



NORTHERN  
TERRITORY  
DIVISION

10 September 2018

Ms Julie Knight  
Committee Secretary, Committees Office  
Department of the Legislative Assembly  
GPO Box 3721  
DARWIN NT 0801

Email: [spsc@nt.gov.au](mailto:spsc@nt.gov.au)

Dear Ms Knight

**RE: Submission on Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment  
Bill 2018**

The Minerals Council of Australia Northern Territory Division (MCA NT) welcomes the opportunity to provide comments on the NT Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill 2018.

This Bill appears to be seeking to add oil and gas wastes, that might include Naturally Occurring Radioactive Materials (NORMs), to the **exclusion list**. The exemption list already includes uranium mining activities but not other types of mining such as mineral sands or rare earths.

The Explanatory Statement indicates that the purpose of the Bill is to provide clarity and certainty to the offshore oil and gas industry about the application of the Act to Nuclear Waste, including NORMs that may be generated from offshore oil and gas activities and transported into the NT as waste.

The Bill does not reference NORMs; therefore, mineral sands and rare earths could theoretically still be captured under the Act.

There is an opportunity to improve the amendment bill through the inclusion of NORM derived from other types of mining activities, to ensure that mining of mineral sands or rare earth minerals are on the **exclusion list**.

Accordingly, the MCA NT recommends the following underlined words (in blue) be added to the Amendment and Explanatory Statement.

➤ **Add to the Amendment Bill (bottom of page 2)**

(4) This Act does not apply in relation to nuclear waste transported into the Territory if the nuclear waste is produced incidentally from:

(a) the operation or maintenance of a pipeline conveying petroleum or other energy-producing hydrocarbons into the Territory; or

(b) the exploration for, or the recovery or exploitation of, petroleum or other energy-producing hydrocarbons at a prescribed project ~~that~~; or

(c) the exploration for, or the recovery or exploitation of, mineral sands and rare earth minerals that that

- (i) delivers significant economic and social benefits to the Territory; and
- (ii) is located within 800 km of the closest point on the Territorial Sea Baseline.

➤ **Add to the Explanatory Statement (top of page 1)**

#### **GENERAL OUTLINE**

The Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment Bill 2018 (the Bill) amends the Nuclear Waste, Transport, Storage and Disposal (Prohibition) Act 2004 (the Act).

The purpose of this Bill is to provide clarity and certainty to the offshore oil and gas industry and mining industry, about the application of the Act to nuclear waste, including Naturally Occurring Radioactive Materials (NORMs) that may be generated from offshore oil and gas subsequently brought into the Territory and through mining activities occurring within the Territory.

Should you require further information or clarification, please do not hesitate to contact me directly, on 08 8981 4486.

Yours sincerely



**Drew Wagner**  
**Executive Director – NT Division**



NORTHERN  
TERRITORY  
DIVISION

13 September 2018

Ms Julie Knight  
Committee Secretary, Committees Office  
Department of the Legislative Assembly  
GPO Box 3721  
DARWIN NT 0801

Email: [spsc@nt.gov.au](mailto:spsc@nt.gov.au)

Dear Ms Knight

**RE: Submission on Nuclear Waste Transport, Storage and Disposal (Prohibition) Amendment  
Bill 2018 – An additional amendment sought**

Thank you for your phone call today to clarify feedback the MCA NT provided to you on 10 September.

On the basis of that discussion, the MCA NT would like another amendment to be effected, to ensure that the amended legislation will not be applied to mineral sands or rare earth minerals that might have some level of radioactivity.

Accordingly, the MCA NT recommends the following underlined words (in blue) be added to the *Amendment Bill* (middle of page 2), after (c):

(3) This Act does not apply in relation to the following

( c ) mining activity in the Territory related to uranium ores or uranium oxide ( $U_3O_8$ ) under the *Mining Management Act*

(d) the exploration for, or the recovery or exploitation of, mineral sands and rare earth minerals that might be associated with Naturally Occurring Radioactive Materials (NORMS);

Thank you for adding this letter and feedback to the one we provided earlier, on 10 September.

Should you require further information or clarification, please do not hesitate to contact me directly, on 08 8981 4486.

Yours sincerely

**Janice Warren**  
Policy Research Officer – NT Division