

INQUIRY INTO COSTS FOR REMEDIATION OF SITES CONTAINING COAL ASH REPOSITORIES

Organisation: Keep Lake Macquarie Clean

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KEEP LAKE MACQUARIE CLEAN

13 Feb, 2020

Submission for Works Committee inquiry into and report on the costs for remediation of coal ash repositories in New South Wales.

The Chair,
Hon Daniel Mookhey MLC
parliament.nsw.gov.au/publicworkscommittee

Dear Mr Mookhey

Relevant Terms of Reference-

The purpose of this submission is to address on behalf of concerned citizens of Lake Macquarie the terms of reference of this inquiry, especially-

Sections-

d) the adequacy and effectiveness of the current regulatory regime for ensuring best practice remediation of coal ash repositories.

c) mitigation of actual or perceived conflict of interest arising from the state having ongoing liability for remediation costs the quantum of which will be impacted by government policy and regulation.

f) riskiness and liabilities associated with inadequate remediation including community and environmental health impacts

g) any other related matters.

Executive Summary -

The body of this submission is summarised in the following.

. Lake Macquarie is polluted with industrial waste. There is evidence that the ash dams are responsible for some of that pollution.

. The ash dams adjacent to Lake Macquarie present a future risk in terms of spillage, seepage and stability.

. The environmental regulations specific to ash dams is outdated and inadequate for current conditions.

. The current regulatory regime makes it impossible for the citizens of Lake Macquarie to assess the industrial damage caused by ash dam pollution and consequently current and future impacts on their environment and their health.

. Whatever information is available - whether from government authorities or the industries concerned - is so often couched in terms of denial or so arcane and incomplete that it requires specialist knowledge to give it meaning to the ordinary person.

. whatever decision are made about future ash dam remediation - the the health of the Lake Macquarie Environment, its citizens and the public's right to access thorough, comprehensible information on all issues relating to ash dams must be a priority.

Our Submission -

Keep Lake Macquarie Clean is concerned that government authorities and the industries concerned are -

- Failing to do enough to protect Lake Macquarie from pollution from the power stations at Eraring and Vales Point.
- Failing to communicate in a way all citizens can understand the extent of the pollution, the dangers to human and marine life and what the authorities are doing about it.

Lake Macquarie may have the image of a pristine place but is in reality a repository of industrial contamination.

We call for -

- The citizens of Lake Macquarie to receive regular reports on the water and air quality of Lake Macquarie. The reports to be the result of regular testing conducted by a credible, independent and impartial organisation.
- The reports to be communicated to the people of Lake Macquarie in language they can comprehend leaving a clear understanding of the threats, present and future, to their health and the Lake in general and the remedies being undertaken.

The absence of such a clear explanation can only lead to suspicion of either a cover-up or incompetence by the regulator.

Lake Macquarie has a history of industrial abuse (Pasminco). This is acknowledged by Government at all levels and industry alike.

But exactly how damaged is Lake Macquarie now and how much worse is it likely to get?

We are not being told - at least not in a language people can understand.

Most of the responses to our enquiries of Federal, State and Local Government as well as the energy industry are clouded in obscurity. They appear to have been drafted by masters of obfuscation.

We put a series of questions to the EPA. For example

- What compliance audit process does the EPA have in place to ensure that leachate and seepage from coal ash dams and emplacements is not polluting the lake?
- What additional groundwater monitoring stations are required ?

There was no response to the first question. The answer to the second question contained the following –

"The EPA understands that [the 2009 groundwater management plan] is now encompassed more broadly within other management plans that the licensee has developed in accordance with planning approval to minimise environmental impacts from the site".

There were no copies or links to these other plans! There was a statement that four additional groundwater monitoring bores were included in Eraring's licence in 2016. A link was provided to the licence register, allowing us to find the revised licence but no direct link to the location information for the bores. Reference was made to EPA DOC16/616587 that provides locations of all monitoring points. This document was not provided. Google search found "07.Eraring Monitoring Points Location Map.PDF.

