



## MACKAY CONSERVATION GROUP

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### Waste Reduction and Recycling and Other Legislation Amendment Bill 2012

#### **A Bill**

for

**An Act to amend the *Coastal Protection and Management Act 1995*, the *Environmental Protection Act 1994*, the *Environmental Protection (Greentape Reduction) and Other Legislation Amendment Act 2012* and the *Waste Reduction and Recycling Act 2011* for particular purposes**

Agriculture, Resources and Environment Committee

Submission by Mackay Conservation Group

7<sup>th</sup> Jan 2013

**Part 2 Amendment of Coastal Protection and Management Act 1995**

**Part 3 Amendment of Environmental Protection Act 1994**

**Part 4 Amendment of Environmental Protection (Greentape Reduction) and  
Other Legislation Amendment Act 2012**

#### **‘206 Environmental authority for particular resource activities includes condition prohibiting use of restricted stimulation fluids**

‘(4) In this section—

*restricted stimulation fluids* means fluids used for the purpose of stimulation, including fracturing, that contain the following chemicals in more than the maximum amount prescribed under a regulation—

- (a) petroleum hydrocarbons containing benzene, ethylbenzene, toluene or xylene;
- (b) chemicals that produce, or are likely to produce, benzene, ethylbenzene, toluene or xylene as the chemical breaks down in the environment.’.

MCG Comment: Please note that these chemicals may be naturally within a coal or shale seam and be released with fracking. While banning the use of such chemicals as stimulation fluids above the maximum amount prescribed under regulation, the stimulation processes themselves can be responsible for the release of these chemicals into the environment from the coal or shale seams. The use of stimulation, including fracking, therefore makes it impossible to detect whether or not these chemicals actually have been used in stimulation

fluids above the maximum amounts allowed. A law that is difficult to impossible to enforce is not desirable. Given their toxicity to the environment in even small amounts, and that they can be naturally present and released by stimulation, their use should be banned entirely.

New monitoring techniques also indicate that stimulation techniques such as fracking can cause significant vertical cracks along laterally fracked coal seams. These cracks allow methane and any toxic chemicals present to leak to the surface. The result for the Tara CSG fields was methane concentrations three times above expected levels hundreds of metres from the gas wells. Such leakage into the environment is unacceptable. There is also the risk of not being able to control such leakages. It will also greatly increase emission costs for CSG companies mining unconventional gas, possibly making this industry unviable. The State should consider the ramifications of this before passing more legislation for this industry.

p.21 **'698B Application to convert surrender of registration certificate to suspension of environmental authority**

'The former holder may, within 2 years after the commencement, apply (a *conversion application*) to the administering authority to convert the surrendered registration certificate to an environmental authority that has been suspended under chapter 5, part 11A.

**'698D Effect of conversion**

'(1) This section applies if the conversion application is approved.

'(2) From the day of the conversion, the former holder of the surrendered registration certificate becomes—

- (a) the holder of an environmental authority that has been suspended under chapter 5, part 11A; and
- (b) a **registered suitable operator**.

MCG comment: If an applicant has a suspended EA why should they become a "registered suitable operator"?

## **Part 5 Amendment of Waste Reduction and Recycling Act 2011**

MCG Comment: It is not clear how these changes will prevent the increased importation of wastes from other states because waste will remain cheaper to dispose of in Queensland compared to other states.

Legislation that looks to ways to limit the waste streams would be preferable.

Sincerely,



Mrs. Patricia Julien  
Coordinator,  
Mackay Conservation Group