

Landholders Ascertain Testimony

Example of lack of participation and representation for individuals expected to host industry in their homes using one individual's complaint of what the landholder believed was a contamination incident.

Communication Trail – Landholder in BLACK, others in RED

8 December 2014 – High Point Vent (HPV) Leak Complaint 1 emailed to company, government and politicians

(Attached to official environmental complaint form)

Landowner discovered staining on ground and significant subsurface leaking from a HPV outside of the HPV fence.

The Landowner is concerned regarding the facts that :

- contamination of property in the immediate vicinity as visible with the eye
- contamination of property to an unknown degree due to clear underground leak is significant
- contamination of property to an unknown degree due to recent 59ml of rain and wash of contaminants to other parts of property
- apparent disregard and lack of maintenance of equipment by Origin for this to go unnoticed (no advice to landowner and its apparent existence for a period of time indicates it was unnoticed)
- the HPV has been spurting fluid and uncontrolled amounts of gas from the pipe indicating an unsound operating plant and causing contamination and nuisance.

Other infrastructure on the property

The landowner has seen leaks from the top and at the base of other HPV on the property

The landowner believes there is a breach in this single circumstance of the following:

- Environmental Protection Act:
 - Serious environmental harm as it could well cost more than \$50 000 to determine level of contamination, and size of property damaged and remediation.
 - Allowing the placement of a contamination where environmental harm or nuisance has occurred.
- Schedule D of EA
 - Contaminants must not be directly or indirectly released to land except as permitted under this EA
 - Minimise disturbance to land that may otherwise result in land degradation
- P&G Act
 - Damage and loss arising from the activities

The Landowner requests:

1. The HPV be isolated so as to stop further contamination and emergency containment be undertaken.
2. The area is sampled so as to enable testing for contamination and establish the extent of contamination
3. All investigation and remediation is involving the Landholder
 - a. Action plan and consultation on investigation and remediation
 - b. Action plan and consultation on the inspection and maintenance and remedy where necessary for the other items of infrastructure on the property.

Further, as the contamination has been caused on private property the Landholder requests Origin fund the following tests to be undertaken with his supervision and inclusion, (if necessary, Origin and the Landholder undertaking parallel testing to ensure transparency) and the results be supplied to the landholder.

December 9 - email from Landholder to EHP, DNRM, Gassafe, Ministers re concerns

Please be advised that Origin attended the property undertook some works on the hpv this morning and left.

Landowner was not advised of the status of the HpV or the status of the complaint or potential contamination.

He has since contacted Origin to advise that several other hpvs are now leaking a lot including black substance and gas is being emitted at such great volume a person would struggle to speak over it. And he experienced sore eyes and headache immediately upon being in it's vicinity.

He is very concerned for his safety and the safety of his property and the integrity of the infrastructure on his property.

He requests that Origin provides him with a plan and then updates on activities and progress at each step.

He requests advice from Ehp and gassafe regarding their understanding of the situation and what is being done by the authorities.

He requests that he be supplied with a personal gas monitor to ensure his safety during the resolution of this issue.

Please confirm receipt of this email in writing.

10 December 2014 – Email from Gassafe government department

In relation to the request from the landowner for advice from gassafe the following is our understanding of the situation and what we are doing.

The Petroleum and Gas Inspectorate (the Inspectorate) have spoken to the lead agency, the Department of Environment and Heritage Protection (DEHP). Petroleum and Gas Inspectors have contacted the land owner and Origin and have made arrangements to inspect the site to assess the situation with regards to the operation and safety management of the operating plant.

Once we have more information we will have an understanding of the situation.

If any safety management issues are identified action will be taken in accordance with the Inspectorates compliance and enforcement policy which is available on our website at <http://mines.industry.qld.gov.au/safety-and-health/petroleum-gas-safety.htm>

Information relating to land and environment complaints should be directed to DEHP.

15 December 2014 – email from Landholder to ministers and departments

Please advise in writing as per original complaint 8/12/14 the plan to address the ongoing contamination of his property. (see attached photo)

Origin have undertaken some works to replace HPV strainers, GAS SAFE Inspectors have attended the site, and Origin is continuing to access his property for various other activities, however, this morning he has identified another HPV spilling "water" onto his property unchecked and unmanaged.

He requires written advice ASAP as to the interim management plan to prevent ongoing contamination from each HPV.

He requires written advices ASAP of what samples were taken from where and what tests are being undertaken and when the tests will be returned.

He requires advise from the authorities as to the administrative actions that will be taken in addressing this issue.

The ongoing placating statement of "it is just salty water" is an entirely inappropriate response as is the relaxed approach to ongoing contamination of his property.

