



September 20, 2013

Ms Margaret Liveris,  
Committee Clerk, Standing Committee on Environment and Public Affairs,  
Legislative Council,  
Parliament House,  
GPO Box A11 Perth WA

By email: [icepac@parliament.wa.gov.au](mailto:icepac@parliament.wa.gov.au)

Dear Ms Liveris

### **Inquiry into the Implications for Western Australia of Hydraulic Fracturing for Unconventional Gas**

Thank you for the opportunity to comment on the Terms of Reference of this inquiry. Please find our comments below.

#### **1. Terms of Reference need to be expanded**

The terms of reference for the inquiry are limited. It is extremely important that the terms of reference are expanded. Fracking has the potential to be extremely damaging and many countries (e.g. France) and other jurisdictions around the world have banned the practice.

The terms of reference of the inquiry need to investigate the key risks of the industry which include:

- The potential for human health impacts.
- Social impacts. Gasfields would bring in hundreds of FIFO workers to communities.
- Groundwater contamination that may flow from failed wells, from migration via natural fissures and abandoned wells.
- Surface water contamination from water that is pumped out of the wells which can be radioactive
- The storing of contaminated well water and muds.

- Air pollution isn't covered under the terms of reference of the inquiry.
- Negative impacts on natural ecosystems.
- Climate change impacts that flow from fugitive emissions.
- Regulation. The regulatory frameworks for gas fracking are inadequate.
- The cumulative impact on landscapes of shale and tight gas development. A gasfield can comprise of several thousand wells. The cumulative impact of those wells on the environment, pastoral land and human health should be considered, as well as the social impact on communities. Well-by-well assessment, as is preferred by the current government, is inadequate.
- The Department of Mines and Petroleum's conflict of interest in regulating this potentially environmentally disastrous industry when it also promotes fracking
- Poor knowledge of the environment before fracking especially of the hydrology and hydrogeology of the Canning Basin.

With reference to the draft Terms of Reference for the inquiry:

**Term of Reference 1 - How hydraulic fracturing may impact on current and future uses of land**

We seek answers to the following questions:

- Will fracking be allowed in areas that are reserves for Town' water supply?
- Who has liability for abandoned sites after well abandonment, and what steps can be made to ensure that frackers don't just cut and run, leaving land managers and the community to deal with the consequences?

Also, conservation parks must not be degraded by fracking. They've been conserved for a reason, and should be totally off limits.

**Term of Reference 2 - The regulation of chemicals used in the hydraulic fracturing process:**

- No dangerous pollutants should be pumped through our aquifers – laws should ensure that all fracking chemicals are completely safe

- A range of dangerous contaminants are released from shale or tight stone by fracking, and have the potential to contaminate ground or surface water. Concern doesn't end with the chemicals that are pumped into the well – we should be concerned about what comes back up again, as well.

**Term of Reference 3** - The use of ground water in the hydraulic fracturing process and the potential for recycling of ground water:

- Each frack can use up to 30 million litres of water. Thousands of wells in the Kimberley would be a huge pressure on precious groundwater in an arid environment.
- The Kimberley floods frequently – what happens when a dam containing contaminated water from a well is flooded?

**Term of Reference 4** - The reclamation (rehabilitation) of land that has been hydraulically fractured:

- Who is liable for contamination of water that occurs after a well has been abandoned? Companies are obliged to 'monitor' for two years after well abandonment but pollution might occur post-well abandonment without anyone knowing, because no monitoring is being done, will tax payers have to foot the bill for any problems after wells have been abandoned?

**Other questions that the inquiry should answer:**

1. The rate of well failure – studies in the US have shown that between 5 – 7% of wells fail within the first year of production – what is an acceptable well failure rate?
2. How would contaminated groundwater and surfacewater be remediated? Who would bear the cost?

We look forward to the committee visiting Broome for the inquiry.

Yours sincerely

Martin Pritchard  
Executive Director