



**Stockton Chemical Leak  
Adjournment Debate  
Chamber of the House of Representatives  
16 August 2011  
Sharon Grierson MP**

**Ms GRIERSON** (Newcastle): Mr Speaker: I raise a grave matter affecting my electorate.

Last Monday, Orica accidentally released a quantity of 10kg of hexavalent chromium, which spread over the neighbouring suburb of Stockton. Orica manufactures ammonium nitrate and nitric acid. It's an inherently dangerous business. In Newcastle we understand that.

But regrettably we now better understand the health effects of hexavalent chromium, once well-chronicled in the film Erin Brockovich. According to the NSW Department of Health, prolonged exposure can cause cancer, including lung, gastrointestinal and stomach cancer. One would assume then that both Orica and the NSW Government would immediately act to notify affected citizens and provide advice on precautions to take if a leak occurred.

Such faith has proved to be misplaced. People of Newcastle are justifiably irate.

It took Orica sixteen hours to inform the NSW Office of Environment and Heritage of the leak which had occurred for about half an hour before Orica either detected or fully realized the nature and extent of the leak. We remain unsure of the exact circumstances. I encourage Orica to provide as much information on the incident as it can to the public. Compounding this failure, it took the NSW Minister for the Environment, Robyn Parker, an inexcusable fifty-six hours, to notify the public and explain what precautions affected residents should take.

Three days for the Minister to do her job!

Stockton residents are outraged by this incompetence. Living side by side with major polluting and dangerous industries for decades, residents have done their job and attempted to build genuine relationships and consultative processes with their corporate neighbours and the state. Now, they feel betrayed.

What justification can there be for waiting 56 hours to advise residents to:

- Prevent their children from playing in gardens?
- Not eat home-grown leafy vegetables or fruits?
- Not drink water from rainwater tanks and to wash all home-grown root vegetables?
- Wash down surfaces and drain swimming pools?

After blame-shifting and buck-passing between Premier O'Farrell and Environment Minister Parker, they now lay the blame at the feet of Orica who in fact notified within the requisite but unacceptable 24hour period.

There are legitimate questions to be asked about Orica's notification delay and their proper fulfilment of their duty of care to employees and residents, but the facts are that it took the NSW Government three times longer to notify the public than it took Orica to notify the NSW Government.

Kate Johnson, on behalf of concerned citizens of Stockton, has written to Orica asking:

- Why it took so long for the community to be notified?
- How the impact area was defined?
- What is Orica's emergency incident response plan and was it abided by?

They want answers and genuine engagement on this incident.

Today it's been reported that the impact area was five times larger than previously admitted by the NSW Government, causing even more uncertainty and anger among Stockton residents.

That over a week since the incident occurred, ignorance and uncertainty remains, just demonstrates how poorly this issue has been handled.

It's not just Orica that needs to come clean.

The O'Farrell Government has some serious explaining to do.

It is difficult not to conclude that Premier O'Farrell's recent downgrading of the role of the Minister for the Environment contributed to this fiasco. Under changes he introduced after the election, the Director-General of the Department of the Environment now reports directly to the Premier's own portfolio – supposedly so that environmental issues would “be given immediate and direct attention by the Premier.”

Well that didn't happen in this case!

With an Environment Department that no longer reports primarily to the Environment Minister, it's no wonder dangerous blunders like this have occurred.

The O'Farrell Government has failed in its most basic obligations to the people of Newcastle.

A full and independent inquiry into this incident as proposed by NSW Opposition Leader John Robertson and Shadow Environment Spokesperson Luke Foley is urgently required.

But in my view more needs to be done now.

There needs to be an immediate thorough risk assessment of all the activities undertaken on Kooragang and in the Port of Newcastle and an appraisal of their current and potential individual and cumulative health impacts. There need to be publicly accessible 24/7 air and water quality monitoring as well as 24/7 alert and notification systems need to be in place. And the adequacy of the provisions and enforcement practices under the NSW Environmental Protection Act should be urgently reviewed.

Eastern Star Gas has recently applied to locate a plant next door to Orica. It's this type of explosive combination in a potential critical incident that needs proper appraisal under a proper industrial risk assessment framework.

As the Newcastle Herald rightly pointed out today we are no strangers to industrial risk in Newcastle. Currently BHP Billiton are currently spending over three quarters of a billion dollars remediating toxic waste from the former BHP steel works site and adjoining Hunter River.

Let's not repeat the failures of the past. Let's be proactive and manage industrial risks properly now.

Mr Speaker, I sincerely hope that this leak will prove benign and that no residents' health will be affected. But I also hope that something better will come from this critical incident and the appalling failure of the O'Farrell government to date to exercise their responsibility to the health, safety and welfare of the people of Newcastle.