

Submission
No 393

INQUIRY INTO 'ENERGY FROM WASTE' TECHNOLOGY

Organisation: No Incinerator for Western Sydney

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No Incinerator for Western Sydney Submission: Inquire Into Waste to Energy

No Incinerator for Western Sydney's comments relating to statements made by Mr Malouf and Christopher Biggs of The Next Generation NSW Pty Ltd.

Mr MALOUF: "We run a transparent operation". "We are proud of our record and there are no deliberate or intended environmental breaches".

Over the course of the hearings into waste to energy technology, both Ian Malouf and Christopher Biggs have been questioned about past environmental breaches. Their answers to these questions show an example of just how transparent their business really is. Not at All. It shows a record of environmental breaches that they are refusing to acknowledge even though these breaches are on the public record by the EPA.

Statements from Hearing 17

"PENNY SHARPE: There was quite a lot of discussion about the number of breaches that you previously had in relation to your operations over time. In fact, there was denial there had even been prosecution. Do you accept that there have been 18 breaches with your previous properties since 2005? Mr MALOUF: All that information has been supplied to you. The Hon. PENNY SHARPE: No. What I am asking you is this: Given that your officers at the previous inquiry wanted to argue with members of the Committee in relation to breaches, will you confirm there have been 18 breaches of your compliance since 2005 at your various sites? Mr BIGGS: Can I just say, in response to that, that if it is on the public record, then we agree with the public record. The Hon. JOHN GRAHAM: That is different from the evidence you gave to the Committee, Mr Biggs. Thursday, 17 August 2017 Legislative Council Page 46 UNCORRECTED PROOF PC6 Mr BIGGS: No. The Hon. JOHN GRAHAM: It was, in answer to a question from Penny Sharpe, "There were not breaches? You were not fined by the EPA?" Mr BIGGS: No, that was in relation— The Hon. JOHN GRAHAM: You said, "No." Mr BIGGS: Can I just say that that was in relation to a specific issue I was asked in relation to asbestos. The Hon. JOHN GRAHAM: I just want to give you the opportunity to withdraw that answer, though— Mr BIGGS: Okay. The Hon. JOHN GRAHAM: If you would like to take that chance today. Mr BIGGS: Well, could you read it in context, the question that was asked of me? The Hon. JOHN GRAHAM: "There were not breaches? You were not fined by the EPA?" Mr BIGGS: You did not ask me the question. You did not repeat the question. The Hon. JOHN GRAHAM: The question was: "There were not breaches." Question mark. Mr BIGGS: No. The Hon. JOHN GRAHAM: "You were not fined by the EPA?" Mr BIGGS: Prior to that, please. What was question Ms Sharpe put to me? The Hon. JOHN GRAHAM: "But it was a case that you were prosecuted for asbestos mishandling at that time?" Mr BIGGS: Thank you. That was the question. The Hon. JOHN GRAHAM: "No, that is not the case." Mr BIGGS: That was not the case, yes. The Hon. JOHN GRAHAM: Yes. "There were not breaches? You were not fined by the EPA?" "No." Do you want to withdraw? I am giving you the opportunity to withdraw. Mr BIGGS: No, I do not withdraw that. I do not withdraw that at all. In response to that question, that answer is correct and accurate. The Hon. PENNY SHARPE: But you do confirm that since 2005 you have had three written warnings, nine penalty notices, five official cautions and one prosecution. Mr BIGGS: Well, if that is what the public record says, then we agree with that. The Hon. PENNY SHARPE: Are you also able to confirm to the Committee that you have had 581 community complaints against you since 2001? Mr BIGGS: No, I cannot confirm that. I do not know that to be the case. The Hon. PENNY SHARPE: We asked the EPA to provide information to this Committee in relation to community complaints in relation to your businesses, and this is the figure that they have given us."

Another example of the proponent not being a "transparent operation" Four Corners investigated their operations and found that even though they had declared a Waste to energy incinerator

would stop the waste industry sending landfill to Queensland. Four corners revealed the proponent was also doing this, and then the proponent declared it to the Government.