19 December 2014 – Interim Report into the HPV contamination from Origin

22 December 2014 – Response from Gassafe

As previously advised, a Senior Inspector Petroleum and Gas appointed under the Petroleum and Gas (Production and Safety) Act 2004 inspected the HPV that was the subject of your earlier email with representatives of Origin. As you are aware, the Petroleum and Gas Inspectorate is responsible for ensuring safety and health in relation to operating plant in the petroleum and fuel gas industry.

The HPV is operating as designed (relieving pressure in the line) with no gas readings at ground level. At the time of the inspection, your concerns were discussed with Origin's representatives who provided advice in relation to the likely cause of the releases from the HPVs that form part of their operating plant. Origin has identified the likely cause of the problem and is now working to resolve this as soon as possible.

In relation to the contamination of Landholder's land and your suggested sampling and analysis outlined in your earlier email, these concerns were immediately referred to the Department of Environment and Heritage Protection for their assessment and any required investigation under their jurisdiction. It was noted that best practice would see Origin collecting any associated water produced to manage any potential environmental contamination, however, I refer you to the DEHP for further comment in relation to these concerns.

With regard to your latest email, if Landholder comes across any problems with operating plant on his property he should report this to Origin immediately so that they can take appropriate action to review their operation, resolve the issue and prevent further problems. Landholder is welcome to contact us directly if the operator fails to act to mitigate, to as low as reasonably practicable, any safety and health risks associated with their operating plant.

At this time, this office is satisfied that Origin is making reasonable efforts to address the issue with their operating plant but that there are no significant safety and health risks at this time.

23 December 2014 – Landowner response to Interim Report from Origin

Thank you for your report Q-LNG01-15-RP-0747, received 19/12/2014.

We understand that this report is interim.

Having reviewed your report we have the following feedback and requests for further information or clarification in the report.

1. As per the photo attached of ORAO60-3-1, on the 5 of December, prior to the 59mls of rain, when there had been no rain for an extended period of time, it is clear that there has been significant subsurface leaking. Your report states a leakage rate of 0.5 L/m or approximately 720 litres per day (which is an annual leakage rate of 262,800 litres). It is unclear why this would be characterised as minor in your report. Please provide further references as to how minor leakage is

determined and are you stating that it would be common for all vents to be leaking the equivalent of 262,800 litres per year? Please Clarify.

2. We request a more detailed description be placed in the report regarding the extent of the liquid on ground at ORA060-3-1. The existing description does not provide an accurate representation of the issue.
3. There were in fact multiple additional leaks to grade during the week after 5 December and one additional significant one at HPV - ORA035-2-2 as indicated in photo 2 below and as is on record. We request that you include this detail in the report as well.
4. We find that the statement on page 5 regarding the EC measure and the comparison to stock water misleading with just a measure of EC and no other details regarding the actual content of the leak. We request that this is removed from the report.
5. There is a suggestion of page 5 that a small amount of process discharge fluid onto private land is acceptable. Please provide further guidance regarding the approved level of discharges allowed under your permit. As you can appreciate this is a very significant issue for many stakeholders and land owners. What might seem insignificant to a large industrial enterprise is seen differently to people who have to work the top of the land for their daily livelihood. This area also constitutes their homes. It is critically important that systemic lack of consideration in design for other stakeholders and landholders specifically regarding "open" systems for gas and process fluids is addressed. This would be a critical element to this report and rectification in the long term. Please clarify this in the report.
6. While the inclusion in the report of the analytical results for a CSG produced water characterisation study is appreciated and interesting, it is not an analysis of the material that was discharged at significant amounts on my property and therefore request that this sampling and testing of the specific material discharged is undertaken and provided to me with urgency.
7. It is noted that the HPV was stripped down around 11 December to investigate the cause of the continuous leak, we request clarification in the report as to the finding.
8. The change in HPV design leaves an open question of why this design was not implemented when first available, and the existing procedures for auditing substandard infrastructure that was allowed to remain on the property until such time as a formal complaint was made. In the spirit of working collaboratively, we would like to see formal and documented procedures that address this gap in the current infrastructure management. It should not be left to the stakeholders and landowners to asset manage the above ground infrastructure. It would be a normal expectation in any industrial environment that proper maintenance inspections, servicing and repairs are conducted routinely, and in advance of failure. It is extremely important that the written procedures are matched with equal vigour and attention on the ground. We request this be addressed fully in the report. We request the log of the inspection prior to the 8 December and the week following where further leaks were brought to the attention of Origin by the Farmer and not the Operators. We request further clarification in the report.
9. We request details as to the location, type and quantity of samples taken to date as this is not described in the report currently and we are aware that some samples were taken on 10 - 11 December.
10. We request that such sampling described in point 3 on page 6 be undertaken with urgency so as to provide accurate data to base remediation on, as time and weather may degrade samples.
11. We request that the testing include determining if there is the presence of radioactivity.
12. We request clarification in the report as to the interim safety measures that will be taken at the sites of the significant leaks to ensure any further rain does not cause the further leaching of the possible contaminants.

