



# Mine companies failing tests

By Nigel O'Connor

The capacity of environmental regulators in the Northern Territory to effectively prosecute standards and ensure mining industry compliance has again been brought to public attention.

In February, a report released by the NT Government's Environment Protection Authority (EPA) highlighted systemic flaws in the enforcement of environmental regulations – describing industry in the Territory as “self-regulating”.

The findings coincide with fears by traditional owners of the Kakadu region of an imminent environmental catastrophe resulting from unsafe mining practices.

The Top End has seen its wettest monsoon season on record. Heavy rainfall has brought flooding to many parts and with two months of the Wet remaining further downpours are inevitable.

For the Mirrar people, traditional owners of Kakadu National Park, the prospect of more heavy rain brings fear that a major environmental disaster is looming.

In February, representatives of the Mirrar travelled to the Gold Coast and met with a delegation from the European Parliament, expressing concerns over the uranium mine on their country.

Prior to their trip, Energy Resources Australia (ERA), the subsidiary Rio Tinto company operating the Ranger uranium mine within the Park, was forced to cease milling as the radioactive tailings dam approached its limits of capacity.

Tailings dams are used in mining to collect industrial waste water. In uranium mining the accumulated waste is radioactive, making the tailings dam a potential

environmental hazard.

Northern Land Council (NLC) Chief Executive, Kim Hill, said ERA had a duty of care to begin pumping water from its Ranger tailings dam into its operational pit – even if this meant a longer shutdown of mining activities.

“There’s more than 10 million litres of radioactive contaminated water sitting at the mine site and this is in a World Heritage listed area,” he said.

A CSIRO study estimates that 150,000 litres of water leaks into Kakadu from the Ranger mine – per day.

ERA supplies 10 percent of the world’s uranium and Justin O’Brien, Executive Officer of the Mirrar-run Gundjeihmi Aboriginal Corporation, feels greed has clouded the judgement of operators at Ranger.

“This situation has arisen because of poor mining practices fuelled by economic imperatives, which have come at the cost of basic environmental protection and simple common sense,” he said.

Mr O’Brien said Gundjeihmi had consistently raised concerns regarding environmental safety at Ranger.

“For at least a decade the Mirrar people, through Gundjeihmi Corporation and the Northern Land Council, have consistently called for an overhaul of Ranger’s environmental management,” he said. “These calls have fallen on deaf ears.”

Mr Hill believes these concerns to be related to the ability of environmental regulators to function in the NT.

“We should not have arrived at the point where the tailings dam is brimming to capacity,” he said. “ERA should have seen this coming long ago but as the water rose the company continued to mine.”

The Department of Resources, the Department of Environment and EPA are responsible for ensuring industry compliance in the Territory.

In early 2010, a series of whistleblower disclosures highlighted the lax enforcement of environmental standards in the NT. In each instance the company responsible had failed to report incidents which only came to public attention when diligent workers contacted media organisations.

These incidents included the dumping of 88 tonnes of alumina oxide into Gove



Harbour by Rio Tinto Alcan and the release of two tonnes of copper concentrate into Darwin Harbour during loading at East Arm Wharf.

In April, BHP Billiton oversaw a spill of between one and two tonnes of manganese ore into the port of Groote Eylandt.

Following these incidents the NT's Minister for Natural Resources and Environment, Karl Hampton, was forced to declare he was "putting heavy industry on notice" and claimed he would "come down hard on companies". The result was a doubling of fines for non-reporting of incidents and a doubling of EPA monitoring staff from three to six.

The latest EPA report examined the circumstances surrounding the leaking of 75,000 litres of unleaded fuel

from an old storage tank at Rio Tinto Alcan's Gove bauxite mine site.

In releasing the findings Dr Andrew Tupper, Chair of the EPA board, described several key systemic problems with environmental enforcement in the Northern Territory.

These included:

- \* A lack of existing requirements for infrastructure on mining sites to be monitored or inspected for environmental risks;

- \* Mine Management Plans not being made public and inspections on mine sites are not required to be reported, resulting in little or no transparency of the way the Department of Resources are managing environmental risk;

- \* Inspections occur reactively rather than preventatively and are sporadic and infrequent

Dr Tupper said the mining industry has become largely self-regulating and self-reporting, "exposing the NT to an increased risk of damage to the environment from neglect, poor process and poor decision making".

Following the release of the EPA report Mr Hill said it was clear that industry self-regulation in the NT was failing.

"Mining companies have shown that they can't be trusted to monitor themselves and the government needs to step in and end this ridiculous situation immediately," he said. "What is needed is a collaborative approach engaging traditional owners, where relevant, and responsible government agencies with the capacity and powers to ensure the pollution of the environment is not seen as mere collateral damage in the pursuit of larger profit margins for company shareholders."



Ranger uranium mine's tailings dam has neared capacity and locals fear an environmental disaster is imminent.

Photo by Dominic O'Brien.