

25 June 2019

19-D 00869

s 9(2)(a)
Radio New Zealand News

s 9(2)(a) @radionz.co.nz

Dear s 9(2)(a)

Thank you for your email of 14 May 2019 requesting the following under the Official Information Act 1982 (the Act):

1. *Any report or briefing or similar from NZDF re PFAS that MfE has received since April 1, 2019;*
2. *Any report or briefing or similar from Environmental Protection Authority re PFAS that MfE has received since April 1, 2019;*
3. *Any correspondence re PFAS with regional or unitary councils in Manawatu, Auckland, Marlborough received since April 1, 2019.*

The Ministry for the Environment has identified six documents in scope of your request. Part of the information you have requested is enclosed. The attached table lists the documents falling within the scope of your request and notes any OIA provisions that have been applied.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

Some of the content of two PFAS Working Group minutes fall outside of the scope of your request; the in-scope content has been extracted and is provided as two excerpt documents. This is to avoid the provision of a document that is heavily redacted.

The fourth paragraph under the EPA update in document number 1 states that "there is a phased-out approach provision available in HSNO". The EPA have since identified that this statement is not fully accurate, and that this sentence should read "this includes a staged phase-out approach for fire-fighting foams and a similar provision could be considered under HSNO". The excerpt for release has not been amended, as this was only highlighted following receipt of your OIA request.

You have the right to seek an investigation and review by the Office of the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found on their website at: www.ombudsman.parliament.nz.

Please note that due to the public interest in our work the Ministry for the Environment publishes responses to requests for official information on our website on our [OIA responses page](#) shortly after the response has been sent.

If you have any queries about this, please feel free to contact our Executive Relations team.

Yours sincerely



Glenn Wigley
Director, Natural and Built System

Released under the provision of
the Official Information Act 1982

List of documents

No.	Date	Content	Decision	OIA Section/s applied (if withholding information)
1	10 April 2019	PFAS Working Group Meeting Action Points - excerpt	Release in part	S9(2)(a)
2	8 May 2019	PFAS Working Group Meeting Action Points – excerpt	Release in part	S9(2)(g)(i)
3	3 April 2019	Email from Auckland Council	Release in part	S9(2)(a)
4	4 April 2019	Email from the Environmental Protection Authority	Release in part	S9(2)(a)
5	18 April 2019	Email chain between Marlborough District Council, the New Zealand Defence Force and Ministry for the Environment	Release in part	S9(2)(a)
6	8 May 2019	Email chain between Marlborough District Council and Ministry for the Environment	Release in part	S9(2)(a)

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PFAS Working Group Meeting Action Points, 10 April 2019 - excerpt document

2. Update from agencies

a. Councils

Marlborough: in the process of finalising a long-term monitoring programme.

Horizons: awaiting outcome of NZDF Ohakea comprehensive site investigation report. Will be catching up with Rob Owen from NZDF to discuss in more detail.

Auckland: council staff member queried what the situation was with the landfill and waste water work – Bruce advised Auckland Council that this area of work is being considered by the HEPA, so MfE have taken a step back and are instead working through the national chemical working group process.

b. EPA: investigation report published last week, no media follow-up has been received. s9 (2)(a) confirmed that all sites investigated are listed in the report. The report concentrated on PFOS foams. s9 (2)(a) advised that foams with PFOA derivatives are not non-compliant except where they also contain PFOS which were captured in the investigation.

Working Group queried whether vessels which are not New Zealand registered are captured: s9 (2)(a) advised that legal advice would need to be taken on how compliance in that area is carried out but that there may be foreign ships in New Zealand waters with PFOS foam on board (as the ban is not global). Maritime New Zealand should be able to advise further.

EPA are preparing a discussion document regarding the proposal to update the firefighting chemicals group standard. It is anticipated that this document will be available for consultation by June 2019.

The next meeting of the Stockholm Convention is coming up, and will include the listing of PFOA. s9 (2)(a) advised that there is a staged phase out approach provision available in HSNO*. It was noted that identification between fluorinated and non-fluorinated foams is more relevant than identification between C6 and C8 foams. s9 (2)(a) advised that greater awareness surrounds PFAS now, so communication/ notifications on any further prohibitions will have a wider coverage/ audience.

f. NZDF: Ohakea comprehensive site investigation report not yet finalised, NZDF will provide an update at the next Working Group meeting (8 May 2019). Some challenges with terminology consistency encountered.

**The text in the minutes is provided as is, however please note the correction in the covering letter in relation to this sentence.*

PFAS Working Group Meeting Action Points, 8 May 2019 - excerpt document

2. Update from agencies

a. Councils

Auckland: s 9(2)(g)(i)

[REDACTED]

No update available regarding Auckland airport.

