

To. Committee, EC (Senate)

Senate Inquiry into rehabilitation of mine sites and other mining features

I refer to your recent correspondence dated April 5th.2018.

Thank you for the invitation to make a further supplementary submission to this inquiry. There have been many developments concerning mine rehab since I made my initial submission 61 , more than a year ago.

I congratulate the Senate committee for persevering with this huge task despite all the disruptions of dual citizenship. You are presented with a massive challenge but also a very good opportunity to safeguard the future of Australia's resources industry, through the much needed reform that should result from your inquiry report.

There are indeed rehab challenges with respect to fly ash waste from power plants; as there are too from other mining "features" only indirectly related to mining, and very often not on mining leases. I refer you to huge quantities/ "mountains" of sub economic coal from BHP coal mining in Qld and to caustic red mud ponds associated with aluminium refineries ; and of course there are other tailings dams such as the notorious dam at the nickel refinery in Townsville. In all cases the decommissioning/rehabilitation of these mining wastes is a matter of the engineering being designed according to the chemical and physical properties of those wastes; and identifying the likely pathways that contaminants might take to enter the environment. Each site will have specific requirements for rehab.

I would like to take this opportunity to list some of the very alarming developments in the last year, since I made my submission 61.

- NSW Mines Minister MacDonald was sent to gaol for official misconduct and corruption. The regulation, on his watch, of the massive rehab responsibilities of mining companies in that state resulting from the mining boom should surely now require close scrutiny.
- An ex Minister for Mines in Qld , Mr Bob Katter , was reported to be requesting a Royal Commission into the coal seam gas industry in his home state of Qld.
- The very same Qld Department of mines that was trusted by the Federal government to regulate the rehab of mines after Senator Parer oversaw the rescinding of the Commonwealth Impact of Proposals Act in the late 1990s , was found to have "catastrophically" failed in its regulation of the risks to mine workers from Black lung disease.
- The Qld Treasury has drawn attention to the shocking backlog of mine rehab existing on the huge open cut mines in that state and the unacceptable exposure of taxpayers.

Senators you have the opportunity now to assist the new Mining Task Force, recently set up by the Fed govt to retrieve the lost social licence for mining , by informing them urgently of the indisputable rehab demise presented to you already by the original submissions, and at the various public hearings you have conducted to date. I think it is also a very serious issue for you to confront - that our esteemed CSIRO apparently persists with its claim that mining is a temporary land use , when the facts and data re sequential use of mined land simply do not support that claim. Mining has clearly, on most sites, been a permanent land use with no sequential use. I note that neither Alcoa

nor Glencore , the two Mine Owners that have presented you with their claims and aspirations for rehab , have presented any meaningful scientific data re the usefulness of their rehab areas. Before and after photos of rehab do not tell us very much. I pose the question - who is it that is likely to take up the use and ownership of these lands – who? It is my view that serious impediments to land use on many sites have resulted from the mining methods adopted.

Finally, I wish to express the opinion that mine owners - at least those with the largest outstanding rehab challenge - should be interrogated by your parliamentary committee, in the same way the bank owners are by other committees. Mine owners have all made provisions of some sort in their company accounts (audited and apparently approved by ASIC) and I think you need to interrogate the standard of rehab that those provisions can achieve. My suspicion is those standards will fall far short of community expectations. Any significant discrepancy between the general expectation for mined land use and the provisions made in the accounting need to be publicised for debate. Rehabilitation of mine sites is , after all (in 99% of cases), a mandatory legal requirement.

Yours sincerely,

Date 9.4.18

JIM LEGGATE