

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 41
Hearing: Additional Estimates
Outcome: Outcome 1
Programme: Science
Topic: Ranger Leach Tank Failure - NT Government Report
Hansard Page: 12
Question Date: 08 February 2016
Question Type: Spoken

Senator Ludlam asked:

Senator LUDLAM: ... What is your understanding of why the NT government is holding onto that study?

Mr Tayler: It was the NT government that advised me that the report is with their legal counsel for review. That is a standard step in most organisations. If you are moving towards potential prosecution you need to provide the report to your legal counsel for review. The advice of the Northern Territory government to me is that that is where that report currently is.

Senator LUDLAM: The focus of the government's investigation was understandably on process safety. What is in place now in terms of ongoing monitoring and reporting of ERA's move to process safety? I think there are half a dozen of those leach tanks on site. How confident are you that ERA has actually taken steps to prevent such an incident from happening again?

Mr Tayler: The Northern Territory government is using an external expert contractor to work with ERA to develop their process safety management system. We have been involved in that process. ERA have made good progress towards improving their process safety culture and process safety systems. We are provided with the reports from the consultant after his quarterly site visits to ERA. The Supervising Scientist also has released a report into the environmental effects of that leach tank failure. ERA have been conducting additional groundwater monitoring and other things since the incident occurred to ensure that there are no off-site impacts.

Dr Wright: That was Supervising Scientist Report 207, which was released on 28 August 2014.

Senator LUDLAM: A lot of the heavy lifting was done by the NT government and its investigators. It is a very large and important body of work that still is not in the public domain.

Mr Tayler: That is correct. The Supervising Scientist report focused on the potential for off-site impacts, whereas the Northern Territory government's report looked at the cause of the failure and the mechanism of the failure.

Senator LUDLAM: What do you think are the best channels for the public to find out the outcome of that investigation?

Dr de Brouwer: That would be a matter for taking up with the Northern Territory government, Senator.

Senator LUDLAM: It has been nearly 2½ years since the incident. This might be more appropriate through you, Senator Birmingham: have you taken any steps to ask the NT government to expedite the release of that investigation?

Senator Birmingham: I will have to take that on notice.

Senator LUDLAM: I understand an investigation of this nature would take a while to conduct, but I do not feel it is appropriate that 2½ years after the event we are still waiting on the basic story of what occurred. Senator Birmingham, could you take that on notice and advise us whether you propose to take any steps to have that document—or even a redacted copy of it that has been scrubbed, I do not mind—put into the public domain.

Answer:

On 12 February 2016, the Northern Territory Department of Mines and Energy released a media statement advising the completion of its investigation into the failure of the leach tank at Ranger mine. The Department stated that, based on legal advice, it had decided that it would not be in the public interest to prosecute Energy Resources of Australia Ltd under the *Mining Management Act 2001* (NT) and released a statement of reasons for its decision.