



**Submission to Public Works Committee
ANSTO Intermediate Level Solid Waste Storage Facility, Lucas
Heights, NSW**

**Friends of the Earth Australia
nuclear.foe.org.au/waste**

July 2021

Friends of the Earth Australia (FoE) appreciates the opportunity to make a submission to this inquiry and would welcome the opportunity to appear at a public hearing.

In broad terms we support the proposal for additional storage capacity for intermediate-level waste (ILW) at Lucas Heights but with serious qualifications and proposed modifications:

1. The plan to increase storage capacity for “at least 10 years to 2037” is imprecise and ANSTO should be asked to clarify.
2. The likelihood of an offsite ILW disposal option by 2037 is zero, and the likelihood of an interim offsite storage option by 2037 is small. Concerted efforts to establish offsite storage and disposal options for ANSTO's waste have been ongoing since the late 1990s ... almost a quarter of a century. Every previous attempt has failed. The current plan for interim above-ground ILW storage at Kimba is i) breathtakingly stupid (see below) and ii) likely to fail. The current plan for increased storage at ANSTO will likely be followed by yet another proposal to expand ILW storage at ANSTO in a decade or so. It would be cheaper and more efficient to advance longer-term interim storage now.
3. The proponent should be asked to develop costed proposals for ILW storage until such time as an ILW DISPOSAL pathway is available, which in the best-case scenario would be well beyond 2037.
4. ANSTO's current plan is premised on the non-availability of Waste Acceptability Criteria (WAC), which is said to be the responsibility of the Australian Radioactive Waste Agency (ARWA). The Public Works Committee should recommend that the development of WAC be expedited, and the current plan to increase storage capacity at ANSTO put on hold pending reconsideration of the option of building a Waste Conditioning (Processing & Packaging) Facility at Lucas Heights. The non-availability of WAC is said by ANSTO to be the reason this option has been rejected; however we wonder whether other factors are at play e.g. an unwillingness to ask for the requisite funds and/or an unwillingness by the government to provide the requisite funds.

5. We ask the Committee to recommend that WAC should be established by the regulator ARPANSA and not by ARWA, for two reasons:

- i) ARWA is a government agency whereas ARPANSA has a greater degree of independence;
- ii) the department and ARWA have a track-record of mismanagement and incompetence (we can provide further information on request and see also the troubling accusations in Senator Rex Patrick's contribution to the Sept. 2020 Economics Legislation Committee report¹).

The plan for interim above-ground ILW storage at Kimba

The plan for interim above-ground ILW storage at Kimba is illogical and irresponsible. It is sold as an 'interim' measure but would last for several decades at least, and ARPANSA envisages it could last a century or more. ARPANSA states in its May 2017 'Information for Stakeholders' document that the proposed above-ground ILW store "may be operational for more than a century" and the same wording can be found in ARPANSA's May 2017 'Regulatory Guide' document.

Essentially the plan involves moving waste from interim above-ground storage at a relatively secure site (ANSTO) to a site (Kimba) with minimal security (a couple of security guards at best).

The plan involves moving above-ground waste storage from a site (ANSTO) with a plethora of nuclear experts who are capable of managing problems as they arise, to a site (Kimba) with ZERO nuclear experts.

The plan inevitably involves unnecessary double-handling of ILW given that Kimba could not meet the criteria for deep underground disposal of ILW. Double-handling inevitably increases safety risks.

The Committee should recommend that:

- i) ILW should be stored at ANSTO until a disposal option is available.
- ii) The management of lower-level wastes and ILW should be separated given that different disposal criteria apply. This common-sense separation was adopted by the Howard government in the early 2000s.

Unconscionable racism

The willingness of the federal Coalition government (and a small minority of federal ALP MPs/Senators) to impose a dump on Barnjarla country against the will of Barnjarla Traditional Owners is unconscionable. The formal nomination of the Kimba site will be followed by a judicial challenge by the Barnjarla Determination Aboriginal Corporation. That judicial challenge has a good chance of success, as demonstrated by the Coalition government's years-long effort to shield the planned dump from judicial challenge.

Traditional Owners played leading roles in successful campaigns to prevent the imposition of a national radioactive waste dump at Woomera (2004), Muckaty (2014) and the Flinders Ranges (2019), and the successful campaign to prevent the imposition of an international radioactive waste dump in SA (2016).

1

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Economics/RadioactiveWaste/Report/section?id=committees%2freportsen%2f024458%2f73825

Secret ANSTO reports

A Department of Industry, Innovation and Science public newsletter (Issue No. 8, April 2017) stated that ANSTO is licensed by ARPANSA to store waste "on the condition that a plan is developed by the end of the decade for a final disposal pathway for its waste."

Further to the above, our understanding is that ANSTO submitted two relevant reports to ARPANSA in mid-2020 but they have not been publicly released despite requests for public access. We ask the Public Works Committee to demand access to these reports, to publicly release them, and to call for a further round of public submissions informed by the ANSTO reports.