
From: Jocelyn Kramer [mailto:jkramer@carmelvarroville.org.au]
Sent: Tuesday, 30 September 2014 9:49 AM
To: 'nswchiefscientist@chiefscientist.nsw.gov.au'
Subject: Environmental Health Impact Assessment prepared for AGL

Professor Mary O'Kane
Chief Scientist, NSW

30 September 2014

Dear Professor O'Kane,

I am writing again following upon my letter to you of 4 June 2014 in which I attached a review I had written of the Environmental Health Impact Assessment prepared for AGL by EnRiskS Consultants in relation to the proposed Northern Expansion of the Camden Gas Project. You kindly accepted that review as a supplementary submission to your Review of CSG in NSW. I realise that your final report is being released today.

Last week I was contacted by Mr Mike Moraza from AGL in relation to my review. Attached is my response to his suggestion that he arrange a private meeting for me with the EnRiskS consultants. I consider that you should be made aware of the suggestions I have made to him. They are relevant to your Review since they concern scientific process and public consultation.

Kind regards,

Jocelyn Kramer

Sister Jocelyn Kramer OCD
Carmelite Nuns
345 St Andrews Road
Varroville 2566 NSW
Tel: 02 9820 3048



Carmel of Mary and Joseph 345 St Andrews Road Varroville NSW 2565 Australia

☎ 02 9820 3048; fax 02 9820 3711 email: jkramer@carmelvarroville.org.au

Mr Mike Moraza
Group General Manager, Upstream Gas
AGL Energy Limited
Locked Bag 1837
St Leonards NSW 2065

29 September 2014

Dear Mr Moraza,

I am writing in response to your letter of 24 September 2014 and your telephone message of 25 September following upon my letter to you of 30 July 2014.

In November 2013 you kindly had a copy of the Environmental Health Impact Assessment (EHIA) hand-delivered to me. This was in response to my concern about potential health impacts of CSG mining, which I had expressed in submissions and in a community information evening at Mount Carmel High School (in February 2013) at which you and Prof Wayne Smith from NSW Health spoke. In your letter of 6 November 2013 accompanying the EHIA you invited me to send feedback on the report.

Accordingly, I took the trouble to read the EHIA with careful attention. In doing so, I identified inaccuracies and methodological issues that I felt needed attention. My letter to you of 9 April 2014 was effectively a peer review of the Consultants' report, specifying the inaccuracies, omissions and methodological problems I had identified. I suggested that a constructive way forward would be for the Consultants and AGL to respond to those criticisms in writing. I appreciate that doing so is probably outside your own particular area of expertise.

I recognise that this is probably not the process you had in mind when commissioning the report. Presumably the Consultants were not expecting to be challenged in this way either. Perhaps both of you expect the public to accept expert opinions as final and reassuring. However, over the last four years of reading scientific reports commissioned by AGL I have come to the view that reports need to be critically reviewed. A prime example was the Preliminary Hazard Analysis, which should never have been released in its original form. There needs to be a mechanism for having expert reports revised where inaccuracies, unwarranted assertions or other problems are identified. This should be done before they are made public. The general public should not have to perform this function for you.

I note the disclaimer inside the cover of the EHIA:

‘The methodology adopted and sources of information used are outlined in this report. *Environmental Risk Sciences has made no independent verification of this information beyond the agreed scope of works and assumes no responsibility for any inaccuracies or omissions [italics mine].* No indications were found that information contained in the reports provided by AGL Energy Limited for use in this assessment was false.’

AGL, and by extension, the Consultants should have known that there were inaccuracies in the sources of information provided to them because these have been pointed out repeatedly in public submissions made prior to preparation of this assessment. Were the Consultants provided with the Detailed Responses to Submissions Report (October 2012)? If not, then it is understandable that previous inaccuracies and omissions were repeated in their report (following the acronym, GIGO – garbage in, garbage out). I am not suggesting for one moment that the EHIA is ‘garbage’ but that it is flawed. Surely it is your responsibility as Manager to ensure that background information provided to Consultants is accurate.

Since AGL commissioned the EHIA, I suggested in my letter of 30 July 2014 that a way forward would be for the Company and the Consultants to prepare a written response to the criticisms I made. This is routine scientific practice following peer review, which normally occurs prior to publication in reputable journals. The Consultants, of course, are free to accept or reject the criticisms, but their written response should give their reasons for accepting or rejecting each one. On the basis of their response you could then consider jointly with NSW Health whether the EHIA report needs to be revised and re-issued to meet community concerns. It seems now that AGL should first attend to the inaccurate information furnished to the Consultants and rectify it so that the Consultants have a sound basis from which to make their final recommendations.

AGL itself has set a precedent for providing written responses in its Detailed Responses to Submissions Report. My insistence upon a written response is based on two procedural grounds. The first is that compliance would indicate seriousness of purpose on the part of the Consultants, who have been engaged by AGL to provide the best advice to the Company and ultimately to the general public. Secondly, over the four years that we have communicated with AGL and other bodies over the proposed Northern Expansion, we have written numerous submissions, as have many other concerned members of the public. Specific points raised by us and by others have often been ignored, side-stepped or glossed over with cut-and-paste responses (see the Detailed Responses to Submissions report) leading us to feel that community consultation is merely a window-dressing exercise. The public needs to have confidence in the process. For AGL and its Consultants to respond in writing to specific criticisms would show that AGL is willing to acknowledge the deficiencies in its reports and to have them rectified, thereby signalling that the Company takes genuine community consultation seriously.

I acknowledge that you have twice invited to arrange a meeting for me with the Consultants to discuss the Carmelite Nuns’ concerns about health impacts of CSG extraction in the Scenic Hills. For the reasons given above, I consider it far preferable that there be written documentation of the

Consultants' responses and that those responses be actioned transparently so that accountability becomes a reality. This would benefit the Carmelite Nuns and the wider community as well. In due course I would be pleased to receive a copy of their written responses.

As I see it, arranging a meeting with us and the Consultants at this stage is a distraction, focusing attention on a side-issue. It is unlikely to allay our concerns if the conclusions reached in the report cannot be relied upon because the Consultants were not properly briefed. May I respectfully suggest that it is more important that the fundamental matters I have outlined in this letter be dealt with first at managerial level in AGL. The EHIA has served a useful purpose by bringing them into focus.

Within the constraints of my state of life as an enclosed nun, I have done what I can over the last four years to provide thorough scrutiny of reports placed on public exhibition. This was done not only for the Carmelite Nuns, but for the wider community through our membership of the Scenic Hills Association. Given the constraints on me, I must make strategic choices to ensure that my efforts are directed in ways that are most likely to produce a worthwhile outcome not just for ourselves but for the wider community. Should a future government make the unwise decision to re-visit the Northern Expansion of the Camden Gas Project into the Sydney Metropolitan Area, it would be helpful if a public meeting were held locally with the Consultants about the potential health impacts of CSG extraction in the Scenic Hills. If so, I would make every effort to attend.

I hope this letter has clarified for you the reasons for my decision not to participate in a private meeting with the EnRiskS Consultants. My intention has been to suggest more effective ways of proceeding, which should provide long-term benefits for AGL and for the general public in all areas where AGL seeks to conduct CSG operations.

Yours sincerely,

A handwritten signature in cursive script that reads "Jocelyn Kramer". The signature is written in black ink on a white background.

Sister Jocelyn Kramer OCD

cc. EnRiskS
Chief Scientist