Further to the tests described in the report, we respectfully request that the following tests be included to satisfy the needs of my farming operation and remediation.

Additional request for further testing:

TRH chromatogram interpretation;

gross alpha and beta radioactivity;

laboratory's largest 'Total Metals' suite.

details on gases vented, VOCs and semi-VOCs.

23 December 2014 – Response from Minister EHP

Thank you for your emails of 9 and 15 December 2014 concerning leaking high point vents (HPVs) located on [redacted]'s property. The Minister for Environment and Heritage Protection has asked me to respond on his behalf.

The initial complaint received by the Department of Environment and Heritage Protection (EHP) on 20 November 2014 concerned bubbling and leaking HPVs within the water gathering network for the Orana coal seam gas field. No information was provided in the complaint to identify the particular HPVs of concern. EHP requested Origin Energy Pty Ltd (Origin) to investigate the issue of leaking HPVs on [redacted] property. Prior to receiving this complaint, Origin's previous round of inspection of all HPVs was undertaken during the week of 17 to 23 November 2014. The inspection did not identify any issues with the HPVs. A re-inspection of all HPVs on [redacted] property was conducted on 1 December 2014 which found that all HPVs were operating correctly. One HPV closest to [redacted] residence (ORA043-2-1) did show evidence of a small amount of water draining from the HPV, however, this was considered normal operation. Origin isolated this HPV to prevent any further issues.

A second complaint was received by EHP on 8 December 2014. This concerned HPV ORA060-3-1. The complaint reported staining on the ground and significant seepage from gravel around the HPV to an area outside the fence surrounding the HPV. The complainant was specifically concerned about contamination of the property in the immediate vicinity of the HPV; contamination of the property to an unknown degree due to the seepage from the HPV enclosure; and the potential for contamination of other parts of the property from contaminants moving overland due to recent rains.

On 15 December 2014, EHP received an additional complaint from you stating that the landowner identified another HPV was 'spilling water onto his property unchecked and

unmanaged'. This HPV was identified as ORA035-2-2 on 16 December 2014 when EHP officers inspected a number of HPVs on [redacted] property in the company of [redacted] representatives from Origin. On the day of the inspection, the ground surrounding this HPV was still quite damp, however no staining resulting from the HPV activities was evident. The only staining evident on the ground was tannins leaching from the leaf litter surrounding the HPV. Origin officers advised [redacted] that this HPV was switched off on the morning of 15 December 2014 and the float valve was replaced on the same afternoon.

Additionally, during the inspection, HPV ORA060-3-1 was making a gurgling noise from the HPV. Origin officers were investigating if this was considered normal operation of the HPV or if it required attention. It was evident that water had leaked from the HPV to a distance of approximately two metres outside the HPV fence. However, no water remained on the surface. No staining that could be attributed to venting activities, such as salt residue, was evident on the ground or the gravel surrounding the HPV. The only staining evident was from tannins leaching from the mulch and leaf litter surrounding the HPV.

All HPVs that were identified as leaking have been promptly replaced by Origin.

Origin officers present during the site inspection advised [redacted] that Origin would undertake soil sampling at a number of sites on the property, including sites where the HPVs had leaked; sites where the HPVs had not leaked; and a background site. Origin also advised [redacted] that inspections of all HPVs on his property would be undertaken on a weekly basis. Origin would also provide a report to [redacted] detailing all actions taken by Origin to address the issue of leaking HPVs on his property. EHP also advised [redacted] that a response letter would be provided addressing all complaints lodged by him to EHP.

With regard to the issue of the HPV releasing gas at a great volume, EHP was advised that an inspector from the Department of Natural Resources and Mines (DNRM), Petroleum and Gas – Gas Safety Inspectorate, visited various HPVs on [redacted] property on 10 December 2014. Measurements were taken of gas concentrations around the HPVs about which he was concerned. DNRM will be responding to [redacted] directly with the results of its inspection.

The Minister hopes this information is of assistance to you. Should you have any further

11 January 2015 – email complaint sent direct to Origin

How are things in your camp xxx?. There not well in my home I live here 24/7. I can't go out in the paddock for getting headache's and sore eye's and get a sulphury salty taste in my mouth and sitting in my lounge room watching the cricket I am getting the same thing , But I suppose it is not surprising with the majority of our wind coming from the North west which blows it straight off the Orana GPF not alone all the HPV's venting all over my property. Then lying in your bed and feel a shutter and vibration and here a loud roar and constant drone to then go to your kitchen window to confirm watching the flames leaping up as per this morning being 11 of Jan 2015.

