

**STANDING COMMITTEE ON
ENVIRONMENT AND PUBLIC AFFAIRS**

INQUIRY INTO COCKBURN CEMENT LIMITED, MUNSTER

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
MONDAY, 11 APRIL 2011**

SESSION SEVEN

Members

**Hon Brian Ellis (Chairman)
Hon Kate Doust (Deputy Chairman)
Hon Phil Edman
Hon Colin Holt
Hon Lynn MacLaren**

Hearing commenced at 4.01 pm**GRAY, MR DAVID****Chairman, LIME Action Group, sworn and examined:****RUDGE, MRS NATASHA****Homemaker, sworn and examined:**

The CHAIRMAN: I would like to welcome you along to the committee's hearing today. Before we start, I will ask you to take the oath or affirmation.

[Witnesses took the oath or affirmation.]

The CHAIRMAN: You will have signed a document entitled "Information for Witnesses". Have you read and understood that document?

The Witnesses: Yes.

The CHAIRMAN: These proceedings are being recorded by Hansard; a transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record. Please be aware of the microphones and try to speak into them. Ensure that you do not cover them with papers or make noises near them. I remind you that your transcript will become a matter for public record. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised it should not be made public. I advise you that publication or disclosure of the uncorrected transcript of evidence may constitute a contempt of Parliament, and may mean that the material published or disclosed is not subject to parliamentary privilege. Before I ask you for your opening statement, I will introduce our committee: Hon Phil Edman; Hon Lynn MacLaren; myself, as chair; and Hon Kate Doust as deputy chairman. I invite you to perhaps make an opening statement to the committee.

Mr Gray: Yes, not a problem at all; I will refer to the document we submitted originally. I will briefly run through that just so that everybody is aware that we believe that the community is affected, as it states in here, 365 days a year by the Munster plant. The three main areas that we always discuss through the community groups are the odour, the dust, and the noise, which all transpire from the plant. I will break each one of them down. Odour is the first on the list there. Obviously, wherever the wind is present on a particular day, it is in and out through to everybody. One day it may be down in the Munster area; the next day it may be over in the Henderson area. It just moves around with the wind consistently. Wherever it is at the time, that is where the people are affected, and obviously nobody can rule out which stack it is coming from. We do not really know, until we see the dust coming out or the product coming out through that day, when is actually hitting you. Obviously you will smell it and you will look up and see the product coming from the plant. Unfortunately, from that, personally I have had tradesmen leave our properties due to the potent smell coming from the area. I will mention a very, very sore point to a lot of people within the area in that when we have friends and relatives over, we have had to cancel barbecues or move inside, which is quite disgraceful and very embarrassing at the time. From that also, obviously the community reports consistently about headaches, asthma, bleeding noses, and everything from the odours from the product. It is one of those unknown things, but it is just wherever the direction of the wind is at the time—it is very unknown. Probably one of the most concerning things for all of us at end of the day is that we have to bring our children inside. The choking smells get that bad

sometimes that you actually have to bring your own children inside and lock them up and shut your windows and doors. That affects a lot of people in different ways, I suppose, and all adds to the frustration about what has been happening.

The second point was the white lime dust that has been bugging people about what it does to their properties, their car, the roofs of their houses; their the solar panels—the list goes on. Whatever you want to look at, it is sitting on top of it. That is also mixed with some brown dusts on days. People say that is coming from the other different stacks in which they burn, obviously, different products. Obviously we know that stacks 1 and 2 have been shut down. We thought stacks 3 and 4 were only producing clinker, but in recent times—at the last EIP meeting—we were advised that stack 4 was back running on lime, which I think was a bit of a surprise to the whole community and also people on that board, including DEC and multiple others in there. There were some quite funny looks when Cockburn turned around and told us that kiln 4 was also running on lime, which gives us three times the amount of problems instead of two times. That is being followed up by multiple people at present.

