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Subject Morwell Mine Fire Submission

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Submission-to-the-Board-of-Inquiry.doc

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Content of submission (you can choose multiple): Measures taken by Hazelwood Coal Mine to prevent fire, Application and administration of regulatory regimes, Response to fire by Public Health Officials, Response to fire by Other Government Agencies

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A Submission to the Hazelwood Coal Mine Fire Board of Inquiry

By Max Thomas


Yarragon Vic 3823

28 April 2014

I am 67, retired, and living in Gippsland. I have a lifetime association with the Latrobe Valley where I visit regularly for family and other reasons. I worked in private manufacturing industry and also the public sector in water and wastewater science, environmental management and agricultural science across Gippsland and elsewhere. I have consulting experience and provided expert evidence to various proceedings.

I have seen the terms of reference for a Board of Inquiry into the Hazelwood Coal Mine fire, appointed by the Governor of Victoria on 21st March 2014. In accordance with the guidelines, the content of this online submission is set out under the following headings.

- Measures taken by Hazelwood Coal Mine to prevent fire
- Application and administration of regulatory regimes
- Response to fire by Public Health Officials
- Response to fire by Other Government Agencies

1. General Comments

1.1 It has been asserted by government that arson was the cause of the fire and, by inference, it follows that its effects on firefighters and the community can be likewise attributed to arson.

1.2 In view of this, it is understandable that many local people are sceptical that anyone will be held accountable for the potential long-term health and environmental effects of the fire. If the fire and its aftermath were to be set aside and accepted as one would accept an 'act of God', then not only would community health and the environment have suffered, but a gross injustice would have been done by the majority to one disadvantaged community. That would amount to a state-sanctioned form of violence that ought to have no place in a democracy.

1.3 In my experience, human health and the environment are linked inextricably; a discussion or investigation of one leads almost inevitably to aspects of the other. Environmental and health effects characteristically develop and become apparent at a later time and often some distance from the source.

1.4 The primary purpose of this submission is to request the Board of Inquiry to examine a number of questions that are beyond the capacity of ordinary individuals

to ask. In addition, some material is provided for information only for consideration by the Board as it sees fit. By asking the questions and reporting the responses back to the community, the Board will help restore confidence in the institutions that sometimes appear to lose sight of the true meaning of 'public service'.

2. Measures taken by Hazelwood Coal Mine to prevent fire

2.1 Arson was allegedly the cause of the open cut fire. Arson is of course a serious criminal act, but in no sense can it excuse failure to prepare for fire. Most fires are deliberately lit, but that does not mean rural and urban fringe properties are not encouraged to prepare a fire plan.

2.2 The Yallourn open cut has a large water supply pipeline around perimeter. This pipeline appears to serve parts of that open cut mine that have long been worked out. If this correct, the question of why the same standard of fire-readiness was not applied to the Morwell (Hazelwood) open cut mine.

2.3 The slope of the north batter at the Morwell open cut is so steep that even the most superficial assessment would have shown firefighting to be extremely difficult. It would be intolerable to have little or no firefighting capability at an airport or other major infrastructure. However, it appears the mine operator failed to recognise the need to protect not only the nearby community, but its own assets. The Hazelwood Power Station being also a vital economic asset to Victoria and beyond.

3. Application and Administration of Regulatory Regimes

3.1 Were fire prevention and emergency response arrangements included in the contract of sale between the State of Victoria and the present owners of the mine?

3.2 Given that it has long been known that coal fires have a potential for environmental health impacts, especially close to urban areas, was the Morwell mine operation subject to licensing and inspection by agencies such as the Department of Environment and Primary Industries, the Department of Health and the Environment Protection Authority? If not, were special exemptions granted?

3.3 Were regulatory reviews carried out before the fire? If so, how often were such reviews carried out and were directions given to the mine operator?

3.4 Were the respective regulatory roles and responsibilities clearly defined and understood by the government agencies?

3.5 Did the CFA have regulatory authority to require the mine operators to comply with their fire prevention policies? CFA and government are constantly reminding the community, why did they apparently not 'remind' GDF Suez about it's duty to prepare for fire, regardless of the cause?

3.6 Do CFA or any other arm of government have authority to recover costs associated with the fire?

3.7 What action is proposed to hold the mine operator responsible for breaches of health and environment laws? Namely, that air pollution resulting from the fire caused nuisance and compromised the health, welfare and safety of humans.

4. Response to Fire by Public Health Officials

4.1 Did the open cut fire increase the risk of land subsidence beneath the freeway and nearby residential areas? What effect would land subsidence have on water, power, sewerage, transport and drainage? What impact might these impacts have on public health?

4.2 To what extent does available assistance cover health risks associated with ash removal and damages to assets such as home water tanks, drains, heaters, vehicles and airconditioners etc?

4.3 According to media reports, EPA testing indicated that the fire fighting water supply was safe. However, subsequent independent testing arranged by the firefighters reportedly showed high levels of E.coli and coliform bacteria. These are usually regarded as indicators of recent faecal contamination. Pseudomonas aeruginosa was also found by the independent testing. Such water would not be suitable for primary contact eg swimming or watering with sprinklers.

4.4 Aerosols are tiny airborne water droplets that can be carried for considerable distances. These droplets may contain organisms such as the ones found in the fire fighting water at the mine. It is not unreasonable to suggest that aerosols could have been inhaled by firefighters and other workers in the vicinity and may also have been carried over the town of Morwell as well. Wide buffer strips are normally used for spraying even highly treated waste water. Published EPA guidelines do not permit spraying water containing high levels of E.coli and coliform bacteria.

4.5 The following pollutants have been measured in emissions from burning brown coal: polycyclic aromatics, benzene, gaseous hydrocarbons, oxides of nitrogen, heavy metals and probably TCDD (dioxin). These substances are known to cause both short and long-term health effects, including respiratory, heart and lung disorders and also increased cancer risk. What measures have been taken to identify and treat the effects of these pollutants in the population should they occur?

5. Response to fire by Other Government Agencies

5.1 In the early stages of the fire, the EPA defined air quality only in terms of carbon monoxide, particulates and visibility. That definition would not be acceptable in a workplace, much less in residential areas where exposure may persist for long periods, even after a fire has been extinguished. Later, the EPA reported airborne particulate concentrations (PM2.5) on their website.

Monitoring of air quality indicators produces data that are unfamiliar to ordinary citizens and of little value unless transformed into usable information. The Bureau of Meteorology transforms masses of data to information in the form of weather forecasts of great value to many. The EPA would do well to understand that

'monitoring' is a means to an end and not an end in itself. I was present in a laboratory when the then Premier Mr Hamer, was given a briefing on some very technical modelling of the Latrobe Valley airshed. As I recall, after listening carefully, his only question was "what's the air like where the people are?"

5.2 Is it government policy that CFA is the lead agency in emergencies involving private companies? If the Morwell fire had coincided with a major disaster such as 'Black Saturday', could a private company expect CFA resources to be diverted from threatened communities to attend such an incident in the future? Are there provisions in the state disaster plan to meet such a contingency?

----- END OF SUBMISSION -----