

URANIUM MINING

The Secretary,
Senate ECITA References Committee,
Parliament House,
CANBERRA ACT 2600.



Dear Sir/Madam,

I am making this submission having retired and without computer facilities. Briefly stated, I was ENVIRONMENT MANAGER at Ranger Uranium Mine 1983-1986, responsible directly to the General Manager for all environmental impact and radiation safety.

I am not anti-uranium mining in principle. Obviously not since I worked so hard to avoid the closure of Ranger. However, because of my experiences since 1986 I have concluded two things that are relevant to this inquiry.

1. Over the last 15 years the Federal Government, as well as nearly all other governments in the country, has shown itself unwilling to take on big mining companies: to prosecute breaches of law and to use the preventative mechanisms provided in the law. It seems to have lost its teeth and its political will to do anything "that damages the economy". It prefers to appease rather than exert any authority. Its latest hand-out to Stuart Oil Shale (which has breached its emission standards) makes the point. Who is to blame, politicians or bureaucrats? If senior public servants and technocrats, on short term contracts, have lost their influence on politicians then there is no place for high-tech industry like uranium mining. If the technocrats are not regulating that's even worse.

2. The mining industry, including those mining uranium, have shown themselves to be quite untrustworthy, time and time again.

Senators we all have to be judged on our performance and the main players in uranium mining, government and industry, have not performed well. (see below). Mining has become high risk for all its stake holders, and in the case of uranium mining that risk, in my book, is now unacceptable. I am currently opposed to all uranium mining in Australia. I am speaking generically of course but the evidence is strong that there exists a mining culture in Australia generally, and a Federal Government culture, that makes it hard on Arthur Johnson (Supervising Scientist), and his staff to properly regulate.

The Federal Government has done nothing to instil any faith or trust in its ability or will to regulate big mining companies. Quite the opposite. It gives me no confidence and suggests that no matter what mining companies do the Federal authorities will act only to appease and facilitate. It has given an appearance of always giving mining what it wants. That is a danger sign, particularly for uranium mining.

This subserviency is all covered by the umbrella term of REGULATORY CAPTURE.

I have alerted the Senate to this phenomenon once before, in 1995 (as a whistleblower), but you were misled by the Queensland CJC, and short of calling me an honourable and credible witness, appear not to have taken me seriously. The evidence I presented to the Senate in 1995 was dishonestly rebutted, and ignored. Mining liabilities since then have increased enormously. I suffered an unlawful punitive transfer away from the regulation of mining.

Senators there is a widespread lack of mining accountability. No proof of performance exists in the form of validated scientific results and successful closure; including at Ranger. A lot of the big technical challenges at Ranger are still to come and I think it is about time key final rehabilitation techniques are at least tried and tested in simulated conditions, if not progressively completed; and they should be publicly verified. There seems to be a lot of crucial work still on hold (waiting for better uranium prices), and that is a cunning trick of mining companies. A lot of mining companies sell up or go broke before the final expensive closure. (Some go broke before even paying workers' entitlements). Tailings capping and the final removal/disposal of pond water appear to me to still be uncertain. Waste management techniques have certainly not been verified at Nabarlek or Mary Kathleen sites. To make matters worse mining companies appear much more secretive about their environmental programs than they used to, avoiding any public scrutiny. They do not even give media interviews much any more.

When I worked at Ranger the federal authorities seemed serious and politically well-supported about protecting the environment but now I am not at all sure. They all seem one-eyed and partial towards the mining industry, as evidenced by the following report card.

1. Senator Hill's public utterances about the safety and success of mining at Ranger and Jabiluka when the World Heritage area was thought to be endangered were unsound, almost inept.

2. Mr Barry Carbon, a recent Supervising Scientist, has a poor track record and is widely viewed as one-eyed and partial towards mining. As head of CEPA a few years ago he did not act properly (on sworn evidence) over federal responsibilities in Queensland and when appointed to head the Queensland EPA was clearly biased towards the mining industry (and was he beholden?); so I am bound to mistrust his regulation of the uranium industry and the approvals he gave it.