During the nights the dust is worse; everybody wakes up in the morning and their cars are covered. Some people put this back to the possibility that everybody is at work during the day so people do not notice it as much; however, a lot of people have been monitoring this through our group, and pretty much everybody—I would say probably 90 per cent of people—believes that the night-time production possibilities have made this worse. On one of our recent visits to Cockburn Cement, walking around the plant with their production supervisors, they advised myself that they are possibly getting rebates back from the energy companies now if they are burning at off-peak times, which is another problem that we see because we have always thought that night-time activities were worse. This could be one way of us looking into production figures, hopefully in inquests and things like this, to bring out the truth of where the fuel is getting burnt, what is getting burnt, and the actual productivity. We think we have a lot of problems with that because at night-time it is hidden away from the DEC cameras, which only show during the daytime. DEC has told us that they do not have night-time vision to show what happens with the stacks every night, which we see as residents. We see the problems at night time nine times out of 10 more than the days. Unfortunately, there is a bit of belief around there that it is only the trips that are the problem, which is something that the group is fighting against. The trips make up a minimal percentage of the problem, we think.

The CHAIRMAN: Just before you go any further; have you got evidence of what you just said about operating in lower peak times for electricity?

Mr Gray: No, that was a verbal comment by the production shift supervisor to myself on our walk around.

The CHAIRMAN: So is that only rumour?

Mr Gray: Yes; that is something, obviously, we would like to investigate a bit further as a community group ourselves however we can, and then obviously we want to go through our local government people and stuff like that. That is an area we want to try to find the truth out about at the end of the day, because the residents feel that night-time is our major problem. The trips are still a major contributor to it; however, the evidence on our roofs and cars every morning shows us that night-times are a major, major problem compared with the days. That is one part.

The last one was noise. Obviously, this is affecting the community in many different ways, not just during shutdowns. During the night it is not unusual to be woken up by all the dogs in the street—I think everybody gets this one—going crazy over high-pitched noises being emitted from the plant from the actuators and hydraulic noises. Everybody repeats those back through the hotlines. I think as of the weekend the hotlines were up to 1 307 complaints since January 2010, which is a lot of complaints from the community. So, yes, look, noise is obviously just one of three major items that we wanted to address.

Obviously we have worked very closely with DEC and Cockburn Cement. The group has been invited multiple times now into the Cockburn plant to work with the production shift managers, and we are starting to get places with this. There has been some improvement with the lime kiln dust ponds after our massive events, as you will see from the video evidence we supplied today. There is one video in there from the LKD ponds, which are their lime kilns. They are situated up to the north east boundary of the plant, and on 18 December last year the Beeliar area was covered in lime kiln dust and there were massive big white plumes of dust coming across. This was submitted to DEC and also to the environment minister for further investigation. We have not heard too much further about that yet, and we do not know if anything will come out of that but we are still pushing towards that to see if anything can happen with prosecutions.

The CHAIRMAN: Okay; thank you.

Mr Gray: That gives a bit of a run-down.

The CHAIRMAN: You did mention in your opening statement that the odour and the emission was going wherever the wind went, but the wind direction would be predominantly from south west and the east, would it not—the major percentage of it?

Mr Gray: Yes, obviously during the afternoons we get the south west—the Fremantle doctor—and through the night it comes back around and comes back off to the east. So, yes, definitely from that south west, back round—that whole arc. The north side does not seem to cop it too much, from the reports so far; it will be interesting to see what the new Osiris monitors pick up if they are going to put them on the southern boundaries.

Hon KATE DOUST: We have heard today, from a range of submissions, that things are looking quite good for the bag filter—that is the thing we have been talking about all day today. We have heard it is currently going through planning and that they are hoping to put all that through by the end of April. We have heard from DEC that they are certainly applying some positive pressure to get that moving along with the company; we have heard from the company this afternoon, saying that they want to have that underway by July and completed early next year. They have even made comment in their submission to us today about if that works, looking to do the same sort of thing for kiln 5. If that all goes ahead, then does the community group see that that goes a long way to addressing the bulk of the issues that you have had to put up with?

Mr Gray: Yes, I suppose that it is a start; absolutely.

Hon KATE DOUST: That is a significant win for the community, getting that done, is it not?

[4.15 pm]

Mr Gray: I suppose there was concern when they were talking about kiln 6 starting and it was just a baghouse on kiln 6. During December last year, when the shutdown was on for kiln 6, there was no difference whatsoever on the impact on the community of the white dust and the smells. That was a major concern to everyone, and we went and sat down with Cockburn over that. The major concern is that to date everything they have done has been self-monitored, in the community's eyes. Now we have finally one document that has been released by the health department that has pretty much shown what we in the community have believed and have been fighting for for all these years—lime dust is getting dumped on us and no-one can tell us what the odours are. Even though the baghouses may be going in, we are concerned that we are getting all these elements dumped on us and it is continuing. No-one can come to the community and say that these smells are such and such a by-product.

