

Australian Democrats Minority Report

Democrats Senators have some concerns with the Australian Science and Technology Organisation Amendment Bill 2006.

A provision of the Bill clarifies ANSTO's authority to handle radioactive waste material returned to Australia as a result of contractual arrangements involving ANSTO sending spent nuclear fuel overseas for reprocessing. The Democrats understand that this provision fulfils a contractual obligation, however, we are concerned that this opens the door to the importation and disposal of foreign nuclear wastes, particularly given that there is no specific legislation to prevent this. More specifically, the legislation may facilitate the imposition of an international high-level nuclear waste dump on unwilling communities and States or Territories should the Commonwealth decide to support such a dump. The Government should use the current legislative process to give legal weight to its stated view of opposition to Australia's hosting of a high-level international nuclear dump.

While the Democrats oppose a national storage facility, particularly one as remote as is being proposed in the Northern Territory, we note that if the Commonwealth Radioactive Waste Management Facility is not in operation by 2011, when spent fuel reprocessing waste is due to return, this waste may then be stored at Lucas Heights which goes against repeated promises from the Federal Government not to return spent fuel reprocessing wastes to Lucas Heights.

The Democrats draw attention to recent revelations that ANSTO has stopped 24 hour monitoring of radiation levels at Lucas Heights reactor and has "cut back on reactor inspections"¹, potentially compromising safety at Lucas Heights. Given that a provision of this bill, as ANSTO asserts in its submission, effectively allows ANSTO to manage and operate the Commonwealth Radioactive Waste Management Facility, we are concerned about ANSTO's ability to ensure safety at the facility.

The Democrats also object to the relatively short period allowed for this inquiry and that no hearing was held. Four submissions were received and, notably, there is a lack of submissions from environmental groups. We note that a hearing on this bill may have resolved some of our questions and concerns. The Democrats will not be supporting the bill in its current form.

The Democrats have participated extensively in past committee work on issues of nuclear waste handling and storage. See Senator Stott Despoja's supplementary reports to the Senate Economics References Committee Inquiry "*A New Reactor at Lucas Heights*" and the Select Committee for an Inquiry into the contract for a new reactor at Lucas Heights.

¹ Joe Hildebrand "Safety cut at Sydney nuke plant" *Daily Telegraph* 5/5/06

The Democrats take this opportunity to make further general comments about uranium waste disposal in Australia which remains an ongoing concern for many.

We consider it hypocritical of this Government to call for a national code for the siting and development of wind farms to ensure community concerns are taken into consideration, while on the other hand, it overrides, via the Commonwealth Radioactive Waste Management Bill 2005, Territory Government objections, and majority community objections, on the siting of nuclear waste storage facilities. Rather than consult, the Government did quite the opposite - the Northern Territory Chief Minister first heard about the Government's decision in a press release from the Minister, similarly, Alice Springs Council first heard of the proposal on local radio, and a property owner adjacent to one of the sites found out through a friend.

The International Atomic Energy Agency has stated that recent experience suggests that broad public acceptance will enhance the likelihood of project approval, that an inclusive approach to public involvement should be adopted from the beginning of the planning process, and that providing open access to accurate and understandable information about the development program was critical for trust and acceptance.

The Democrats argue that it is imperative to manage Australia's radioactive waste in a responsible, scientifically robust and transparent manner. To date the Federal Government has failed to act in such a manner. Specifically we object to:

- lack of consultation with and impact on the democratic rights of Territorians and the will of the NT Parliament;
- overriding the rights and interests of local communities and local government authorities along proposed transport routes across Australia;
- the disregard for the rights and interests of Traditional Owners of the proposed dump site areas;
- lack of comparative and quantified community risk analysis of continued onsite storage verses risks in transport of wastes to a centralised facility;
- lack of quantified analysis of the claimed reduction in number of Commonwealth waste storage sites if the proposed NT dump facility were to go ahead.
- lack of comparative costings for enhancing onsite storage facilities for Commonwealth organisations generating radioactive wastes verses the NT nuclear dump plan with the continuation of onsite storage facilities for existing users in any case;
- lack of studies of siting suitability and design for above ground storage and a comparative analysis of above ground and burial options (in fact one of the sites identified was recently submerged under water during the recent floods in Katherine); and
- the lack of a long-term strategy to reduce minimise waste generation.

The Democrats remain concerned that the Government's push for a radioactive store is not a genuine attempt to address a growing environmental issue but a move to facilitate an industry expansion that would result in the creation of even more radioactive waste.

Our concerns have been heightened in light of the recent deal to sell uranium to China and the possibility of selling uranium to India. In this context, we are concerned that the Australian Government intends, or is under increasing pressure for Australia to be, a repository for high level waste generated by countries to which we export uranium.

The Australian Democrats recognise that radioactive waste is a reality and a serious issue.

We continue to hold the view that low level waste should be stored as close as possible to its production and that repositories should be established in each state and territory for this purpose and we continue our long opposition to the construction of a new nuclear reactor at Lucas Heights.

The Australian Democrats support the strategy advocated by the Medical Association for the Prevention of War, the Australian Conservation Foundation and Friends of the Earth, viz:

Firstly, the Government must minimise waste generation.

Secondly, the Government should aim to minimise transportation. Waste management is preferably done on-site, in a retrievable and secure fashion.

Thirdly, the Government should focus on establishing a secure, monitored, above ground storage which responsibly addresses the need to maximise long-term safety and does not preclude any improved storage options which become available in the future.

Fourthly, the Government should gain community acceptance of the management system – based on the principles promoted by the International Atomic Energy Agency. This does not simply mean “consultation”: the community must give *informed consent* to the facility.

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