

23 Dec 2011

OBJECTION: to proposed Marstel Bulk Fuel Storage and Dispatch Facility - Mayfield

Objections

1. The proposal is not the highest nor the best use for the land. Newcastle needs high added value clean industries which will generate high employment.
2. Mayfield does not need another era of dirty & hazardous industries which generate few jobs and sterilise large areas of land because they require large separations from population intensive uses.
3. The land has recently been cleaned up (part of the \$600 million cleanup) and it would be a waste of opportunity and money to use the now clean land for a development likely to result in chemical spillage.
4. The proposed Marstel site at Mayfield is too close to housing and to the Mayfield East Public school and to the Nursing home.
5. Mayfield is zoned to allow increased residential densities so there should be more people coming to live there. Marstel/Shell's potentially explosive development is not compatible with the densification allowed for in the-zoning
6. Alternative land is available at Kooragang which was specifically dredged and set aside in the 1960's for fuel storage type industries and is far better separated from school, nursing home and residential uses. Marstel already has an approval for Kooragang. The EA does not give substantial justification for Marstel walking away from its Kooragang site. If the development was not good enough to be near Stockton people it is not good enough to be near Mayfield people.
7. The proposed Industrial Drive truck routes are not suitable for B-Double fuel tankers as the route has houses and schools (Mayfield East & the Baptist School in Kerr Street) immediately on it. The

Industrial Drive was designed for smaller tankers with potentially less serious fire and explosion risks. The proposal to use George Street ignores that George Street is an ordinary residential street.

8. The EA is misleading or inadequate or incomplete. The EA at page 37 says: “The current proposed Facility would **recover**, store and distribute diesel and biodiesel only.” No recovery operations are described nor assessed in the EA.
9. **EA is dishonest in stating that the Caltex operated pipeline has no spare capacity.** The Caltex pipeline has spare capacity and is able to carry extra diesel. The pipeline makes a very big improvement to fuel security in Newcastle and took many trucks off the road. Caltex’s person responsible for answering queries about the pipeline, Rob Moore, (just ring the main switch & get put through to his office at Bankstown) confirmed the spare capacity to me this week. The pipeline was set up with a regulatory arrangement to enable commercial rival to access the pipeline and Marstel and Shell can use the pipeline without the need to bring ship loads of diesel into Newcastle with the unnecessary risk of spills in sensitive waterways.
10. The EA does not explain the competence of Marstel to supervise and operate a hazardous development in a sensitive area. Marstel is a relatively small company.
11. The EA does not explain why Shell is not putting its name and reputation behind this proposal. Shell is a very experienced company in operating hazardous developments. Shell has expert engineers all over the world to help when problems arise. If this project is not good enough for Shell to put its name to then it is not good enough for Mayfield. Paul Zennaro of Shell has confirmed by phone conversation that Shell proposes to use the Marstel facility.
http://www.shell.com.au/home/content/aus/aboutshell/media_centre/news_and_media_releases/2011/newcastle_diesel_storage_04042011.html

12. Given that Shell's role which seems to be that of the substantive proponent is NOT spelled out in the EA, then the **EA would seem to be void** due to the absence of mandatory information.
13. If Shell's expert engineers have scrutinized the details of the design and safeguards then shouldn't their opinions and any reservations be included in the EA? If Shell's experts have not scrutinized the proposal then why not?
14. What liability arrangements apply in the event of an accident at the plant which harms the nearby residents? Which of Shell & Marstel would accept liability for a fumes from a fire or other foreseeable incident at such a fuel storage facility ? Which corporation would pay for any hospitalisation or treatment?
15. What are the liability arrangements in the easily foreseeable event that a B Double tanker on its way to or from the plant tips over in Mayfield and the resulting fire exposes many school children and residents to fumes? Does Marstel or Shell provide the coverage? One web site says that an ordinary B Double fuel tanker is only required to have \$2.5 million coverage, is this enough if an explosion and fire from a tanker spread ? How does an affected resident sort out the liability of the tanker operator & facility operator?
16. Shell already has land and depot at Hamilton North which provides an alternative site with direct access to the pipeline. The site already has supervisors and managers with relevant experience. If the Marstel/Shell development is not safe enough to go near the residents of Hamilton North then it is not safe enough to go near Mayfield residents.
17. Biodiesel is frequently described in other sources as having **strong solvent properties & particularly attacks paint and even brass and copper**. BUT the EA does not once use the word "solvent" and does not assess any of the potential impacts. What will be the impact on the paint of Mayfield houses & cars of the bio-diesel emissions? How does Marstel/Shell propose to pay for the more

frequent painting required? Mayfield is a suburb of mainly painted weatherboard houses with mainly painted iron roofs and mainly painted fences. How does Marstel/Shell propose to protect external water pipes and taps of copper & brass such as go around the outside of our house?

18. The reduction of hazardous storage facilities in inner Newcastle was a major achievement of the Department of Planning in the 1980s & 1990s. **Dr Sam Haddad was a key person in this achievement and I ask that Dr Haddad give this application his direct personal attention.** The whole safety of inner Newcastle was improved. The Tighes Hill storages immediately adjoining the residential areas were removed. Other tanks were shifted and removed. At Comsteel many fuel storage tanks were removed with the arrival of the fuel pipeline from Sydney and natural gas.
19. New fuel storage capacity and additional hazards should not be put back into Newcastle and Mayfield. Allowing Marstel/Shell's proposal at Mayfield compromises the whole long effort to clean up Mayfield and Newcastle and make them safer.
20. The EA does not include any hazard or risk contour diagrams. The EA does not assess the cumulative risk issues. Given that these are critical issues the EA should include them so residents can comment.
21. The EA air quality analysis does not properly attend to the risk of a major leak or vent incident during a time of low wind & inversion. The visible plumes from Kooragang clearly show that quite concentrated undispersed streams can travel up & hit the inversion limit & then travel horizontally & then hit the interface between on & off shore air and come straight down. Thus a relatively concentrated flow of pollutant hits the ground where people are exposed. This is probably what has been happening recently & causing the concentrated smell & chemical incidents in Mayfield (eg ammonia from Orica). Concentrated diesel or biodiesel vent incidents are almost inevitable with this plant. The inversions and stable air conditions frequently experienced in Mayfield make this a bad area for such a plant.

Objection

22. 2009 was not a very still year so the 2009 air conditions used do not assess a worst case scenario.
23. The Marstel proposal for Mayfield should be refused.