

# Australia: Two whitewash inquiries into Orica chemical leak

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Two official inquiries have now been convened into the release of 10 kilograms of hexavalent chromium, a carcinogenic chemical, into the atmosphere on the evening of August 8 from chemical company Orica's Kooragang Island ammonium-nitrate plant. The facility is located amid suburbs in the New South Wales (NSW) industrial city of Newcastle and close to water treatment facilities and catchment areas.

Neither inquiry, one initiated by NSW Premier Barry O'Farrell and the other by the opposition Labor Party and the Greens in the state's parliamentary upper house, has anything to do with protecting the interests of residents or the workers employed at the Orica plant. Each is part of a damage control exercise that swung into action immediately after the company was unable to stop news of the chemical release from becoming public.

Residents in the nearby suburb of Stockton were not alerted by the company or NSW Environment Minister Robyn Parker until 54 hours after the incident—and only when red and yellow residue from the leak became visible on homes.

The first inquiry was announced by O'Farrell just before a public meeting at Stockton on August 18 called by Orica in an attempt to placate angry residents. Company executives denied there was any serious health risk, promised greater vigilance and pledged to cooperate with the government's inquiry. The terms of reference of the inquiry, to be conducted by former senior public servant Brendan O'Reilly, were released only after the residents' meeting.

The inquiry is narrowly focused on the response of the company and government agencies to the August 5 incident and to "identify any improvements" to the "obligations on companies involved in the industrial use of hazardous materials to notify serious pollution

incidents to relevant authorities and to the community."

There will be no serious examination of Orica's safety record, either at Kooragang Island or more broadly, nor of the company's close connections with successive state governments, which have allowed it to breach its license requirements in the past.

Residents' anger continued to rise, so a second inquiry was floated by Labor's shadow environment minister Luke Foley at a further meeting of residents on August 23. Along with Foley, the meeting's platform featured state Labor leader John Robertson, Greens MP Cate Faehrmann and local Liberal MP Tim Owen—all intent on steering the issue into the dead-end of officially sanctioned inquiries.

The second inquiry will be conducted by a parliamentary select committee, made up of three government members, two from Labor's ranks and two drawn from the "cross bench" parties. This composition is designed to create the illusion of "independence", given that the O'Farrell government is implicated in the cover up of the August 8 leak, and previous Labor governments permitted the company to breach the terms of its operating license.

However, the terms of reference of the second inquiry are also framed to avoid any real probing of the underlying causes or the company's track record, although they include the role played by Environment Minister Parker and the government.

Some indication of the likely toothless recommendations came from the Greens' spokeswoman Faehrmann, who said she would seek amendments to the Protection of the Environment Act to require companies give notice to authorities of leaks "as soon as becoming aware" rather than "as soon as practical".

After an initial session, the upper house committee

will not meet again until the government's inquiry hands down its report on September 30. Knowing the real purpose behind the second inquiry, O'Farrell said both he and Parker were "happy" to appear before it, declaring: "We've got nothing to fear."

For its part, the Australian Workers Union, which covers workers at the Orica plant, continues to work hand-in-glove with the company to defuse local anger. It is looking to establish a joint "working group to help work on transparent communications to the community".

History is littered with official whitewashes, including the inquiries into the 1994 explosion at BHP's underground mine at Moura, Queensland that claimed the lives of 11 miners, the 1996 NSW Gretley mine disaster that took four lives and the Beaconsfield, Tasmania, cave-in in 2006 that cost life of miner Larry Knight.

In all cases, the companies and governments involved were exonerated or mildly rebuked, while the recommendations were for the most part never implemented.

Only an independent working class inquiry could conduct a truthful investigation. It would have to be along the lines of the Workers Inquiry initiated by the Socialist Equality Party in 1996 that established the link between pollution from BHP's Port Kembla steel operations and related factories in the industrial city of Wollongong, and the high rates of leukaemia and other cancers in the region. The Workers Inquiry report, *Cancer and Industrial Pollution*, was released in September 1997.

Despite the controversy surrounding the recent leak, the O'Farrell government is bending over backward to approve a modified plan for a \$500 million extension to Orica's Kooragang Island operation. The original plan was rubberstamped by the previous state Labor government in 2009.

Orica has dismissed concerns from health and safety authorities that there would be increased emissions of hazardous fine dust particles (PM2.5) and that an ammonia tank could crack or break in the case of an earthquake similar to the one that hit Newcastle in 1989.

Orica's record as a polluter was again highlighted last week when it "suspended" mercury redemption work at its former Botany industrial site in Sydney,

admitting the extraction technology in use was inadequate.

Mercury was discovered in 1989 in the soil and ground water beneath the Botany plant, which was operated by ICI, now Orica, between 1945 and 2002. The contamination could eventually create an environmental disaster in Botany Bay.

Orica finally agreed to remove the mercury using soil washing technology but began the process only in May this year, to be completed by September. The Office of Environment and Heritage has now granted a deadline extension, with no guarantee that future efforts will be any more successful.

Speaking to the media after the suspension was announced, Botany Orica chief executive Graeme Liebelt claimed the company was "a good corporate citizen", adding: "We have very robust systems in place for dealing with our safety, health and environmental performance." These comments only reflect the contempt that Orica has for the working people affected by its emissions, and demonstrate that the company is confident that the two current inquiries pose no threat to its profits.



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