

Inquiry into the CFA Training College at Fiskville – Interim Report

Government Response

December 2015

The Government welcomes the Environment, Natural Resources and Regional Development Committee's (the Committee) Interim Report of its Inquiry into the CFA Training College at Fiskville and wishes to thank the Committee for its work to date.

The Government acknowledges the Committee has not completed its important Inquiry, but made its Interim Report on the basis of its "concerns about the environmental and health impacts of the spread of PFOS to neighbouring properties". The Government also recognises the Committee may not have received, or not had sufficient time to consider, evidence of measures already in place to address such concerns.

The Government accepts all recommendations in the Report. The response to each recommendation, including an outline of measures already in place, follows.

Recommendation 1(a) and 1(b)

"The Victorian Government oversee the thorough testing of soil and water, including tank water, on adjoining or relevant properties and the results assessed in light of the decisions made at Fiskville. It is important to ensure people living or working on those properties are not subject to ongoing unacceptable risks of exposure.

In addition, all information regarding exposure to PFOS, testing results and other decisions from authorities related to contamination should be made available to those property owners."

The Government recognises there is a level of concern among people or properties neighbouring the Country Fire Authority's (CFA) Fiskville site.

The CFA has already implemented a number of measures to remediate and manage the surface water and sediments in Lake Fiskville and the dams linked to the lake, and stop further discharges of water from the Fiskville water management system. Remediation works include storm-water and Beremboke creek diversion works and more recently the engineered bund construction to prevent perched water and overland drainage from the Practical Area Drill area exiting into the downstream environment, and the relocation of the soil management area.

Testing already undertaken

The Beremboke Creek flows from Fiskville directly through one neighbouring property (Property A), placing it at potential risk to Perfluorooctane Sulfonate (PFOS) exposure.

The CFA has arranged extensive testing of the family, stock, water and soil on this property, and has already provided the Committee with a submission and related detailed documentary evidence on this testing.

The owners of Property A have been briefed face-to-face and provided with the results of tests undertaken to date, and in addition, their legal advisors have also been provided with results.

Following the closure of the Fiskville site in March 2015, the CFA expanded the eligibility criteria for its health check program to include, among other groups, "people who live or have lived on neighbouring properties". People can access this program through contacting either the CFA's 24-hour Health and Welfare Hotline (1800 628 616) or an independent helpline for vulnerable witnesses established by the Department of Justice and Regulation (DJR) through its Victim Support Agency at the Committee's request (1800 819 817).

To date, it is known that the owners of one other neighbouring property (Property B) have availed themselves of this service. The residents of Property B have been briefed face-to-face on their pathology test results (including for PFOS levels) and the final environmental test results and provided the relevant reports. Further testing of the stock on Property B is planned, but is yet to be undertaken.

The Government will provide the reports from this testing to the Committee on orders for production.

The CFA has also produced to the Committee:

- a) all the environmental assessment reports undertaken in response to Professor Joy's report on Fiskville and its surrounds (Professor Joy is the independent expert commissioned by the CFA to produce a report into Fiskville in 2012);
- b) all the reports related to the testing of the family, their stock, soil and water of Property A; and
- c) the EPA accredited auditor's s 53V audit report.

The reports under (a) and (c) have been posted on the EPA's website since July 2014.

Further Government Actions

In light of the results of testing already undertaken and recognising the potential ongoing concerns, the Government has arranged face-to-face briefings with the five owners and occupiers of the eleven properties neighbouring the CFA's Fiskville site. These briefings:

- a) explain the soil and water testing already undertaken and offer to test the soil and water on those properties for PFOS;
- b) explain the human health testing already undertaken, the testing regime already available and offer to arrange testing; and
- c) if the test results disclose any elevated PFOS levels, offer to conduct PFOS tests of stock on those properties.

Any such testing will only be undertaken with the owner/occupier's consent.

The face-to-face briefings have been limited to owners and occupants of properties neighbouring the CFA's Fiskville site on the basis that:

1. the CFA ceased using firefighting foam containing PFOS at Fiskville in 2007;
2. the remediation works undertaken to date at Fiskville to minimise the off-site discharge onto neighbouring properties. Further remediation works are ongoing;
3. Cardno Lane Piper, environmental consultants, tested PFOS levels in the Beremboke Creek at six publicly accessible points between 1.2 and 44 kms downstream of the Fiskville site in October 2012. Those tests disclosed rapidly diminishing levels of PFOS with increasing distance from Fiskville, with even the highest levels closest to Fiskville considered to pose a negligible risk to human health and the environment;
4. extensive testing of stock at one adjoining property (Property A) considered to have the highest risk of PFOS exposure returned results well below the TDI (tolerable daily intake) estimate, and the results of the extensive environmental and human testing conducted on other properties close to the Fiskville site have returned similar or lower results; and
5. the most recent PFOS test results along the Beremboke Creek in May 2015 returned results either similar to or below those from the previous testing in October 2012.

