

**Title:** MATTERS OF PUBLIC INTEREST: Environment: Ranger and Jabiluka Uranium Mines

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**Speaker:** Crossin, Senator Trish (ALP, Northern T)

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[Senator CROSSIN](#) (Northern Territory) (1.24 p.m.) —I rise this afternoon to discuss as a matter of public interest the recent news of four separate incidents involving the elevated levels of contaminants, most notably uranium, at the Ranger and Jabiluka uranium mines in the Northern Territory. More specifically, I want to address the delayed reporting of these incidents by both the operator of the mine, Energy Resources Australia, and the failure of the Howard government to ensure Kakadu's protection.

The Ranger mine has had more than its fair share of environmental woe over its 23 years. According to the Australian Conservation Foundation there have been no fewer than 110 environmental incidents over this period, ranging from unexplained elevated levels of contaminants to spillages, leaks and breaches of reporting requirements. Ranger, as most Australians would know, is within the external boundaries of Kakadu National Park, which is Australia's largest national park and one of only 10 Australian sites inscribed on the UNESCO World Heritage List. Kakadu is actually listed on that world heritage register for both its natural and cultural values.

It is therefore imperative that the operations of the Ranger mine are placed under the highest possible scrutiny to ensure that we both protect the natural and cultural values of Kakadu and thus meet our international obligations under the World Heritage convention. To this effect in 1978 the Commonwealth established the Office of the Supervising Scientist. It was tasked with the protection of Kakadu's environment. Twenty-four years on, it is now very clear that the procedures in place to ensure Kakadu's protection are grossly inadequate. The regulatory regime, with the Office of the Supervising Scientist having an overall watching brief and with the mining company collecting its own samples and providing analysis, is plainly not working.

Unfortunately, Ranger also has a long history of delayed reporting of environmental mismanagement. On 5 November 1981 an island appeared in the tailings pond at the mine, radioactive wastes were exposed and the matter was not reported until 19 November. On 23 November that year, the then Northern Territory minister for mines and energy closed down Ranger pending further investigations. Four days later, that same minister waived the requirement of a two-metre coverage of water over tailings at all times and Ranger was under way again. But 20 years on the system is still grossly inefficient, as evidenced by this month's reports of elevated levels of uranium and subsequent delays in reporting by the mining company.

But these events come less than two years after a comprehensive review of Ranger operations following a five-month leak of contaminants from the tailings dam. On the afternoon of 28 April 2000, ERA notified the Office of the Supervising Scientist and other so-called stakeholders although not including the Mirrar, who are the traditional owners. They were not informed until media reports of 3 May 2000 hit the headlines. ERA notified that approximately 2,000 cubic metres of tailings water had leaked from a pipe in the tailings dam corridor at the Ranger site between late December 1999 and 5 April 2000. Subsequently the company revealed that it had suppressed this information for over one month before releasing details to the Australian Stock Exchange.

Of course, it is now known that ERA knew exactly how high the levels of manganese were in the area around the mine site as early as December 1999. In failing to report this accident, ERA was in breach of environmental requirements and the working arrangements outlined in the memorandum of understanding between the Commonwealth government and the Northern Territory government. In his subsequent report, the Supervising Scientist concluded that ERA did not comply with its environmental requirements under the Atomic Energy Act section 41 authority. Specifically, the Supervising Scientist concluded that two environmental requirements were breached, namely, requirement 3.4, which states that processed water must be totally contained within a closed system; and, requirement 16.1, which states that the

company must directly and immediately notify the supervising authority, the supervising scientist, the minister and the Northern Land Council of all breaches of any of these environmental regulations and any—not the ones they choose—mine related event which is of concern to Aboriginals or the broader public.

When the news broke late in May 2000, this federal government promptly assured the public—somewhat prematurely, though— that Kakadu was safe; and they made a brief show of politely castigating ERA at the time. It was in this chamber—in fact, in the Senate on 27 June 2000—that the then Minister for Industry, Science and Resources, Senator Minchin, tabled the report of the Supervising Scientist into the tailings leak at Ranger, on behalf of the environment and heritage minister, Senator Hill. Senator Minchin detailed the recommendations of the Supervising Scientist, addressed each and reassured this parliament that they would be implemented. In fact a press release from Senator Hill at the time said this:

We will take the necessary action to extend the statutory environmental monitoring program to provide an additional early warning capability.

Senator Hill went on to say that Senator Minchin's support of the recommendation was vital to ensure that the changes required were delivered. After that, though, the Howard government, including both the industry and the environment ministers, simply forgot all about it. As current events have shown, the federal government and its agencies have clearly failed in their duty to protect Kakadu from the threats posed by uranium mining— because it has happened again. The news of this year's incidents and the subsequent reporting delay gives the lie to the government's assurances. Once again the Australian people have been let down. The environment of Kakadu National Park and the Mirrar traditional owners have been let down by this government. The World Heritage status of Kakadu has been tarnished once again by this government's abrogation of its responsibility.