It appears Lake Macquarie residents are expected to be environmental detectives in order to discover whether their health is in jeopardy and what the authorities are doing about it.

It is clear that Federal, State and Local Government and the energy companies concerned want Lake Macquarie residents to believe that the Lake is not a health hazard and that best practice is being employed to mitigate possible dangers.

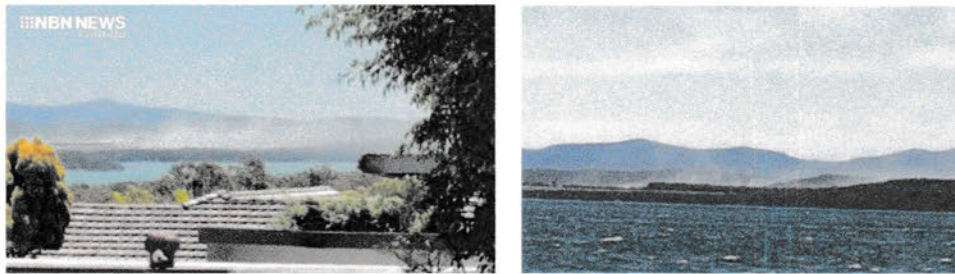
There is, however, ample evidence to suggest this is open to serious question.

Example 1

The approval for the existing Eraring ash dam was given with an undertaking by the operators that 80% of the ash would be reused and not stored in the dam. They have failed to achieve this target. Origin Energy publicly reported in their "Sustainability Report 2018" that they have reused only 29.75% of total ash produced in FY2018.

Example 2

There have been two recently publicised breaches of the licence relating to pollutants blowing into the air from the existing Earring power station ash dam.



The first photograph was taken on the 12th November, 2019 and publicised by NBN News on the 14th. The second was taken by a local resident on the 17th October, 2019.

It was inconceivable that Government would approve expansion of the existing ash dam considering that the Eraring Power station operators cannot manage to contain the existing pollution being emitted on a regular basis, both into the Lake and air. However, it did.

Example 3

Following testing of the fish and crustacea in the Lake, on the 15th January this year the EPA reported to the public –

Cadmium was detected at levels above relevant screening criteria in crabs in Lake Macquarie. To minimise exposure to cadmium, consumption of crabs caught in Lake Macquarie should be limited to

- *Three servings per month for a child less than six years of age (one child's serving equates to 75 grams of edible crab meat)*
- *Six servings per month for all other ages (one serving for all other ages equates to 150 grams of edible crab meat).*

The Food Standards Australia and New Zealand (FSANZ) general advice that people can safely consume 2-3 serves of seafood a week as part of a balanced diet is protective for exposure to mercury and selenium for seafood consumed from the Lake Macquarie area.

While we recognise that regular sampling is currently undertaken in accordance with a monitoring program approved by the EPA , there are no readily available interpretive reports based on the data that are understandable to a lay audience.

As stated earlier, we believe the authorities concerned have an urgent responsibility to provide -

- The citizens of Lake Macquarie with regular reports on the water and air quality of Lake Macquarie. The reports to be the result of regular testing conducted by a credible, independent and impartial organisation.
- Reports to be communicated to the people of Lake Macquarie in language everyone can comprehend so they are left with a clear understanding of the threats, present and future, to their health and the Lake in general.
- Regular clear and comprehensive communication with the public about how the problems are being remedied.

The citizens of Lake Macquarie should have been guaranteed that any proposition to expand the Eraring ash dam would only be considered after appropriate testing, monitoring and public reporting showed that the existing ash dam is managed in a way that does not jeopardise the health of the people nor the environment.

Yet again it seems the concerned citizens of Lake Macquarie were treated with contempt.

We thank the panel for its careful consideration of the matters raised in this submission and other elements that effect the health of the citizens and marine life of Lake Macquarie.

Yours,

David Ransom

for Keep Lake Macquarie Clean committee-
Derek Pola
David Tait
Bruce MacFarlane
James Horn

Contact - eMail:

□ or