Marlborough: MDC are in discussion with NZDF regarding installing 1 or 2 monitoring bores located down hydrological gradient from the base. Exact location and number of bores yet to be agreed. This will form part of Marlborough Councils long-term monitoring programme.

b. EPA: representative not present.

f. NZDF: NZDF met with Horizons to discuss the draft Ohakea CSI* report. The next step for NZDF is to brief the Minister of Defence. The Waitemata Story Report is nearing completion and may possibly be available before the Ohakea and Woodbourne CSIRs**. NZDF have been working with MfE and the Manawatu DC on the progress of a possible Ohakea Community Water Scheme.

**Comprehensive Site Investigation*

***Comprehensive Site Investigations Reports*

Released under the Official Information Act

Jessica Jennings

From: s 9(2)(a)
Sent: Wednesday, 3 April 2019 9:19 AM
To: Victor.Lenting@fireandemergency.nz
Cc: s 9(2)(a); Jessica Jennings; s 9(2)(a)
Subject: FENZ PFAS media response - Auckland Council enquiry

Hi Victor,

I am just following up with you about the FENZ media response to Radio NZ around the prioritised PFAS sites for further investigation (including the one in Silverdale (Auckland)).

s 9(2) our s 9(2)(a) (copied in here) is having problems contacting the FENZ comms person (who is on leave) to clarify if this media response has gone out so far this week?

Could you please let us know if it has in fact gone to Radio NZ or the timeline for its release, so that we can make sure our elected members are appropriately informed.

Thank you for your time with this matter. Please feel free to ring me if that is easier.

Regards

s 9(2)(a)
s 9(2)(a)

If you have an action required of me by email, please do not cc me in to the message, thank you.

s 9(2)(a)

Environmental Monitoring, Air/Freshwater Team
Research & Evaluation Unit (RIMU)
Auckland Plan, Strategy & Research

Mobile s 9(2)(a)

Te Kaunihera o Tāmaki Makaurau / Auckland Council, Level 24, 135 Albert St, Auckland
Visit our website: www.aucklandcouncil.govt.nz



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Jessica Jennings

From: s 9(2)(a) @epa.govt.nz>
Sent: Thursday, 4 April 2019 10:13 AM
To: s 9(2)(a)
Subject: EPA Investigation report, media release, backgrounder
Attachments: PFOS Report Media Release FINAL.DOCX; PFAS report - Findings of the EPA national investigation into firefighting foams containing PFOS - FINAL.pdf; PFOS - Background Information FINAL.docx

Please find attached links to the EPA's report on its investigation into PFOS firefighting foams, along with a media release and background.

These can now all be found on the EPA website.

Regards

s 9(2)(a)

s 9(2)(a)

Principal Advisor Strategy

s 9(2)(a)



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Jessica Jennings

From: Sarah Brand-8469 <Sarah.Brand@marlborough.govt.nz>
Sent: Thursday, 18 April 2019 12:11 PM
To: Jessica Jennings
Subject: FW: Draft PFAS Monthly Briefing April 2019 (unclassified)

Hi Jessi,

See below but just speaking to Owen, can we amend to the below. Realise this may be too late!

"A journalist at the Marlborough Express claims she was told by a grape grower that they had pulled up their vines due to PFAS contamination. Marlborough District Council has questioned the veracity of this statement and is following up with the journalist when she returns from Easter leave. We note that grape growers do regularly remove vines for a variety of reasons.

NZDF, at the request of local wine growers, tested soil, irrigation water and grapes in the vicinity of Base Woodbourne. The tests did not detect any PFAS in grapes.

Cheers

Sarah

Sarah Brand Ph.D.
Environmental Scientist



**MARLBOROUGH
DISTRICT COUNCIL**



Phone: 03 520 7400 | Mobile: 027 214 0196 | 15 Seymour Street | PO Box 443
Blenheim 7240 | New Zealand | www.marlborough.govt.nz
Sarah.Brand@marlborough.govt.nz

From: Owen Robert, Mr [mailto:ROBERT.OWEN@nzdf.mil.nz]
Sent: Thursday, 18 April 2019 11:55 AM
To: Sarah Brand-8469
Subject: RE: Draft PFAS Monthly Briefing April 2019 (unclassified)

Thanks

Sorry to be brief. s 9(2)(a)

Regards

From: Sarah Brand-8469 <Sarah.Brand@marlborough.govt.nz>
Date: Thursday, 18 Apr 2019, 11:40 AM
To: Owen Robert, Mr <ROBERT.OWEN@nzdf.mil.nz>
Subject: RE: Draft PFAS Monthly Briefing April 2019 (unclassified)

Hi Rob,

We weren't involved with the testing that was between NZDF, MPI and the wine industry, so happy to go with your amendments below.

