

NOTICE TO CARRY OUT ENVIRONMENTAL AUDIT PROGRAM

(Issued pursuant to Section 48(1) of the *Waste Management and Pollution Control Act 1998*)

ISSUED TO: Central Petroleum Mereenie Pty Ltd (ABN 66 605 831 025)

OF: Level 32, 400 George Street Brisbane Qld 4000,

WHEREAS a delegate of the Northern Territory Environment Protection Authority (NT EPA) is satisfied for the reasons stated in **Attachment A** to this notice that you are a person required to carry out an Environmental Audit Program of 383 Brewer Road, Hugh also known as NT Portion 5823, as delineated in [blue](#) in **Attachment C** (the premises) to evaluate:

- (i) **the types, amount, distribution and mobility of contaminants present in the environment resulting from or in any way connected with activities at the premises.**

NOW TAKE NOTICE that you are required to comply with each of the requirements specified in **Attachment B** to this notice on and from the date of issue of this notice.

ISSUE DATE: 15 March 2024



AMY DENNISON
Executive Director, Environmental Regulation
Delegate of the NT EPA

Important Notice

Failure to comply with this notice is an offence under Section 52 of the *Waste Management and Pollution Control Act 1998* and may incur significant penalties and/or other statutory action.

This notice takes effect on the date on which it is served upon you. Pursuant to Section 108 of the *Waste Management and Pollution Control Act 1998*, **you have the right to apply for a review of the decision to issue you with this Notice to carry out an Environmental Audit. If you intend to apply for a review, YOU MUST MAKE AN APPLICATION NOT LATER THAN 28 DAYS after the day on which this Notice of the decision was given.** For information on how to lodge an application for review, contact the Northern Territory Environment Protection Authority, telephone 8924 4041.

Pursuant to Section 112 of the *Waste Management and Pollution Control Act 1998* the person issued with this notice must fulfil certain obligations before selling, leasing, sub-leasing, giving or exchanging land, premises, a vehicle or business which is the subject of this Notice.

ATTACHMENT A

REASONS FOR ISSUING THIS NOTICE

1. Central Petroleum Mereenie Pty Ltd (ABN 66 605 831 025), is part owner of NT Portion 5823, also known as 383 Brewer Road, Hugh (**the Premises**) as delineated in [blue](#) in **Attachment C** (the premises).
2. Central Petroleum Mereenie Pty Ltd (**Central**) is the occupier of the premises for use as a laydown yard for drilling equipment.
3. Historically the premises is understood to have been used for the processing and storage of oil.
4. On 3 November 2023, Central notified the Northern Territory Environment Protection Authority (NT EPA) of a due diligence assessment undertaken by a potential purchaser of the premises.
5. On 13 November 2023, Central provided a copy of the due diligence report titled 'Preliminary Site Investigation – 383 Brewer Road, Hugh, NT' (**the Report**).
6. The Report stated:
 - (a) In July 2023, 127 primary soil samples were collected, ranging in depth to 2.4 metres.
 - (b) Various heavy metals were reported in soils above the Ecological Investigation Limits (EILs) detailed in the National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013) (NEPM) for commercial industrial land use, including:
 - (i) arsenic, detected between 480mg/kg and 1200mg/kg, above the EIL of 160 mg/kg; and
 - (ii) zinc, detected between 140mg/kg and 530mg/kg, above the EIL of 110mg/kg.
 - (c) Per- and poly-fluoroalkyl substances (**PFAS**) were detected in soils across the premises, at levels above the criteria set out in the PFAS *National Environmental Management Plan (PFAS NEMP 2.0)* including:
 - (i) Perfluorooctanesulfonic acid (**PFOS**) detected between 0.028mg/kg and 0.84mg/kg, above the PFAS NEMP 2.0 Ecological Indirect Exposure criteria of 0.01mg/kg;
 - (ii) PFOS detected between 83mg/kg and 120 mg/kg, above the PFAS NEMP 2.0 Ecological Direct Exposure criteria of 1mg/kg; and
 - (iii) sum of Perfluorohexanesulfonic acid (**PFHxS**) and PFOS detected between 86.4mg/kg and 128mg/kg, above the PFAS NEMP 2.0 protection of human health criteria of 20 mg/kg.
 - (d) Total Recoverable Hydrocarbons (TRH) were detected in soils above the Management Limits for commercial/industrial land use (course soils) detailed in NEPM (TRH Mgt Limit), including:
 - (i) C10-C16, reported between 1400mg/kg and 5300mg/kg, above the TRH Mgt limit of 1000mg/kg; and
 - (ii) C16-C34 reported between 4,500mg/kg and 24,000mg/kg above TRH Mgt Limit of 3,500mg/kg.

