



Australian Government

Department of the Environment, Water, Heritage and the Arts

Mr Andrew Berger
Solicitor Assisting the Inquiry
Montara Commission of Inquiry
GPO Box 890
Canberra ACT 2601

Dear Mr Berger

Montara Inquiry Draft report – Environmental response

Thank you for the opportunity to provide comment on the draft set of preliminary findings sent to me under cover of your letter of 17 May 2010. This department has little comment to make on the preliminary findings. We note a typographical error in Paragraph 1.11 where the Net Environmental Benefit Analysis is referred to as the Net Economic Benefit Analysis

We welcome the focus in the preliminary findings on the environmental monitoring and response to the incident and those aspects of the regulatory framework which the Commissioner believes should be improved. A more general comment that we wish to make, however, relates to Paragraph 3.10 of our original submission to the Commission concerning the limited capacity to control the release. While recognising this issue may be covered in another area of the report, we would also welcome any findings or recommendations that may result in enhanced effort by industry to improve its own practice or develop new technologies to more quickly control, contain or 'kill' any uncontrolled spill that might occur in the future. The Department would be happy to review and comment upon any relevant text or recommendations in this regard, as the Commissioner sees fit.

Yours sincerely

Gerard Early
Deputy Secretary

24 May 2010