



Alliance for a Clean Environment

Promoting Community Right to Know and Environmental Health and Justice in WA

10/02/2009

Petition – Regulation of transport, management, handling and export of mining products in West Australian ports

Enclosed is a copy of the Petition that the Alliance for a Clean Environment (ACE) will present to the West Australian Parliament.

In Western Australia over the last 10 years, several major environmental health disasters have brought the public's attention and concern to the failings of our government's ability to safely regulate industry and the transport, handling and export of hazardous and dangerous materials in our state.

WA prides itself on the major contribution it makes to the global economy through the mining and extractive industries. The city of Perth clearly exhibits the wealth and culture generated by this industrial based economy. Yet such industry's come with high environment and health costs that are rarely acknowledged or considered within the cost benefit analysis and approvals processes by both industry and government.

There is growing public concern that WA does not have specific environmental health protection laws nor recognition within existing legislation to protect the most vulnerable in society, our children, the elderly and those with compromised immune systems and our indigenous citizens who are disproportionately impacted by mining and heavy industry development in our regional areas.

Since 2001 there have been 3 major parliamentary inquiries over significant industrial related environmental health disasters.

The Waste Control Fire Inquiry (2001), which stated...

“Chemical Storage at the Waste Control Site:

- *From the time of the first regulatory agency inspection did not comply with regulations; and*
- *At no time was in complete compliance with either the DEP or DME licence conditions.*

(Finding 12. p29, Bellevue Hazardous Waste Fire Inquiry 2002)

The Cockburn Cement ministerially initiated independent audit (2002), which found that there were deficiencies in the Department of Environmental Protection's management and regulation of the Munster site.

The Alcoa Inquiry (2004) which stated....

Inquiry Rec 20:

The Committee recommends that the Government, as a matter of priority, develop and finalise air emission guidelines specific to WA and that these should include VOC's and standards for multiple chemical exposure.

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And the recent Inquiry into the lead impacts at Esperance (2007) which stated...

“DEC staff and resources assigned to approving projects vastly outweighs the staff and resources assigned to post approval compliance monitoring and auditing.”

- ***There were critical failures by the EPA, the DEC and Magellan Metals P/L to implement DoH recommendations and advice in the environmental approval processes associated with the events that are the subject of this inquiry (finding 23)***
- ***The committee believes that the DEC, Esperance Port Authority and Magellan metals P/L, all failed substantially in meeting their responsibilities regarding the effectiveness of dust management, monitoring and reporting lead levels in the Esperance area. (finding 55)***
- ***Critical advice about the Esperance Port Authority’s environmental licence and dust monitoring regime received from the DoH in Sep 2005 was not followed up the Department of Environment until Feb 2007.(finding 149)***

Of particular concern to the public is the lack of action by our government to enact recommendations that have been made as far back as the Waste Control Inquiry of 2001 and again in later inquiries. For example....

(Bellevue Fire report 2002) Rec 8. The EIA process as contained in the EP Act 1986 be expanded to:

- ***Incorporate a health impacts assessment where appropriate; and***
- ***Involve the Health Department of WA in the process of the health impact assessment.***

(Alcoa Refinery at Wagerup Inquiry 2004) Rec 29. The Committee recommends that the Government review legislation and make necessary amendments to ensure that the Dep’t of Health has a formal role in advising the Environmental Protection Authority in relation to the assessment of projects that may impact on public health.

(Inquiry into the Cause and Extent of Lead Pollution in the Esperance Area 2007)

Rec 10. The Committee recommends that there be a legislative requirement for the Department of Health to conduct a health impact assessment as part of the Environmental Assessment Process.

It is clear that our current government aims to fast track industrial and mining approval processes in WA enabling more mining and industrial activity through our towns, ports and environments. The increased risks this will bring to the health of our population and protection of our environment needs urgent recognition. The potential for uranium mining and other high risk proposals to gain approval in WA is becoming a reality. Therefore it is urgent and timely for our government to investigate the adequacy of our current regulatory framework to safely protect our workers, public health and environment at all WA Ports and along transport routes where the handling management, transport and export of hazardous and dangerous materials are carried.

It is unbelievable that with such wealth as is generated in this state from the heavy, extractive and mining industries that some of this wealth is not directed to ensure the protection of our environment, public health and future generations.

Please consider signing this petition and disseminating it widely. ACE plans to present this petition to Parliament at the end of March 2009. Please ensure that you post all completed and partly completed petitions to ACE at PO Box 254, Guildford WA 6935 before the 31st March 2009.

Jane Bremmer
on behalf of the
Alliance for a Clean Environment Inc.

