



15 NOV 2012

12-D-01645

Sam Napia
Director, Strategic Relationships and Projects
Thames-Coromandel District Council
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Dear Mr Napia

Thank you for your emails of 19, 20 and 21 October 2012 requesting, under the Official Information Act (OIA):

“all versions and iterations of the [national] priority list [of contaminated sites] from May 2011.”

You also comment that

*“There were two teams respectively working on the technical and policy aspects of the National Environmental Standard for assessing and managing contaminants in soil to protect human health (NES). I am concerned by suggestions that there was a lack of coordination and correlation of the work of these teams. **Please provide copies of minutes of correlation between these teams, or other documentation that would lay this concern to rest.**”*

and

*“The Ministry, justifiably, often points to the robustness of the policy development process whereby the toxicological draft reports that underpin Toxicological Intake Values for Priority Contaminants in Soil were peer reviewed by Dr Sim Ooi (Chadwick T&T, Australia) and Dr Peter DiMarco (Golder, Australia). However the same robustness appears not to have been applied to Methodology for Deriving Standards for Contaminants in Soil to Protect Human Health. It is not at all clear to us why this would be so. Please confirm that these different approaches were taken whereby only one of the two key documents that underpin the NES was internationally peer reviewed. **Please also explain why this was the case.**”*

In response to your requests, I can advise that a Technical Advisory Group and Policy Advisory Group were established to inform the development of the National Environmental Standard for assessing and managing contaminants in soil to protect human health. I consider that there was appropriate coordination between the two groups.

The policy group was established two years after the technical group, and hence there are no minutes or similar documentation between the two. However, coordination, collaboration and continuity was achieved by ensuring that there was crossover membership between two groups.

The Ministry's peer review process can seek local and/or international input as appropriate for the specific project. The *Methodology for Deriving Standards for Contaminants in Soil to Protect Human Health* was reviewed by a wide range of contaminated site professionals with relevant New Zealand expertise, including oversight from the technical group. It was not sent for international peer review because it was a New Zealand based methodology developed for New Zealand conditions.

Ten drafts of the National Priority List for Contaminated Sites fall within the scope of your request. However, as the list is incomplete and not yet in a state to appropriately brief the Minister for the Environment on priorities of contaminated sites in New Zealand, these have been withheld in full under s 9(2)(g)(i) of the OIA, to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any Department or organisation in the course of their duty.

Please be assured that the Ministry will continue to work with the Thames-Coromandel District Council to address the soil contamination issues at Moanataiari.

Under section 28(3) of the Official Information Act 1982, you have the right to ask the Ombudsman to review my response to your request.

Yours sincerely



Kevin Currie
Director, Environmental Regulation

Documents falling within the scope of your request

No.	Date	Content	Decision	OIA Section/s (if withholding)
1	16 August 2011	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
2	12 September 2011	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
3	12 October 2011	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
4	25 October 2011	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
5	26 October 2011	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
6	2 February 2012	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
7	27 July 2012	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
8	30 July 2012	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
9	6 September 2012	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)
10	5 October 2012	CSRF Priority Listing	Withheld in full	Section 9(2)(g)(i)