

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

Minutes - Meeting #4

20 May 2015, 15:00 - 16:30

Chair: Adam Gilligan (EPA)

Working Group Attendees: John Coffey (EPA), Dr Craig Dalton (NSW Health), Graeme Nyland (Environ), Associate Professor Stephen Cattle (University of Sydney) and Dean Chapman (Lake Macquarie City Council).

Secretary: Matthew James (EPA).

Other Attendees: None.

Apologies: Professor Mark Taylor (Macquarie University) and Tony Farrell (Lake Macquarie City Council).

1. Agenda Item 1 – Welcome and 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 interests declaration and undertaking forms provided to the EPA.

No further updates.

3. Agenda Item 3 – Endorsement of previous minutes

Minutes adopted unanimously without amendment.

4. Agenda Item 4 – Updates

4.1. Blood Lead Program for 2015

The LeadCare Plus equipment remains unapproved (US FDA) and thus unavailable for use in Australia. Advice from the provider of the equipment has identified that it is unable to deliver results at the time of testing (despite the website stating three minutes). The blood samples require a 24hour waiting period and this further complicated using this equipment for the program.

The LeadCare II is available and has been ordered. It provides point of care results. Due to the higher detection limit (3.3ug/dl) a reliable average blood lead may not be easily achieved; however, the data can be processed and reported as %>5ug/dl and %>10ug/dl.

Dates for commencement of using this equipment are unable to be confirmed as yet. The best estimate is 4 to 5 weeks after NSW Health receive the device and carry out quality assurance. A suitable venue for the program is also still to be identified.

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

This remains a work in progress. The protocol will initially be based on a questionnaire provided at the time of testing to identify risk factors such as nutrition and parental occupational risks.

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

Update: Program commencement delayed until at least June/July 2015, reporting in July/August 2015.

4.2. Waste disposal options program

Following distribution of the draft General Immobilisation Approval (GIA) further consultation between EPA and Lake Macquarie City Council (LMC Council) concluded that the EPA would proceed with the GIA remaining constrained to the Lead Abatement Strategy (LAS) grid in this first instance. The EPA has approved the GIA on 20 May 2015.

EPA remains in dialogue with local landfills and LMC Council regarding preparations to receive waste under this GIA.

The final version of the GIA was distributed to the LEWG members.

4.3. Community Reference Group (CRG)

4.3.1. CRG update

The CRG has its first meeting following this meeting and the LEWG has been asked to attend.

4.3.2. 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.

Now the CRG is established the LEWG can present options to the CRG or discuss options presented to the LEWG as to cooperatively and effectively working together. John Coffey and Craig Dalton will both present to the CRG as members of the LEWG.

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

Update: This will be discussed with the CRG either at a joint meeting with the LEWG or by presentation to the CRG. Consideration will be given to developing a communication plan and information sharing mechanism between the LEWG, CRG and the North Lake Macquarie community.

Update: EPA to look into LAS documents previously released under *Government Information (Public Access) Act* (GIPA Act).

4.4. Other Action items

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

Update: The paper is still under peer review and will be distributed when the external review process is complete. Prof Taylor has subsequently shared the Abstract for the paper, which has been passed onto the LEWG members.

Mark Taylor offered apologies for this meeting and will provide an update at the next LEWG meeting.

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

EPA will contact Mr Morrison inviting him to present at meeting #5.

5. Literature review

5.1. ACTION 4.1: LEWG Members to provide comment to the EPA regarding the draft literature review procurement document, for potential endorsement at or prior to the next meeting.

5.2. Discussion

Further discussions occurred regarding the current draft scope of works.

NSW Health questioned the usefulness of:

- The current scope and consideration of a review against something else other than 'best practice'.
- Conducting the literature review prior to having current blood lead data. Knowing the blood lead information will inform the actual problem to be reviewed.
- Previous literature reviews have not provided useful advice.

EPA, Council, the Auditor and Professor Cattle all agreed that:

- There were gains to be made in a broad understanding of the integrity and evaluation of the LAS.
- The literature review will allay some community concerns.
- It is important to do the literature review as soon as possible.

