Submission No 45

INQUIRY INTO COSTS FOR REMEDIATION OF SITES CONTAINING COAL ASH REPOSITORIES

Organisation: Bathurst Community Climate Action Network (BCCAN)

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Remediation of sites containing coal ash repositories - BCCAN Submission

Bathurst Community Climate Action Network (BCCAN) is a network of organisations and individuals working together to promote action on the challenge of climate change and sustainable equitable development. BCCAN has approximately 65 members from the Lithgow/Bathurst/Orange area, so coal ash remediation is an important concern in our local area. Our interest here is to call for comprehensive changes to raise standards, minimise and remediate pollution, have the seriousness of pollution reflected in law, and reduce the damaging health legacies from coal ash dumps.

We call on the NSW government to create standards to bring the planning, operation, licence condition amendments, expansions, remediation, rehabilitation and monitoring of all closed and open coal ash dumps into line with, or become, international best practice. The process of drafting should include all stakeholders, with full participation given to affected communities.

Regarding **(*d) adequacy and effectiveness of the current regulatory regime for ensuring best practice remediation of coal ash repositories:***

The current regulatory regime is far behind best practice and has led to failures in care of the community and environment. “Most countries line ash dams with an impervious membrane to prevent water leaching into groundwater and nearby waterways, except in Australia.” (1) Coal ash contains high levels of heavy metals, which can pollute the surrounding areas either by controlled releases by power stations, emergency dam overflows in heavy rain, or through seepage into the soil. This is happening for example in Lake Macquarie: “levels of selenium, zinc, nickel, copper, aluminium, iron, manganese, cadmium and lead that have been found in many samples of water in Lake Macquarie are above healthy environment guidelines set by the Australian and New Zealand Environment and Conservation Council” (1). In Australia “We’ve had coal ash pipes spill thousands of litres of toxic slurry into rivers, coal ash blow over and choke communities, groundwater contamination, and toxins from coal ash dumps poison nearby aquatic ecosystems” (4).

Regulations are needed to

A. monitor what is occurring in, around and downstream of open and closed dumps at present; have a baseline of information obtained on those dumps operating now.

B. make those measurements and understanding of the situation publicly available; and

C. remediate and prevent this pollution, including greater use of the coal ash.

Regarding **(*f) risks and liabilities associated with inadequate remediation including community and environmental impacts:***

Costs and effects are ongoing and largely unknown and unquantified. Risks and costs of further impacts increase as long as coal ash disposal continues unchanged. These include:

Health impacts: "When an ash dump is no longer being kept damp," e.g. during drought or water restrictions, "it dries out and strong winds can whip up the coal ash – laden with heavy metals and toxic materials – and disperse it over houses, gardens and people." (2)
Coal ash is "linked to asthma, heart disease, cancer, respiratory diseases and stroke." (2)

Fish for human consumption: A 2018 NSW EPA risk assessment of Lake Macquarie fish said "the safe number of giant mud crab servings a week is zero. For blue swimmer crabs, the number is zero for children and one 150-gram serving for adults per week. Crabs in the lake were found to have absorbed "unhealthy" levels of cadmium." (3) Cadmium accumulates in the human body much more easily than it is excreted.

Ecological: degradation and loss of marine ecosystems.

Community impacts: Concerns of loss of property value, negative effects on tourism and recreational uses, the loss of community space, and stresses of all these on people's mental health.

Other: the inability of local government to use land in the future.

Regarding ***(g) any other related matters*:**

That coal ash operators be required to prepare comprehensive rehabilitation and closure plans. At the moment these are only to be made available upon closure of a power station.

That incentives be created for coal ash producers to re-use or sell the material under safe conditions. An ash dumping levy on power stations is an option to encourage this.

That the seriousness of pollution from coal ash be reflected in penalties for breach of regulations. "In May 2018 the NSW EPA fined AGL $15,000 for a slurry spill from its ash dam at Australia's oldest operating power station, Liddell. It wasn't the first time AGL's ash dam had leaked." (2)

That the NSW Government give full public access to any existing and historical data and ongoing data collected concerning coal ash repositories, such as of its quantity, and any surface, air, sediment, groundwater, and downstream measurements. This would include recently gathered data.

That the NSW Government immediately impose a bond or financial assurance on private owners of ash dumps to protect communities from potentially bearing the cost burden.

References:

(1) https://www.abc.net.au/news/2019-03-10/coal-ash-has-become-one-of-australias-biggest-waste-problems/10886866 accessed 15/02/2020

(2) https://www.envirojustice.org.au/our-work/community/air-pollution/resources/coal-ash-dumps-and-community-health accessed 11/02/2020

(3) https://www.abc.net.au/news/2019-03-11/crabs-lake-macquarie-nsw-contaminated-with-cadmium/10887750 accessed 11/02/2020

(4) https://www.envirojustice.org.au/wp-content/uploads/2019/06/EJA-CoalAsh_4pp.final_.pdf accessed 11/02/2020