Four of the five neighbouring property owners, including the owners of properties A and B, have already had briefings with government officers as described above.

The remaining property owner is currently overseas and wishes to be contacted to arrange a meeting upon his return in the following weeks. DHHS will coordinate this visit.

In addition to the above actions, DHHS visited the owners of property A on 13 July, 13 August and 11 November, to discuss their concerns about PFOS and health.

Owners and occupiers of other local properties not immediately adjacent to the CFA's Fiskville site are also entitled to seek access to the health check program through contacting either the CFA's 24 hour Health and Welfare Hotline (1800 628 616) or an independent helpline for vulnerable witnesses established by the Department of Justice and Regulation (DJR) through its Victim Support Agency at the Committee's request (1800 819 817).

Recommendation 1(c)

“Due to market sensitivity regarding contamination of food the Government considers the situation whereby local producers may not be able to sell their livestock or other produce.”

The Government recognises that the sale of Victorian and Australian meat and agricultural products relies on scientifically validated chemical residue testing. Unsubstantiated claims of chemical residues in food can cause long-term instability in market access and have adverse effects on trade in agricultural and food products and the overall economy.

Even if further testing undertaken on stock confirms the previous assessment that the stock on the neighbouring properties is safe for human consumption, there remains a risk of the market rejecting stock or produce from farms surrounding Fiskville.

Extensive testing of sheep from Property A has confirmed there is negligible risk to public health from consuming sheep raised on that property.

Although one stock agency has indicated that previous buyers will not purchase sheep raised on Property A, there are other potential avenues to market livestock from this property. The Department of Economic Development, Jobs, Transport and Resources is unaware of any other evidence of farmers on other neighbouring properties encountering difficulties in selling their livestock or other produce due to contamination concerns.

Further Government Actions

A representative of the Chief Veterinary Officer will participate in a face-to-face briefing with the remaining neighbouring property owner as described under Recommendation 1(a). These face-to-face briefings provide an opportunity for owners and occupiers to have animal health concerns, including livestock marketing, addressed.

Recommendation 2

“That the Victorian Government assess the feasibility of providing voluntary testing for PFOS free of charge to firefighters – career and volunteer – current and former staff at Fiskville, other trainees, and people who live or have lived on neighbouring properties. The Government, through the Department of Health and Human Services, is to report to the Committee on the feasibility of this process by September 2015.”

The Government has already expanded its testing arrangements to cover all the groups in the Committee’s interim recommendation.

In March 2015, the CFA expanded its health check program by:

- (a) adding testing for perfluorinated chemicals, including PFOS, to the pathology testing; and
- (b) broadening the groups eligible for referral for testing and health assessment to include:
 - trainees (practical firefighting);
 - trainees (CFA regional officers – 1970s);
 - other CFA employees and residents;
 - students, teachers and trainees including personnel from organisations other than the CFA, eg VicSES, Parks Victoria; and
 - persons from off-site including neighbours and contractors who regularly attended Fiskville.

In addition, the Department of Environment, Land, Water and Planning (DELWP) has encouraged staff, who have trained at Fiskville with any health concerns, to contact its People & Culture division, which will provide guidance on health assessments. The Department has committed to meet all costs associated with health testing for current and former employees of the Department and its previous iterations who spent time at the Fiskville site.

The EPA has implemented a program for past and present EPA staff who have trained at the site, which mirrors the approach adopted by DELWP.

WorkSafe will also consider whether health testing should also be offered to WorkSafe staff who have attended or trained at the Fiskville site.

DHHS responded to the Committee on this recommendation on 1 October 2015. The DHHS response to the Committee is Attachment A.

Further Questions from the Committee

The Committee wrote to DHHS on 8 October 2015 requesting further information on the CFA health check program (Attachment B). Amongst other things, the Committee asked whether the CFA health check program will cease in 2017 or continue to be provided for a longer period and, if so, for how long. DHHS has provided a response to the Committee on these questions (Attachment C).