In his June 2000 report the Supervising Scientist made 17 recommendations, four of which, I believe, have clearly not been

implemented. Recommendation 4 was that ERA provide for training to ensure its employees appreciated the need to inform supervisors of any events which could be of concern to local Aboriginal people or the broader community. Another recommendation was that ERA should 'upgrade the environmental protection staff structure at Jabiru' to ensure that the company has 'the on site ability to effectively identify, interpret and rectify environmental incidents'. Recommendation 9 was that statutory monitoring be extended to 'enhance its capacity to provide early warning of unplanned releases of contaminants'. If these recommendations had been implemented—and, clearly, one would assume that they have been; if they have not been, that is another serious matter for this parliament to consider—then the likelihood is that these recent events would not have taken place, and certainly not the delay in reporting. Ensuring ERA's adherence to the recommendations was the sole responsibility of this federal government, and it has plainly failed to meet that responsibility.

Several weeks ago, on the afternoon of 27 February, the Gundjehmi Aboriginal Corporation was informed that, a day earlier, ERA had notified individual members of the Alligator Rivers Region Technical Committee— not the whole committee as it sat in session, which is worthy of note, but individual members—that an incident had occurred at the Ranger mine, involving the incorrect stockpiling of uranium ore. While details remain sketchy at this point—which is, in itself, an indictment—it appears that ERA incorrectly dumped grade 2 ore into a rainwater sheeting area designed solely to run rainwater offsite and down the adjacent Corridor Creek, which feeds directly into the Magela wetlands.

The date of this dumping has not yet been ascertained. The ore was watered by rain, and a turbid run-off commenced entering Corridor Creek to the south of the mine site. Of course, with continual rainfall, most of the contaminant run-off bypassed the wetland filters in the Corridor Creek catchment and ran straight down the creek. In addition, the problem was exacerbated by incorrectly flowing run-off from a drain of another stockpile. Under the mine management plan, this water should flow to retention pond 2

and, therefore, remain there prior to filtration. Instead, it added to the contamination from the incorrectly placed ore.

Extraordinarily high levels of uranium in the Corridor Creek catchment were also recorded in early January by ERA, but no action was triggered and no report made to the stakeholders. It was not until 20 February this year that ERA commenced an investigation into the source of the elevated levels. ERA's investigation revealed, in fact, the incorrect placement of ore. They even said in their report:

... small laterite plumes from the toe of the stockpile, flowing west to the drain running to the Corridor system.

ERA have now capped the incorrectly placed stockpile, redirected the drains and introduced more frequent monitoring in the catchment. But how did it happen? How could such a serious blunder occur and go unnoticed and unreported? Has this company learnt nothing from its 1999-2000 experience? More importantly, why hasn't the Commonwealth government introduced measures to ensure that this could not happen again? Just how effective is the monitoring and reporting system that has been put in place by this company and the Office of the Supervising Scientist?

There is actually a three-tiered water monitoring system that comprises 'focus, action and limit'—too complicated to explain for the purposes of this parliament today. What should be known is that in the series of incidents that happened several weeks ago one of the levels actually reached the second stage, which is 'action', and that means that the company must immediately inform all stakeholders, including the Supervising Scientist, the NLC and the Northern Territory government. But by 7 January ERA knew that the sample collected on 2 January showed that the action level had been reached yet it failed to report the matter until some five weeks later. In not reporting having reached action level, the company has again breached its environmental requirements. But what has this government done? Has the minister even issued a formal statement? Has he said anything? No, he has not. Has the Supervising Scientist been directed to prepare a report or a review? We would

not know. Sadly, typically, this government is quiet. The silence from the minister's office is deafening.

Unlike the stunned minister, bunkered behind his minders, this party knows precisely what must be done. To ensure adequate scrutiny of what now appears to be a consistently failing system of monitoring and reporting in the Australian uranium mining industry, there needs to be a full and frank independent inquiry into exactly what is happening in these mines and what is happening with the monitoring and reporting requirements of this government to the Australian parliament and to the Australian people. The supervising scientist cited two reasons ERA had given by way of explaining the fact that they had breached two environmental requirements. Firstly, they said:

... recent changes in staffing at Ranger have resulted in the absence of a senior scientist with the ability to effectively identify, interpret and rectify environmental incidents.

Secondly, they said:

There is a lack of recognition by the Ranger Management Team of the needs and expectations of stakeholders that resulted in emphasis being placed on the absence of environmental impact rather than the issue of whether or not the incident would be of concern to Aboriginal people.

So ERA have blamed staffing and cultural ignorance within their organisation. This is an admission of an endemic problem, yet again this federal government has ignored it, washed its hands of its responsibility. ERA appear to have learnt nothing from June 2000 and because of Commonwealth negligence we are presented again with delayed reporting, breaches of environmental requirements and broken commitments. So how can the Australian people, and more particularly the traditional owners of Ranger, trust a government that so blatantly abrogates its domestic and international responsibilities to protect Kakadu?

The Mirrar people and the broader Australian public deserve that the truth be told about what happened at Ranger and Jabiluka to cause these environmental threats and subsequent secrecy. How did it happen and why?

Why does it continue to happen? What measures will now be put in place to ensure that this is not a growing trend? In the *Australian* newspaper on 7 March last week, the Gundjehmi Aboriginal Corporation called for action to be taken. (*Time expired*)