Hon KATE DOUST: It may be that once you have the bag filters on, separate and further testing will need to be done just on the odour issue itself. Once you have hopefully eliminated the dust issue, you might need to try to identify what the cause and impact of those odours are.

Mr Gray: That was the major concern. We have lime kilns 3 and kiln 4 still, which are a lot older and are very run-down. Until a couple of weeks ago we did not know they could operate on lime kiln as well instead of just the other clinker, which is the larger product, which they tell us will not be a problem for the community. We still do not know.

Hon PHIL EDMAN: When was the LIME action group formed?

Mr Gray: In 2010.

Hon PHIL EDMAN: When did you move into the area?

Mr Gray: I have been there for just over five years.

Hon PHIL EDMAN: When did you first start experiencing these problems from Cockburn Cement?

Mr Gray: Virtually immediately.

Mrs Rudge: It has definitely got worse. I have lived there for 12 years and in the last two years is when I have really noticed it.

Hon PHIL EDMAN: When you were there 12 years ago, were there any problems when you first moved in?

Mrs Rudge: There was dust, but nowhere near as what it is now where we have to turn off the air conditioning in summer and keep our children inside because dust is coming inside. We cannot go outside. It has not bothered me before that but in the last two years they have increased their production and obviously are not spending any money on the place.

Hon PHIL EDMAN: So it was livable 12 years ago when there was a little bit of dust?

Mrs Rudge: Yes, it was.

The CHAIRMAN: That is actually in contradiction of what the company says. It says it has reduced its production in the last couple of years.

Mrs Rudge: They do tell us that.

The CHAIRMAN: They are on oath in here too.

Hon LYNN MacLAREN: Are there a lot of people involved in the LIME action group? How many of them would be long-term residents?

Mr Gray: At a meeting prior to November we had over 90 residents at the meeting. Obviously we have had a couple of rallies along the way. We had over 350 for the first rally. It is very difficult to determine the ratio of long-term residents. There are a lot of very angry long-term residents and very angry new residents who are being told by real estate agents, "Don't worry about it." There is a lot of talk in the community about how people are getting bluffed into buying residential properties in that area, which is very scary.

Hon LYNN MacLAREN: We have heard evidence from other residents who may not be involved in the LIME action group who have had tissue mineral analysis done that has indicated high levels of heavy metals. I wonder whether your group has any other evidence of health impacts, and to what degree are you looking at doing that?

Mr Gray: So far we can just refer back to one of the documents that we submitted, which is the letter to Natasha and Stephen Rudge. I will let Natasha talk about that one.

Mrs Rudge: I actually volunteered to work with the City of Cockburn with this one. There were four residents, and I was one of them. I had a dust deposition gauge in my backyard. We collected dust samples and we rang up the City of Cockburn, which collected the dust samples and sent them to ChemCentre where they were analysed. The study went for three months from September to December 2010. The results came back saying that lime dust is a known irritant that will cause

irritation of the throat, nose and eyes. Any effects are likely to be transient due to the short period of exposure typically experienced as a result of trip events. Once the person removes themselves from the exposure, the symptoms would not be expected to leave any lasting effects. If any dust enters the eye, it should be washed out with plenty of water. Additional care should be taken to avoid direct contact with surface contamination and every effort made to prevent resuspending the dust during cleaning activities. Wherever possible, water should be used for cleaning soiled surfaces and sweeping should be avoided. The dust could exasperate symptoms of asthma. That is what we have been told to do. Basically, when the dust is bad, we all have to go inside and we cannot sweep the outside patio; we must hose it down. The outdoor furniture is constantly covered in lime dust every day.

Hon PHIL EDMAN: Have there been any incidences when Cockburn Cement has given the residents vouchers for washing their cars? Has there been any damage to the cars or to people's roofs, such as discolouring, especially on the southern side of their houses?

Mrs Rudge: All the gutters get eaten away. You can park in the local shopping centre and look in the car park. I know 20 of my neighbours whose car roof and bonnet has been eaten away by the dust. Unless you wash your car every week, the paint on your car will eventually be eaten away.

Hon PHIL EDMAN: Has Cockburn Cement done anything?

Mrs Rudge: They do not do everyone's, unless you complain.