Recommendation 3

“The Victorian Government ensures that any person who seeks records or documents relating to their involvement with Fiskville is able to do so from government agencies and departments without hindrance.”

The Government is committed to transparency on people’s involvement with Fiskville, including the provision of any related documents. As such, the CFA has already produced all the reports it has commissioned or received on environmental and human health assessments on Fiskville and its surrounds to the Committee. In addition, the EPA has posted most of these reports, including the EPA accredited auditor’s s. 53V report, on its website since July 2014.

As the Committee notes in its Interim Report, “(a)side from the CFA and MFB, Fiskville was used by a wide range of organisations, government agencies and private companies as a training ground.” (p. 58). The availability and quality of records on people, who have lived, worked or trained at Fiskville across this range of organisations is variable. These patchy records have compounded the difficulty for organisations in producing documents on request to people who have trained, worked or lived at Fiskville.

The Secretary, Department of Premier and Cabinet has written to the Secretaries of other Government departments to ensure that any person (including serving or past staff of departments or related agencies) who requests documents are provided with access as soon as possible (except where they would be exempt documents under the *Freedom of Information Act 1982*).

The CFA will establish links to all relevant health and environmental assessments held by various Government departments and agencies on its website to create a single portal for information about Fiskville.



Secretary

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Bronwyn Halfpenny
MLA Chair
Environment & Natural Resources Committee
Parliament House
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Dear Ms Halfpenny

The Interim Report of the Inquiry into the Country Fire Authority Training College at Fiskville made three recommendations to the Victorian Government. This letter specifically addresses recommendation 2 from the Interim Report, namely:

“That the Victorian Government assess the feasibility of providing voluntary testing for PFOS free of charge to firefighters - career and volunteer - current and former staff at Fiskville, other trainees, and people who live or have lived on neighbouring properties. The Government, through the Department of Health and Human Services, is to report to the Committee on the feasibility of this process by September 2015.”

The Department of Health and Human Services has participated in a working group with other relevant government agencies in order to prepare the following submission to the Inquiry in response to recommendation 2.

The membership of the working group includes Emergency Management Victoria, Country Fire Authority (CFA), Department of Economic Development, Jobs, Transport and Resources, Department of Environment Land, Water and Planning (DELWP), Department of Justice and Regulation, Environment Protection Authority (EPA), and PrimeSafe.

The Government can confirm that as of March 2015 the CFA expanded its health check program by adding testing for Perfluorinated Chemicals, including PFOS, to the pathology testing; and by broadening the groups eligible for referral for testing and health assessments to include:

- Trainees (practical firefighting);
- Trainees (CFA regional officers – 1970s);
- Other CFA employees and residents;
- Students, teachers and trainees including personnel from organisations other than the CFA, e.g. VicSES, Parks Victoria, etc.; and
- Persons from off-site including neighbours and contractors who regularly attended Fiskville.

Further information on the CFA's health surveillance program and how this has expanded over time is included at **Attachment 1**.

These expanded arrangements cover all the groups identified in the Committee's interim recommendation.

I trust that this will be of assistance to the Parliamentary Inquiry.

Should you require further information please don't hesitate to contact Carmel Flynn, Director Health Protection Branch on telephone 03 9096 7996 or at Carmel.Flynn@dhhs.vic.gov.au.

Yours sincerely



Kym Peake
Acting Secretary

1.10.15

Encl.

Attachment 1: Submission in response to recommendation 2

“That the Victorian Government assess the feasibility of providing voluntary testing for PFOS free of charge to firefighters - career and volunteer - current and former staff at Fiskville, other trainees, and people who live or have lived on neighbouring properties. The Government, through the Department of Health and Human Services, is to report to the Committee on the feasibility of this process by September 2015.”

Background

In 2012, as part of its response to the investigations and recommendations of the *Report of the Independent Fiskville Investigation* completed by Professor Robert Joy, the CFA set up:

- (a) a voluntary 5 year health surveillance program (commenced July 2012) for those individuals in the high and medium risk groups identified by Professor Joy:
 - Practical Area for Drills Workers;
 - Full-time Instructors; and
 - Instructors (Volunteers and Regional Staff).
- (b) a CFA Health and Welfare Hotline (commenced November 2012), which included a referral of eligible people for health checks and medical advice. [At the Committee’s request, the Department of Justice and Regulation established an independent helpline (and alternative medical referral pathway) through its Victims Support Agency].

