

15 August 2019
LEXD 3944

Ms Else Kennedy

By email: foi+request-5542-ebca23ed@righttoknow.org.au

Dear Ms Kennedy

Freedom of information request dated 30 July no. LEXD 3944 regarding monitoring of Building 164 at Melbourne University's Parkville campus

I refer to your request for access to documents relating to the monitoring of Building 164 at Melbourne University's Parkville campus during, prior to and following its demolition under the *Freedom of Information Act 1982* (FOI Act).

I, Roslyn Hatton, ANSTO Deputy Chief Financial Officer, am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

I am writing to tell you that I believe that the work involved in processing your request in its current form would substantially and unreasonably divert the resources of this agency from its other operations due to its complexity and broad scope. This is called a 'practical refusal reason' (section 24AA).

On this basis, I intend to refuse access to the documents you requested. However, before I make a final decision to do this, you have an opportunity to revise your request. This is called a 'request consultation process' as set out under section 24AB of the FOI Act. You have 14 days to respond to this notice in one of the ways set out below.

Why I intend to refuse your request

In your request you sought documents relating to *the monitoring of Building 164 at Melbourne University's Parkville campus during, prior to and following its demolition*.

I decided that a practical refusal reason exists because:

- I have made some preliminary enquires about the number of documents that could potentially be covered by your request and these documents would be extremely extensive. This is because your request is about documents relating to '*monitoring*' without specifying the nature of the monitoring. I presume that you are talking about radiation monitoring. However, other types of monitoring, such as for heavy metals and other hazardous materials may also have taken place. This requires additional searches to be undertaken and catches a large number of records.

- As detailed below, radiation monitoring could include measurements at the site, or sites, laboratory tests, scan tests by equipment on an ad hoc basis, and other measurements taken by personal monitoring devices worn by ANSTO staff and contractors, measuring their exposure or cumulative dose. These records are extensive.
- ANSTO's arrangements with Melbourne University are under a commercial in-confidence contract, or contracts, which have been in place since approximately late 2011 to early 2012 until the present. This time period makes for extensive searches which have to be undertaken to locate and consider all relevant documents.
- As a careful service provider and handler of radioactive and other hazardous materials, ANSTO staff have monitored the conditions of buildings it was working on or near, soil, clothing, and any barrels or containers containing radioactive, or potentially radioactive material. In addition, staff would wear a thermo-luminescent dosimeter (TLD) or other personal monitors to ensure that any exposure to radioactive material was minimised. This monitoring may occur on more than one occasion each day, and may involve numerous measurements on the site, at ANSTO's facilities, or by third parties. Accordingly, these records could number in the thousands and locating them all would be onerous and divert the agency from its key functions.
- In addition, various reports, spreadsheets, emails and other correspondence with our client, our regulators and their regulators, may include monitoring results which would be caught by the request, over the same extensive time period.
- Once located, all the subject documents would have to be considered to determine whether it is appropriate to grant, refuse or defer access to a document to which the request relates, or to grant access to an edited copy of such a document (including resources that would have to be used for examining the document or consulting with any person or body in relation to the request including our client), making a copy or an edited copy, of the document, and notifying any interim or final decision on the request. The resources required to satisfy the request would therefore be extensive, costly, and divert ANSTO from fulfilling its important statutory and other functions.

Request consultation process

You now have an opportunity to revise your request to enable it to proceed.

Revising your request can mean narrowing the scope of the request to make it more manageable or explaining in more detail the documents you wish to access. For example, by providing more specific information about exactly what documents you are interested in, our agency will be able to pinpoint the documents more quickly and avoid using excessive resources to process documents you are not interested in.

In this particular case, I am told that certain spreadsheets exist which summarise various types of radiation monitoring at the University site over a recent period. I am also informed that there are a number of reports or documents which may summarise findings or results of monitoring. This should be a manageable cache of documents for the agency to process, although third parties, including our client would have to be consulted about the release of the subject documents. I would not be inclined to produce radiation monitoring of staff or other contractors, as this would be personal information.

Before the end of the consultation period, you must do one of the following, in writing:

- withdraw your request
- make a revised request
- tell us that you do not wish to revise your request.

The consultation period runs for 14 days and starts on the day after you receive this notice.

During this period, you are welcome to seek assistance from the contact person I have listed below to revise your request. If you revise your request in a way that adequately addresses the practical refusal grounds outlined above, we will recommence processing it. Please note that the time taken to consult you regarding the scope of your request is not taken into account for the purposes of the 30 day time limit for processing your request.

If you do not do one of the three things listed above during the consultation period or you do not consult the contact person during this period, your request will be taken to have been withdrawn.

Contact officer

If you would like to revise your request or have any questions, the contact officer for your request is:

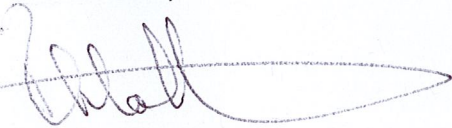
Anne McManus
Corporate Counsel
ANSTO

Ph: (02) 9717 3397
or
Email: anne.mcmanus@ansto.gov.au

With a copy to

Email: FreedomofInformationRequests@ansto.gov.au

Yours sincerely



ROSLYN HATTON
ANSTO DEPUTY CHIEF FINANCIAL OFFICER