Mr MALOUF: "It will bring jobs to Western Sydney"

Once operational, this waste to energy incinerator will generate 55 full time jobs. If a Bunnings Warehouse was built in the same area, it would generate more jobs than this incinerator. The number of long term jobs it will generate are not significant against the expected health issues it will create.

Mr MALOUF: "This is world-leading technology and I want to put some facts on the record. Firstly, this is not new, untried technology. It is proven and it works. There are more than 2,200 operating EfW facilities worldwide. Across the United Kingdom and Europe energy from waste plants using the same technology that we are proposing to use are operating safely and sustainably in cities and urban areas."

True research shows waste to energy incinerators are not operating safely and sustainably. Across the UK and Europe, energy from waste plants using the same technology have had huge explosions and fires, putting local residents and the quality of their air in danger. There have been lots of environmental breaches involving dioxin limits being exceeded. Scotland's newest incinerator, the Scotgen Dumfries plant was commissioned in 2009. It has had 200 breaches of emissions limits, 2 of which involved dioxins, and also had 100 "short-term" exceedences. It was shut down in April 2011 and is now operating on a restricted basis. In 2013, the plant experienced more exceedences of emission limits and a major explosion without having produced a fraction of the electricity initially claimed."

Source: <http://www.ntn.org.au/wp/wp-content/uploads/2013/11/NTN-waste-to-energy-incineration-report-2013.1.pdf>

A fact sheet written by the European Parliament on air and noise pollution shows the true facts of pollution emissions from Waste

Incinerators. http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuld=FTU_5.4.5.htm
!

Mr MALOUF: "it provides additional base load power from a 60 per cent renewable source."

Waste to energy incineration is not renewable energy. It is simply fossil fuels such as plastics being burnt in another form. Burning waste fuels based on petrochemicals (which are fossil fuels) and burning plastics derived from fossil fuels do not create 'green' energy – it is simply burning fossil fuels in another form. This proposal does not comply with "The Renewable Energy (Electricity) Act 2000", which specifically excludes fossil fuel based materials such as plastics.

Mr MALOUF: "it offers a safe alternative to landfilling."

Waste to Energy Incineration still requires landfilling of toxic ash, so this statement in itself is false. The feedstock of the incinerator is inherently inert while the ash left after waste to energy incineration is definitely not safe but highly toxic and includes metals such as arsenic, mercury, cadmium and dioxin. Across the world, there is no consensus existing on methods to dispose of this ash. In the long-term this will be much worse than landfilling.

Mr MALOUF: "it reduces greenhouse gas generation"

Incinerators rank as one of the dirtiest known forms of energy production. Mass combustion facilities produce far more carbon dioxide per unit of energy generated than coal, oil or gas fired

power stations. Burning plastic releases high levels of greenhouse gasses, such as CO₂, meaning increased emissions.

Mr MALOUF: "The comparable facility in size, fuel waste and emissions is the Ferrybridge plant near Leeds in London. I trust that clarifies our intention and puts to rest once and for all some of the mistruths that are being spread about the proposal."

The Ferrybridge plant in London is a coal fired power plant that has been transformed into a waste to energy incinerator. This plant is completely different.

Mr MALOUF: "I simultaneously call for a national policy prohibiting combustible waste going to landfill by 2027. Energy from waste makes this achievable."

Incinerators presently contravene basic human rights as stated by the United Nations Commission on Human Rights, in particular the Right to Life under the European Human Rights Convention, the Stockholm Convention, the Environmental Protection Act of 1990 and The Renewable Energy (Electricity) Act 2000. The foetus, infant and child are most at risk from incinerator emissions: their rights are therefore being ignored and violated, which is not in keeping with the concept of a just society. Nor is the present policy of locating incinerators in deprived areas where their health effects will be maximal.

Mr MALOUF: "There are 2,200 plants operating around the world. This is not new technology. It has been around for decades. It has been on very strict and stringent rules overseas for the last two decades. It is tried; it is proven. We rely on the science and my background of knowing the sites well also gives me the confidence that this is a great technology."