Hon PHIL EDMAN: Have they actually given the residents some help?

Mrs Rudge: They have a contractor working for them who will come and wash your car, but obviously he is so busy that they cannot do yours every week, which is how often it needs to be done to wash off the cement dust.

Mr Gray: Prior to that there were gift \$15 vouchers for BP. You used to have to drive to Melville to use the washers there. They also used to drop off a chemical called Barrel Clean, which you have to use with a gauntlet and this sort of stuff. That is how they told us to wash our cars.

Mrs Rudge: It is very toxic. We have refused to use that because of our children. I do not want that on my driveway around my kids.

Mr Gray: In the videos we submitted, you will see videos of solar panels and roofs.

Mrs Rudge: Which they are now cleaning. A couple of elderly gentlemen around us who are involved in our group cannot get up on their roof and regularly wash their solar panels. Cockburn Cement washes their solar panels as well.

The CHAIRMAN: Okay. You obviously are not very happy with CCL. What would your organisation like to see happen with CCL? How could your concerns about the dust and odour emissions be alleviated?

Mr Gray: We are working with them. There is no use putting a wall between us all. We have to work with them and we have worked with them ever since the group was formed. We have regular meetings with them on site. We tour the plant with them to try to work out where the dust problems are. The problem is everybody believes it is just trips. There are so many places in that plant that need fixing, and they are slowly agreeing and starting to make slight improvements there.

Mrs Rudge: Cockburn Cement asked members of the LIME group to take a tour of the plant recently. We were deeply shocked at what we had to walk through on the grounds through different kilns while wearing protective gear. It was quite scary. I think that a lot of the problem may be fugitive dust in the grounds of the place as well; maybe it is not just the dust coming from the kilns. It is a very old place that was built in the 1950s. Obviously it needs upgrading. You can imagine what the grounds look like. A lot of the problem may be the dust blowing onto the residences.

Hon LYNN MacLAREN: Does the LIME action group represent residents who want to see Cockburn Cement be a better corporate neighbour and not shut down Cockburn Cement?

Mr Gray: Absolutely. We are trying to reduce the impact on the community. We formed the group to try to help our neighbours in the beginning and then obviously the group has grown. Now we are trying to do some good to the community and trying to get feedback between DEC, Cockburn Cement and our community. We are seeing our two-monthly meetings starting to ramp up to provide that information because there is no other way of getting the information. They used to come around and do samples occasionally, but still to this day they will never show you that sample. Now we have the group's involvement with some other people in the community and we have been able to force paperwork to be sent back out in the community. We are finding out what is actually out there.

The CHAIRMAN: When you say "the group's involvement", is that your involvement in the Environmental Improvement Plan Group?

Mr Gray: Yes. That and us feeding back all the information of our meetings with Cockburn Cement back to the community on a two-monthly basis.

Hon KATE DOUST: Today we have heard concerns about residential encroachment into and close to the buffer zone for Cockburn. We know that there have been some new developments springing up over the last few years. Are you aware of any other potential new housing developments that have been talked about in the community, or signage that has gone up?

Mr Gray: No. At the end of the day, the Kwinana buffer zone is not for them. They have a boundary and a statement that does not allow them to come past the boundary. It does not matter if there are more buildings put in around them, they cannot go past their boundary. That is what the DEC licence says.

Hon KATE DOUST: I am not saying that Cockburn Cement is going outside its boundary but housing is going in around and within the boundary.

Mr Gray: Our point is that it does not matter even if there is. They still cannot pollute outside of their boundary.

The CHAIRMAN: Taking that into account, we have heard about the new amended licence. There are some very strict conditions imposed on that licence. What is your organisation's view of that new amended licence?

Mr Gray: We went through it in detail. There are some good improvements in it from the last licence. Unfortunately, some of them do not go far enough. From what we have seen in the past, and I think everyone would agree, targets get broken by companies. If it is a hard and fast rule, that is the rule; it is not there as a target for people to abuse. Unfortunately, we have seen that there has been no improvement before this or after this. Where does it leave the community? They are impacting on the community consistently. We must admit that there are improvements in there, but we would like to see further improvements to the system to protect the community.

Hon KATE DOUST: Thank you for all your hard work.

Hon LYNN MacLAREN: Keep it up.

The CHAIRMAN: Thank you for coming to the hearing today and providing your comments.

Hearing concluded at 4.26 pm