31 January 2015 – Landholder response to access request from Origin for DNRM inspectors to access.

I note your request - "Officers of the DNRM have contacted Origin to undertake a follow up inspection of the HPVs on your property."

I have the following questions. As many of the questions I have pertain to the DNRM (but I do not know who) I have copied them on the email through Dr Steven Ward.

1. I would have expected to hear from DNRM directly. Why are they arranging this through Origin?
2. Please advise details of all individuals coming on the visit to my property, and their employer and credentials/ qualifications.
3. What is the specific purpose of the visit regarding the HPVs, ie is it with regard to the complaint and subsequent communications, is it in answer to our request for data from the regulators as to what they are intending to do regarding the incident?
4. Will any tests be undertaken while they are here? If so, I will require written agreement that the raw data and reports the data furnishes are provided directly to me with no delay.

2 February 2015 – Second HPV Leaking incident complaint

Confirming that Landholder has spoken to the Origin Talinga Superintendent to report another major leak from a HPV on his property at approx 2pm.

This is a formal complaint from Landholder to EHP, DNRM and Origin.

As per the report today from Landholder to the Talinga Superintendent, regarding the new leaking HPV, it was understood from the phone call that a sample for testing will be gathered immediately before this next rain event starts this afternoon.

Landholder requires that a sample be taken from the HPV of the liquid that has leaked directly from the HPV involved at the same time. He will not be satisfied if as per the last incident, the sample tested is taken from back at the processing facility.

Photos and further information to complement this report will be forwarded ASAP.

12 February 2015– Report on HPV incident received from Origin

26 February 2015– EHP Manager sends pitiful request for more information on a second complaint regarding HPV leakage

2 March 2015– complaint sent to EHP regarding poor performance of EHP Manager in request for information

Please accept this as an official complaint to the EHP on their handling of this issue.

It is abundantly clear in the response from EHP below on a recurrence of contamination incident that it is not only degrading in tone, but is entirely unhelpful..

A very serious contamination has occurred AGAIN, and the demurring of EHP below is not helpful nor does it demonstrate any interest by the EHP in taking this issue seriously.

What would be a reasonable response would be for EHP officers to get up from their desks and come to the site of the serious contamination and undertake reasonable investigations themselves. Perhaps EHP could ask one of his colleagues already in the immediate area investigating ANOTHER contamination incident to undertake basic enquiries.

10 March 2015– EHP Officers attend the property in the same vehicles as Origin

Details from a meeting in the field with EHP and Origin over a specific HPV contamination incident.

The meeting was opened by Origin's Manager of Environment stating that he was aware that meetings had been taped in the past and that they had seen footage and that he wanted to know if that was the intention at this meeting.

19 days after the incident being reported to them, they were able to verbally advise some of the results. However no other discussion had been had in the intervening time.

I mentioned - imagine the difference it would make to the landholder if he was kept up to date with the proceedings of investigations. Origin acknowledged that may make a difference.

Due to the bizarre relaxed and collegiate interaction between EHP and Origin at this meeting, I got the feeling that neither group saw this as particularly problematic incident. So I asked if EHP was ok with water being spilled uncontrolled onto a persons property. I was advised That it was not prosecutable because Origin was cooperating with them and their object was to minimize or prevent environmental harm, and it was relevant to the extent of harm. And if there is no contamination in the water than there is no problem.

I asked then, is EHP and Origin expecting the landholder to be ok with the performance of the HPV and such incidents. To which they both said no.

I asked them if it was ok for the HPV to be releasing 42% methane and there were 10 on the property.

Origin environmental manager said that they were satisfied that the HPVs were operating within expectations and they fully expect methane to be vented into the atmosphere.

By the end of the visit I left in tears of frustration as did the land owner - feeling that environmental harm being discussed academically by Origin and the EHP in the middle of evidence to the contrary, and regardless of the two people in front of them saying that the results of their activities (and EHPs inactivity) are damaging the land, and our homes, and our lives, and it left them unmoved and uninterested in addressing this issue.

26 March – letter from Minister for EHP responding to the complaint about the EHP Manager

poor service delivery following your complaint that a Coal Seam Gas High Point Vent had leaked resulting in serious contamination on your land.

I am advised that the Department of Environment and Heritage has appointed Mr Bryce Hertslet, Program Manager, South Queensland Compliance, Environmental Services and Regulation as the Complaint Coordinator. Mr Hertslet can be contacted by email at <bryce.hertslet@ehp.qld.gov.au> or by telephone on 0477 314 812.

I am pleased to hear that Mr Hertslet has contacted both you and [REDACTED] to discuss the substance of your concerns in more detail. He will keep you updated on the progress of his inquiries and any findings or recommendations at its completion.

I would like to thank you for bringing your concerns to my attention. Please be assured that your complaint is being treated seriously and I have asked for an update as soon as Mr Hertslet has completed his investigations.