These health checks included the following pathology tests:

- Full Blood Examination
- Urea & Electrolytes
- Creatinine
- Uric Acid
- Liver Function Tests and Creatinine Phosphokinase
- Fasting Cholesterol, Triglycerides and Glucose
- Thyroid Function Tests.

The individuals that formed the 'high', 'medium' and 'low' exposure groups in the Independent Fiskville Investigation were contacted by Professor Joy and his team with the assistance of the CFA.

CFA human resources, training and other personnel records were searched to identify all individuals that had or could have potentially been exposed to chemicals while undertaking hot fire training at Fiskville. On review of these records, advertisements were placed in the regional and local newspapers requesting contact by individuals who were not referenced in CFA records. This was to ensure that as many individuals in the same position were made aware of the investigation led by Professor Joy.

In addition, when the Herald Sun published the first story about health concerns related to the Fiskville site, in December 2011, a hotline was immediately set up by the CFA. Individuals were asked for their contact information and were routinely provided with updates as they became available.

PFOS Testing

In June 2013, the CFA offered PFOS testing free of charge to any person who may have consumed fish caught through recreational fishing in Lake Fiskville. This offer extended to the local community members and was promoted through the local media and in a Fiskville Update distributed to neighbouring properties through the mail.

Following the closure of Fiskville in March 2015, the CFA expanded its initial health check program (commencing in March 2015) by:

- (a) adding testing for Perfluorinated Chemicals, including PFOS, to the pathology testing; and
- (b) broadening the groups eligible for referral for testing and health assessments to include:
 - Trainees (practical firefighting);
 - Trainees (CFA regional officers – 1970s);
 - Other CFA employees and residents;
 - Students, teachers and trainees including personnel from organisations other than the CFA, e.g. VicSES, Parks Victoria, etc.; and
 - Persons from off-site including neighbours and contractors who regularly attended Fiskville.

The CFA's Medical Doctor has attended Darley a number of times this year (after Fiskville was closed) to brief the Fiskville staff and offer to arrange for them to be tested for PFOS and to discuss the results with individuals.

In addition to the above, the CFA generally provides extensive ongoing support programs and services organisation-wide. All CFA members are able to access programs such as the internal and external well-being services, the chaplaincy program and internal peer support programs.

The DELWP has been encouraging staff that if they have any health concerns to contact their department's People & Culture division who will provide guidance on health assessments. The Department has committed to meet all costs associated with health testing for current and former employees of the Department and its previous iterations who spent time at the Fiskville site.

The EPA has implemented a program for past and present EPA staff who have trained at the site, which mirrors the approach adopted by DELWP.



PARLIAMENT OF VICTORIA
Environment, Natural Resources and Regional Development Committee

8 October 2015

Ms Kym Peake
Acting Secretary
Department of Health and Human Services
Level 23, 50 Lonsdale Street
Melbourne VIC 3000

Dear Ms Peake

I am writing on behalf of the Environment and Natural Resources and Regional Development Committee (the Committee) regarding your letter dated 1 October 2015 responding to Recommendation 2 in the interim report of the inquiry into the CFA training college at Fiskville (the inquiry).

Thank you for the response provided by the Department of Health and Human Services (the department). This will be valuable in informing the Committee in the second phase of its inquiry.

To further assist with its inquiry, the Committee is seeking clarification regarding the eligibility of the expansion of the CFA health check program. The department's response to Recommendation 2 states that:

As of March 2015 the CFA expanded its health check program by adding testing for Perfluorinated Chemicals [PFCs], including PFOS, to the pathology testing; and by broadening the groups eligible for referral for testing and health assessments.

Can you please clarify the eligibility of the groups referred to in in (b) on page 4 of the department's response:

- Are there specific eligibility dates for people who trained, worked, attended, or lived near Fiskville? Or does eligibility for the program include the full date range of Fiskville's operation from 1971 to March 2015?
- Are family members of those in the groups referred to eligible for testing?

In addition, the background information provided on page 3 of the department's response indicates that when the initial health surveillance program was established in 2012 it was intended for the high and medium risk groups identified in the *Report of the Independent Fiskville Investigation* completed by Professor Robert Joy and that it would be in operation for 5 years. Can you please advise the Committee of the following:

- Is the expanded program continuing to follow the criteria of the health surveillance program established in 2012—that is, those groups considered at high or medium risk.
- Will the CFA health check program cease in 2017 or continue to be provided for a longer period (and how long)?

