

3b. When was the last time Santos checked these bunds and repaired as required?

**EPA Response**

The EPA is unaware of when Santos last checked these bunds. This question should be referred to Santos. However, as noted above, the EPA checks bunds as part of its proactive and responsive monitoring program.

3c. Is the current Regulator aware of the requirement to have these bunds and when did the Regulator last inspect the above mentioned well pads and all the other well pads under Santos' control to ensure that **rain/storm water** does not leave the well pads?

**EPA Response**

The EPA undertakes a proactive and responsive monitoring and compliance program. Since becoming lead regulator, in 2015, for gas activities, the NSW EPA have conducted nearly 400 inspections across the Narrabri Gas Field.

The regulatory framework allows rain / storm water to leave the site; however, Santos must implement appropriate management and mitigation measures to minimise offsite impacts. Santos' SWMP is designed to minimise offsite impacts from rain/storm water events and must be implemented in accordance with the requirements outlined in *Managing Urban Stormwater: Soils and Construction, Vol 1 and Vol 2, 4<sup>th</sup> Edition*.

3d. Has the Regulator insisted that Santos take a before and then regular soil samples from the areas surrounding all the rehabilitation sites to ensure that there has been no effect from the rehabilitation process on the surround soils and vegetation.

3d(i). If this soil sampling is being done, what is the frequency and, where can the information be found on the Regulators web sites?

**EPA Response (to 3d and 3d(i))**

There are no current requirements under existing approvals for Santos to take before and ongoing soil samples from areas surrounding approved rehabilitation activities.

**Question 4**

*The EPA along with others requested more information than that supplied by Santos in their RTS. Santos Responded in a Supplementary Response to Submissions, which has recently appeared on the Narrabri Gas Planning Portal.*

4a. Is the EPA fully satisfied that ALL of the concerns raised in their Request for further information document, also available on the Narrabri Gas Planning Portal page, have been answered fully and are satisfactory in Santos' Supplementary Response to Submissions document?

4b. If not, will the EPA detail what concerns still need to be addressed?

**EPA Response**

The EPA has had sufficient information to provide advice to the Department of Planning, Industry and Environment on Santos' EIS, response to submissions and supplementary response to submissions. For further information DPIE, which is leading the assessment process, should be contacted through the contact planner which is Stephen O'Donoghue 0477 345 626.