There was agreement that the LEWG should look at what it can do prior to obtaining the blood lead data that will better inform the literature review. For example, review the LAS against the EnHealth Environmental Health Risk Assessment Guidelines for assessing human health risks from environmental hazards – 2012. In addition, the LEWG could consider the NHMRC changes to the blood lead level and how that may inform the issues and the literature review.

5.3. Adoption of Scope

Deferred due to unresolved issues.

A fourth draft of the literature review scope will be presented under Action 4.1 to the LEWG for consideration.

6. The LAS

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

Ongoing: The download of all LAS data is complete. The data has been entered into Council's system as pdf documents. The data can be made available to the public on a lot by lot basis by request; however, is not yet in a format that can be interrogated. Making the data accessible and useable is an ongoing process.

6.1. EPA – Development and regulation of the LAS

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

The EPA presented a chronology of events (attached).

LMC Council maintains the position that it has always held that public land, garden beds and accessible areas on footpaths should have been included in the LAS.

LMC Council commented that participation in the LAS was only available to residents who were willing to waive their legal rights against Ferrier Hodgson for further works and/or liability. This discouraged many residents from participating.

7. Agenda Item 7 - Other Business

7.1. Vege Safe Grant Application

LMC Council has forwarded the grant application to the LEWG for consideration. The annual LMC Council research grant program has an upper limit of \$8000. Hence, LMC Council is unable to fund it in full.

Council requested advice on the proposal as to whether:

- The methodology for soil testing is consistent with best practice.
- The proposed management measures for minimising community exposure to contaminants through home food gardening are appropriate and consistent with measures recommended by NSW Health.
- The proposed engagement program is complementary with engagement underway or proposed by the LEWG or organisations represented on the LEWG.

The LEWG will invite Mark Taylor to present the Vege Safe program to the working group or discuss the proposal out of session.

The LEWG does not have an allocated budget with respect to funding programs other than the literature review. The EPA will revisit the funding of the LEWG following feedback about this proposal.

7.3. NHMRC Lead report

Craig Dalton talked about the NHMRC report which was released on 19 May 2015.

The report recommends that:

‘Blood lead level greater than 5 micrograms per decilitre suggests that a person has been, or continues to be, exposed to lead at a level that is above what is considered the average ‘background’ exposure in Australia.’

The report can be accessed at: <https://www.nhmrc.gov.au/guidelines-publications/eh58>

This guidance is not prescriptive about actions required if people with blood leads are identified as above this level and leaves this up to the development of a site specific assessment.

Mark Taylor and Bruce Lanphear commented on the NHMRC report in the online academic website ‘the Conversation’. This can be viewed at:

<http://theconversation.com/the-verdicts-in-we-must-better-protect-kids-from-toxic-lead-exposure-41969>

ACTION 13: Request a presentation from the NHMRC working group (Brian Gulson and/or Wayne Smith) regarding the report and its recommendations.

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

Action Number	Action Item	Responsible for Action
December 17#2	<p>ACTION 2 (ongoing): The EPA to develop an effective community engagement strategy for the work of the LEWG.</p> <p>ACTION 2.1: LEWG Members to be provided with the Terms of Reference (ToR) for the CRG and consider options for how best the LEWG and CRG can work cooperatively and effectively. (ongoing)</p>	All
December 17#4	<p>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'.</p> <p>ACTION 4.1: LEWG Members to provide comment to the EPA regarding the draft literature review procurement document for potential endorsement at or prior to the next meeting. (ongoing)</p>	All
January 29 #1	ACTION 6: NSW Health to share clinical response protocols when finalised. (ongoing)	NSW Health
January 29 #3	ACTION 8: LMC Council to consider how it can best share the existing LAS data set in an appropriate spatial manner. (ongoing)	LMCC
January 29 #4	ACTION 9: Mark Taylor to distribute his peer reviewed paper on the data collected around the former lead smelter to LEWG members for discretionary comment. (Abstract provided after meeting - ongoing)	All
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.	EPA
March 26 #2	ACTION 12: The EPA to invite Tony Morrison to a future LEWG meeting to present on slag morphology.	EPA
March 26 #3	ACTION 13: Request a presentation from the NHMRC working group (Brian Gulson and/or Wayne Smith) regarding the report and its recommendations.	EPA

Milestones established/updated from meeting #3

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

Attachments

1. **GIA** - 2015/17