3. Other Federal Government actions, outside of uranium, have occurred which undermine my confidence also, as follows; 3a) In the early 1990's the Federal Government abolished the coal export levy on BHP_UTAH in Queensland. In return there was supposed to be huge expenditure on mine rehabilitation

which it seems was never followed up. Rehabilitation of coal mines in Queensland is in a parlous state and will end up costing tax payers millions. The Federal Industry Commission in 1998 conducted an inquiry into coal mining and decided environmental costs were not relevant to whether the industry was competitive or not. How incompetent, or one-eyed is that?

3b) In the early 1990's the Federal Government seemed reluctant to use the provisions of the Environmental Impact of Proposals Act to exercise any control over state environmental programs whether related to mining exports or forestry exports. The Government simply abrogated its responsibility. Why was this? Both Labor and Coalition were guilty.

3c) Not even when I alerted the Federal Government to the evidence brought before the CJC/Matthews Inquiry about the non-enforcement of mining law in Queensland did they act on it. Validating mining title in the aftermath of Mabo required verification of environmental requirements having been met, and that has not happened.

3d) Senator Parer's apparent (or was it obvious?) conflict of interests in mining when in charge of uranium mining is just amazing - and he presided over the final environmental cop-out of the Federal Government. It was the abolition of powers to tie export approvals to environmental performance.

3e) Moves to make CSIRO self funding and find commercial paying-clients for its research worries me in respect of its independence in consulting. As with auditors who go consulting on financial management the roles are becoming dangerously intermeshed.

3f) The Howard government's apparent blind faith in industry best practice (often self assessed) to regulate mining is inept. Best practice is virtually incapable of audit. It is a flawed approach to regulation. The regulation of mining must be prescriptive and measurable. The present one-eyed approach to greenhouse emissions just beggars belief.

On the industry side the report card is equally bad. RTZ who now own Ranger have an environment track record which raises considerable doubt and points to a very uncertain unreliable performance at Ranger. Even the technical competence of the company and its professionalism are in doubt. I can supply considerable detail, if required, but suffice it to say that its bauxite operations in N. Queensland, at Weipa, continue in breach, and have been in breach since at least 1973; and we all know what a mess was created by this company at Rum Jungle, Woodlawn and Bougainville. The tailings dam it left behind at Mary Kathleen continues to leak. This is not a performance that gives me any confidence particularly if the regulatory regime is weak at Ranger. RTZ seems to have scant regard for the law and for the environment. All mining companies in Australia appear to have a "catch-me-if-you-can" approach to regulators.

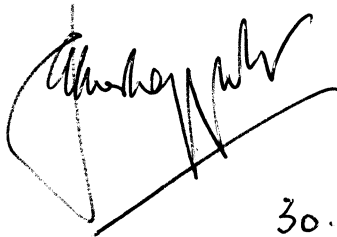
In conclusion, the above performance record of the two main players in uranium mining does not augur well. Their assurances would have to be discounted, on the balance of the evidence of past performance. There is no getting away from

that reality and the pretence, which is a form of corporate fraud, has gone on long enough. It makes me unsure that planning is reliable for Ranger and Jabiluka and unsure that promised outcomes are a certainty. It worries me that the mine will become unsafe.

At present I am opposed to uranium mining only because proper regulation is lacking. The key players will have to clear their names of their past token performance and their present culture, to regain my confidence. What previously went wrong and which persons(by name) were responsible? Providing answers to that is the only way that cleansing may be accomplished. Both players will have to demonstrate some real concern for the future intergenerational equity in the costs and benefits of uranium mining; to replace the current slavish concern for the short term economic gains. As with so many mine sites in Australia Ranger and Jabiluka could so easily become a further liability on future generations.

PS. The N.Territory regulators will never be any match for the power and might of the Australian mining industry.

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