

19 September 2018

Social Policy Scrutiny Committee
Legislative Assembly of the Northern Territory
Parliament House
Darwin, NT 0800

By email: SPSC@nt.gov.au

Dear Chair and Committee members,

**RE: Submission on NUCLEAR WASTE TRANSPORT, STORAGE AND DISPOSAL (PROHIBITION)
AMENDMENT BILL 2018**

By way of introduction, Lock the Gate Alliance is a national grassroots organisation made up of 100,000 individuals and over 250 local groups who are concerned about unsafe or inappropriate mining. The mission of the Lock the Gate Alliance is to protect Australia's agricultural, environmental, and cultural resources from inappropriate mining and to educate and empower all Australians to demand sustainable solutions to food and energy production. Lock the Gate works across the NT and is committed to advocating for environmental and community health, and the productivity of local economies.

Lock the Gate welcomes the opportunity to make a submission to the Committee on the NUCLEAR WASTE TRANSPORT, STORAGE AND DISPOSAL (PROHIBITION) AMENDMENT BILL 2018.

Please find below some short comments with relation to this matter.

Our key recommendation is that the Committee does not finalise reviewing this Bill until such a time as communities and NT stakeholders have an opportunity to consider the full legislative approach to treatment, transport, storage and disposal of radioactive waste from the fracking industry in the Northern Territory.

Importance of considering a comprehensive framework:

Without being considered under a Nuclear Waste Act or equivalent, it is difficult to assess whether the exemption for the exploration for, or the recovery or exploitation of, petroleum or other energy-producing hydrocarbons at a prescribed project is appropriate.

If the intent is that the nuclear waste or radioactive waste that is produced incidentally from the exploration for, or the recovery or exploitation of, petroleum or other energy-producing hydrocarbons at a prescribed project is regulated under another Act instead, this should be made clear as part of this process.

Currently the Radiation Protection Act does not have any provisions to consider radioactive waste from petroleum activities.

It is inappropriate to be allowing these amendments to pass without the community being able to consider how protections, laws and penalties will be in place.

Many more legislative changes are required to consider the treatment, handling, storage and disposal of radioactive waste generated from a proposed onshore oil and gas fracking industry in the Northern Territory.

Not having a clear picture of the full extent of how the NT Government intends to implement the Fracking Inquiry recommendations with regards for radioactive waste undermines the ability for the public to properly engage and understand the comprehensive framework that will apply to the industry. Simply exempting the petroleum industry from having to comply with the NUCLEAR WASTE TRANSPORT, STORAGE AND DISPOSAL (PROHIBITION) Act is inappropriate at this time.

We suggest that the Committee consider whether proposed amendments could be deferred until a comprehensive package of regulatory reform is available. Then the Parliament and Territorians can consider the degree to which this package as a whole fulfils the recommendations of the Fracking Inquiry and serves the public interest. This would avoid the risk of creating unintended outcomes (because amendments not considered together/as a whole) or leaving crucial gaps in the regulatory regime that will leave the communities and environment of the Territory exposed.

For further background in the consideration of concerns and difficulties experienced in other jurisdictions and to learn more about radioactive waste issue from the fracking industry in the United States, please consider the following articles:

https://grist.org/business-technology/fracking-produces-tons-of-radioactive-waste-what-should-we-do-with-it/amp/?_twitter_impression=true

<https://www.forbes.com/sites/jeffmcmahon/2013/07/24/strange-byproduct-of-fracking-boom-radioactive-socks/>

<http://bakken.com/news/id/89334/filter-sock-incidents-show-regulation-needed-oil-waste/>

LOCK THE GATE ALLIANCE

AUSTRALIANS WORKING TOGETHER TO PROTECT OUR LAND, WATER, AND FUTURE 

Yours truly,

Naomi Hogan
Lock the Gate Alliance