7. The report concluded that the elevated concentrations of contaminants identified triggered the requirement (by the land owners, leasee and/or occupier) of the site to notify NT EPA on the grounds that contamination exists above a 'level of contamination set out in Schedule B1 of the *ASC NEPM* or other approved guideline value with respect to a current or approved use of the land" in accordance with the requirements of the *WMPC Act*'.
8. Arsenic and zinc are commonly found contaminants on industrial sites and may pose a risk to human health in certain exposure scenarios.
9. PFAS are a group of manufactured chemicals that have been identified worldwide as emerging contaminants of concern, due to their high solubility, mobility and persistence in the environment.
10. PFAS are able to readily leach from soil into groundwater and surface water, travel long distances and enter the food chain, resulting in bioaccumulation and increased risks of toxicity.
11. Hydrocarbons have the potential to kill or inhibit microbial species and reduce water/nutrient uptake by plants which can result in toxicity to some plant species and impaired ecosystem functioning.¹
12. Human health may be impacted as a result of hydrocarbon contamination whereby impacts migrate into surface/groundwater used for consumption.²
13. The amount, distribution or mobility of contaminants within, and from the premises remains unknown.
14. Potential risk of contamination to current and future human health and the environment is unknown.
15. To determine the level of potential risk to current and future users of both the premises and in the surrounding area, further investigation to ascertain the extent of contamination is required.

¹ Truskewycz A, Gundry TD, Khudur LS, et al. *Petroleum Hydrocarbon Contamination in Terrestrial Ecosystems-Fate and Microbial Responses* in *Molecules*. (2019), accessed via: [Petroleum Hydrocarbon Contamination in Terrestrial Ecosystems—Fate and Microbial Responses \(nih.gov\)](#)

² Kuppusamy S., Maddela N.R., Megharaj M., Venkateswarlu K. (2020) *Impact of Total Petroleum Hydrocarbons on Human Health* in *Total Petroleum Hydrocarbons* pp 139-165, Springer, Cham. Accessed via [Petroleum Hydrocarbon Contamination in Terrestrial Ecosystems—Fate and Microbial Responses \(nih.gov\)](#).

ATTACHMENT B

NOTICE REQUIREMENTS

1. Pursuant to section 48(1) of the *Waste Management and Pollution Control Act 1998* (the Act) Central is required to carry out an environmental audit program (the program) at the premises (as identified in **Attachment C**) to evaluate:
 - a. **the types, amount, distribution and mobility of contaminants present in the environment resulting from or in any way connected with activities at the premises**
2. The program must be performed by a person registered under section 68 of the Act 1998 (**the auditor**).
3. By **30 March 2024**, Central must engage an auditor, registered under Section 68 of the Act to undertake the program.
4. Central must provide the details of the auditor commissioned to conduct the audit, via email to environmentalregulation@nt.gov.au, within **10 business days** of engagement.
5. By **30 April 2024**, Central must submit via email to environmentalregulation@nt.gov.au the scope of works for the program endorsed by the auditor.
6. By **31 December 2024**, Central must submit, via email to environmentalregulation@nt.gov.au the results of the program in the form of an **Environmental Audit Report** prepared by the auditor.
7. The **Environmental Audit Report** must include an assessment of actual environmental harm and potential risk of environmental harm from contaminants or wastes present in the environment at the premises.
8. The **Environmental Audit Report** must assess the actual and potential risk of environmental harm from activities conducted at the premises, as determined by:
 - (a) review of systems, plans, procedures, monitoring programs, data, records, reports or information that is relevant to the scope of the audit as the auditor sees fit;
 - (b) inspection of activities, processes, plant and equipment at the premises that is relevant to the scope of the audit as the auditor sees fit; and
 - (c) collection and/or modelling of data that is that relevant to the scope of the audit as the auditor sees fit.
9. The **Environmental Audit Report** must:
 - (a) consider all relevant guidance including, but not limited to, the NEPM and the Northern Territory Contaminated Land Guideline (CLG) 2017;
 - (b) determine if the activities conducted at the premises have caused environmental harm or give rise to a potential risk of any harm or adverse impact to the environment;

- (c) where actual harm or risk of possible harm to the environment has been identified, recommend the measures necessary to reduce the actual harm and risk or harm to an acceptable level; and
- (d) propose a timetable for implementation of all recommended measures to address the findings of the audit.

ATTACHMENT C

SITE LOCATION AND PROPERTY BOUNDARY (DELINEATED IN BLUE)