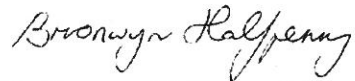
Finally, can you please provide further information regarding the objectives of the CFA health check program and what the free testing is intended to achieve.

To assist with the Committee's inquiry it requests that you provide a response by 23 October 2015.

If you have any questions about this matter, please contact the Committee Executive Officer, Dr Janine Bush on 8682 2842 or by email (janine.bush@parliament.vic.gov.au).

I appreciate your assistance with this matter.

Yours sincerely

A handwritten signature in cursive script that reads "Bronwyn Halfpenny".

Ms Bronwyn Halfpenny, MP
Chair



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Dear Ms Halfpenny

Thank you for your letter of 8 October 2015, addressed to Kym Peake, Acting Secretary, Department of Health & Human Services, requesting further information regarding the department's submission to the Inquiry into the Country Fire Authority (CFA) Training College at Fiskville. The Acting Secretary has asked me to reply on her behalf.

I understand you are seeking:

- clarification regarding eligibility of groups for the CFA Health Check Program
- whether the expanded program ceases in 2017, and whether it only considers groups who are at high or medium risk
- information regarding the objectives of the CFA Health Check Program

The department has consulted with the CFA and provides responses to the Inquiry's additional questions in relation to the CFA's Health Check and Health Surveillance Programs, at Attachment A.

Should you require further information, please don't hesitate to contact Carmel Flynn, Director Health Protection Branch by phone on (03) 9096 7996 or via email to Carmel.Flynn@dhhs.vic.gov.au.

I trust this is of assistance to the Parliamentary Inquiry.

Yours sincerely

Amanda Cattermole
Deputy Secretary
Regulation, Health Protection and Emergency Management

Attachment A:- Responses to additional questions in relation to Recommendation 2

Attachment A: Responses to additional questions in relation to Recommendation 2

Clarification Regarding Eligibility Of Groups for the CFA Health Check Program

- *Are there specific eligibility dates for people who trained, worked, attended, or lived near Fiskville? Or does eligibility for the program include the full date range of Fiskville's operation from 1971 to March 2015?*

Eligibility for the program has not been restricted through specific eligibility dates and includes the full date range of Fiskville's operation from 1971 to March 2015.

- *Are family members of those in the groups referred to eligible for testing?*

Members of families in these groups are eligible for testing, where they have lived at Fiskville or are assessed as at potential risk.

Whether the Expanded Program Ceases in 2017, and Whether it Only Considers Groups who are at High or Medium Risk

- *Will the CFA Health Check Program cease in 2017 or continue to be provided for a longer period (and how long)?; and is the expanded program continuing to follow the criteria of the health surveillance program established in 2012—that is, those groups considered at high or medium risk?*

The CFA Health Surveillance Program was established in 2012 following the release of the Joy Report and addressed those persons which Professor Joy identified to be in the high and medium risk groups. As individuals come onto the CFA Health Surveillance Program the five year period for each individual commences as of that date. Hence, the program will not cease in 2017, but will be reviewed for each individual as their five year surveillance period concludes.

The CFA Health Check Program was established in March 2015 and expands eligibility beyond the high and medium risk groups. It involves a one off health check by utilising either the CFA Medical Officer or the individual's own medical practitioner (overseen by the CFA Medical Officer). Where the CFA Medical Officer recommends that the individual be moved to the five year CFA Health Surveillance Program this is then offered to the individual.

Information Regarding the Objectives of the CFA Health Check Program

- *Can you please provide further information regarding the objectives of the CFA health check program and what the free testing is intended to achieve.*

The objectives of the CFA Health Check Program are to:

- a) provide a health and wellbeing information hotline service for people with concerns about the allegations of use of and potential exposure to hazardous chemicals used in firefighting practices at CFA Training College, Fiskville from 1971
- b) support the process of identifying those individuals and groups at risk due to use of, and potential exposure to, hazardous chemicals used during firefighting practices at CFA Training College, Fiskville from 1971
- c) provide coordinated health and welfare advice to those who believed they may be at risk or have health concerns (and who request support) due to use of, and potential exposure to, hazardous chemicals used in firefighting practices at Fiskville from 1971
- d) provide coordinated medical and welfare assessment to those identified as potentially at risk as appropriate and in conjunction with the Compensation Claims function
- e) establish and maintain a complete case management system that captures all relevant information to enable ongoing support of those identified as at potential risk
- f) establish a database utilising existing incident reporting and health monitoring protocols to record, track and support people following the conclusion of the independent investigation by Professor Joy.