'The science indicates that the European Union are moving away from waste to energy incineration due to science that proves pollution from incinerators can cause cardiovascular and respiratory diseases, as well as cancer. The EU's long-term objective was 'to achieve levels of air quality that do not have significant negative impacts on human health and the environment', this objective has failed. In European urban areas, air quality standards are often breached.

Mr MALOUF: "There has been significant criticism, if that is the way you want to put it, from a small minority of people. The greater community, I believe, is definitely in favour of this project".

Our originally tabled petition of 5700 signatures is now at 8000 with approximately 80% of the signatures from residents living 800m-5km from the incinerator (upper and lower house petitions). Our community survey showed 99.3% of Sydney are against this proposal, confirming TNG do not have a social license to operate. 98.9% of people said "A Company involved in environmental pollution breaches should not "be allowed to build a Waste to Energy Incinerator" The local community has now been joined by residents from all over Sydney at Monthly Rallies in Penrith and Protests outside Parliament house. There is no doubt Sydney does not want an incinerator here.

Mr MALOUF: "Ms Sharpe, you have probably said that on more than one occasion publicly. I say this: You have been implying that there is a toxic nature to our waste. So, Chairman, false information from public officials is not in the public interest."

Ian Malouf is always asked if toxic emission will come out of the waste to energy incinerator and this is his standard response. This is a play on words and not really answering the question but implying the question is "Is there a toxic nature to their waste?" when the real question is "What toxic emissions will come out of the waste to energy incinerator?"

Waste to Energy incinerators in Europe have been shown to develop Persistent Organic Particles

with evidence in animals up to 5 kilometres from the incinerator

Source: <https://www.researchgate.net/public...>

Mr MALOUF: "We do not handle toxic waste. We are not permitted to do so."

Dial a Dump have an EPA license to landfill asbestos which is technically a hazardous substance and has highly toxic consequences (Ref: ATSDR Definition)

PENNY SHARPE: "Okay. Thank you very much. Given the history of breaches and the issues in relation to this technology, while not being new, being new to Australia, relatively, are you confident that you will be able to meet the fit and proper person test under section 83 of the Protection of the Environment Operations Act? Mr BIGGS: Yes. Mr MALOUF: Yes. The Hon. PENNY SHARPE: On what basis? Mr MALOUF: On the basis of 33 years in business and a very, very good track record. The Hon. PENNY SHARPE: The fit and proper person test asks people to look into breaches or consider breaches over time. You do not believe you will fall foul of that? Mr BIGGS: No. "

Ian Malouf has been personally investigated by the EPA. There is something wrong with the fit and proper person test under section 83 of the Protection of the Environment Operation Act if Ian Malouf meets the criteria considering all his companies EPA Violations.

JOHN GRAHAM: "Based on the complaints, how can you say it is going very well? We have sat in front of the community and I do not accept that this proposal is in their interest. They do not accept you have consulted with them. They do not support this proposal". Mr MALOUF: "A handful of residents does not represent 4.5 million people."

Our Community petition shows that thousands of people living in the "sacrifice zone" 800m – 5km from the site are against Dial a Dump's proposal for a waste to energy incinerator. Our Community survey of Sydney residents shows that 99.3% of Sydney are against this proposal, confirming TNG do not have a social license to operate. 98.9% of people said "A Company involved in environmental pollution breaches should not "be allowed to build a Waste to Energy Incinerator"

Mr MALOUF: "Stating the plant blows toxins in the air once the air temperature exceeds 37 degrees is a false statement. By your own admission, Mr Buckingham, you admit that you made a stupid video to attract attention."

The Next Generation told Blacktown Mayor Stephen Bali that the plant would shut down at 37 degrees. That is why, at the first community forum, Stephen Bali got up and spoke about it. Not one representative on the panel from the Next Generation said this was incorrect. There is video footage of this public forum in Minchinbury held by Blacktown Council and the Next Generation and made by Blacktown Council. We believe the Next Generation are guilty of many false and misleading statement made that night to the community.

