

LEGISLATIVE COUNCIL
Question on notice

Tuesday, 11 August 2015

3307. Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment.

I refer to question on notice No. 2852, asked in the Legislative Council on 10 March 2015 by Hon Robin Chapple to the Minister for Mental Health representing the Minister for Environment regarding the appeal lodged to the Contaminated Sites Committee and synthetic rutile plant on Lot 151 at 24 Goulds Road, Namgulu, and ask:

- (a) did the Minister provide incorrect information about the contamination being only on site (when the website referred in the answer clearly says that it is not);
- (b) if yes to (a), why;
- (c) if no to (a), why not;
- (d) why is the Minister of the opinion that there is no risk to the local population from the leaking radioactive waste dump that is relatively close to them;
- (e) why is the Minister not telling people about it;
- (f) why is the Minister allowing a radioactive waste dump to be situated where it is; and
- (g) how does this correspond to applicable Western Australian and Australian legislation and codes of practice?

Answer

The Minister for Environment has provided the following response.

- (a) No, the response to Legislative Council Question on Notice No. 2852 did not state the contamination was 'only on site'.
- (b) Not applicable
- (c) In reference to the extent of contamination at the site, I referred to the information available on the Contaminated Sites Database, which states that groundwater impacts beneath the site extend off-site to the west and south.
- (d) Contamination at the site and off-site is present as a plume of affected groundwater. There is no risk to the environment or human health as long as this contaminated groundwater is not used. The site's classification under the *Contaminated Sites Act 2003* (CS Act) includes a restriction preventing the abstraction of groundwater for any purpose other than analytical testing or remediation.

It is inaccurate to refer to the site as a 'radioactive waste dump'. The groundwater contamination has arisen through seepage from a tailings storage facility (TSF), which is used to store mineral process tailings that contain low levels of naturally occurring radioactive material.

- (e) Information about the nature and extent of the contamination at the site, including actions required to address contamination and statements relating to potential risk, is available to the public through the Contaminated Sites Database on the Department of Environment Regulation's (DER) website.
- (f) The plant produces titanium oxide products from mineral sands. The TSF is used for the containment of process waste from the Narngulu Synthetic Rutile (NSR) plant and is not a 'radioactive waste dump'. It is excluded from being considered a nuclear action in the Explanatory Memorandum to the *Environment Protection and Biodiversity Conservation Bill 1998*.

The plant was assessed by the Western Australian Environmental Protection Authority in 1985 (for the initial build) and then in 1989 (for the NSR plant expansion), under Part IV of the *Environmental Protection Act 1986* (EP Act) and Ministerial Statement 88. The plant is regulated by DER as a prescribed premises under the EP Act. Eneabba Mine Site and the NSR also operate under the *Mineral Sands (Eneabba) Agreement Act 1975*.

- (g) As stated above, the operation of the plant occurs under the provisions of the Mineral Sands (Eneabba) Agreement Act and the EP Act (Part IV and V). Under the Part IV EP Act application, the proponent commitments made via the Public Environmental Report are currently included in Iluka's environmental management plans. The site is also subject to the requirements of the CS Act.

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