In the end we just wanted to highlight that vines being ripped out due to PFAS was not the whole story.

Cheers
Sarah

Sarah Brand Ph.D.
Environmental Scientist



**MARLBOROUGH
DISTRICT COUNCIL**



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Blenheim 7240 | New Zealand | www.marlborough.govt.nz
Sarah.Brand@marlborough.govt.nz

From: Owen Robert, Mr [mailto:ROBERT.OWEN@nzdf.mil.nz]
Sent: Thursday, 18 April 2019 11:04 AM
To: Sarah Brand-8469
Subject: RE: Draft PFAS Monthly Briefing April 2019 (unclassified)

Sarah

Would you be comfortable amending the wording beyond food safety?

Something like "NZDF tested soil, irrigation water and grapes. The tests did not detect any PFAS in grapes."

That might help address the perception/brand matters.

Regards
Rob Owen
Director Environmental Services
Defence Estate and Infrastructure
027 293 2734

Environment – A natural part of all NZDF decision-making

If you need me to act on, or see, your email please do not cc it to me

From: Sarah Brand-8469 [mailto:Sarah.Brand@marlborough.govt.nz]
Sent: Thursday, 18 April 2019 8:42 a.m.

s 9(2)(a)

Subject: RE: Draft PFAS Monthly Briefing April 2019

Morning Jessi,

Please see our comment below re the Media & Communication section to provide more details in relation to the firefighter article which states vines are being pulled out due to PFAS.

"A journalist at the Marlborough Express claims she was told by a grape grower that they had pulled up their vines due to PFAS contamination. Marlborough District Council has questioned the veracity of this statement and is following up with the journalist when she returns from Easter leave. We note that grape growers do regularly remove vines for a variety of reasons.

NZDF, at the request of local wine growers, tested grapes from vineyards in the vicinity of Base Woodbourne for the presence of PFOS and PFOA and the results came back negative. At the time NZDF released this information and provided reassurance for growers and the wine industry, with MPI being confident there was no food safety risk for grapes or wine from PFAS."

Thanks

Sarah

Sarah Brand Ph.D.
Environmental Scientist



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Blenheim 7240 | New Zealand | www.marlborough.govt.nz
Sarah.Brand@marlborough.govt.nz

From: Jessica Jennings [<mailto:Jessica.Jennings@mfe.govt.nz>]

Sent: Wednesday, 17 April 2019 10:30 AM

s 9(2)(a)

Subject: Draft PFAS Monthly Briefing April 2019

Hello,

Please find attached the draft PFAS monthly briefing to Ministers Parker, Sage, Clark, Mark, O'Connor and Twyford.

Please could you review and provide any comment by 12pm tomorrow (Thursday 18th April). Apologies for the short time frame.

Many thanks,

Jessi Jennings – Analyst, All of Government PFAS Programme

Ministry for the Environment – Manatū Mō Te Taiao

Mobile: s 9(2)(a) Email: jessica.jennings@mfe.govt.nz Website: www.mfe.govt.nz

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Jessica Jennings

From: Sarah Brand-8469 <Sarah.Brand@marlborough.govt.nz>
Sent: Wednesday, 8 May 2019 12:20 PM
To: Jessica Jennings
Subject: RE: Checking meeting notes

Hi Jessi,

Yes that is pretty much it.

The bores are not necessarily going to be on the base boundary but located down hydrological gradient from the base. But yes location and number are still to be discussed.

Cheers
Sarah

Sarah Brand Ph.D.
Environmental Scientist



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Sarah.Brand@marlborough.govt.nz

From: Jessica Jennings [mailto:Jessica.Jennings@mfe.govt.nz]
Sent: Wednesday, 8 May 2019 11:24 AM
To: Sarah Brand-8469
Subject: Checking meeting notes

Hi Sarah,

Please could you check that the below is an accurate reflection of what you said in the PFAS meeting today?

Marlborough: in discussion with NZDF regarding installing 1 or 2 monitoring bores on the boundary of the base. Location of bores yet to be agreed. This will form part of the Marlborough Councils long-term monitoring programme.

Ngā mihi,

Jessi Jennings – Analyst, All of Government PFAS Programme

Ministry for the Environment – Manatū Mō Te Taiao

Mobile: 9(2)(a) Email: jessica.jennings@mfe.govt.nz Website: www.mfe.govt.nz

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