Mr MALOUF: "Mr Buckingham, our facility is in an industrial estate; it is not in the heart of Western Sydney. The Hon. PENNY SHARPE: Is it not 800 metres from houses? Mr JEREMY BUCKINGHAM: You do not think— Mr MALOUF: The closest house is one kilometre away, correct. "

The closest homes to the proposed incinerator site are 800 meters, not 1km (please see Next Generation EIS that states this fact). There are also three schools within 1.2km of the proposed site. Essentially it is the heart of Western Sydney.

Mr MALOUF: "It's safe"

All over the world there is growing evidence of health impacts around waste to energy incinerator sites. The health impacts are raised as concerns by local residents at the time of proposal/approval but under estimated and the development approved. The evidence takes decades to develop and then validate. Therefore the reaction from government is slow and the cost to the community and health services are significant - the precautionary principle needs to apply. This is clearly expressed in Submission 75, p6 to this inquiry

Source: <https://www.parliament.nsw.gov.au/c...>

In Japan, incinerators churn out almost 40% of the world's emissions of dioxin and furan--a related contaminant--according to a report issued by the United Nations Environment Program. <http://content.time.com/time/world/article/0,8599,2053650,00.html>

The death rate for infants in towns just downwind of the incinerators is 40 percent to 70 percent higher than the average for the prefecture. The side effects of the reliance on incinerators are now being seen. The concentration of dioxin in the air in Japan, is about three times that of the United States and some European countries, according to Masakatsu Hiraoka, a professor emeritus at Kyoto University who has headed government advisory committees on dioxin. The airborne dioxin eventually makes its way into the food chain. Ten mothers agreed to have their breast milk tested for dioxin, and the two women with the highest levels have been advised to reduce breast feeding by half.

Source: <http://www.nytimes.com/1997/04/27/world/in-japan-s-burnt-trash-dioxin-threat.html?mcubz=0>

A scientific report on incinerators reported several adverse health effects. Significant exposure-disease associations are reported by two thirds of the papers focusing on cancer (lung and larynx cancer, non-Hodgkin's lymphoma). Positive associations were found for congenital malformations and residence near incinerators. Exposure to PCB and heavy metals were associated with several health outcomes and in particular with reduction of thyroid hormones.

Source: http://www.hia21.eu/dwnld/20131216_Health%20effects%20of%20exposure%20to%20waste%20incinerator%20emissions.pdf

Another scientific reports on incinerators has found significant results for lung cancer, non-Hodgkinlymphoma, soft tissue sarcomas and childhood cancers, women getting breast cancer unusually early, men who have developed lung cancer despite never having smoked, and children born with Down's Syndrome to comparatively young mothers. See Scientific report attached.

The health effects reported worldwide reinforce the fact that Western Sydney residents do not want an incinerator. Western Sydney does not receive the coastal breeze of Eastern Sydney and the dispersion method of the waste air through the stack is a critical risk due to the incinerator's poor location. The proponent should be well aware of this issue.

The waste-to-energy program to maximize energy recovery is technologically incompatible with reducing dioxins emissions. Dioxins are the most lethal Persistent Organic Pollutants (POPs) which have irreparable environmental health consequences. Dioxin is a highly toxic compound which may cause cancer and neurological damage, and disrupt reproductive systems, thyroid systems, respiratory systems etc. Of equal concern is the likelihood that these dangerously high emissions will not be detected by present monitoring systems for dioxins

The affected populace includes those living near the incinerator as well as those living in the broader region. People are exposed to toxics compounds in several ways:

By breathing the air which affects both workers in the plant and people who live nearby

By eating locally produced foods or water that have been contaminated by air pollutants from the

incinerator

By eating fish or wildlife that have been contaminated by the air emissions.

With each publication the hazards of incineration are becoming more obvious and more difficult to ignore.

The residents of Sydney will not allow an Incinerator to be built. If it is approved people power will stop it being built.