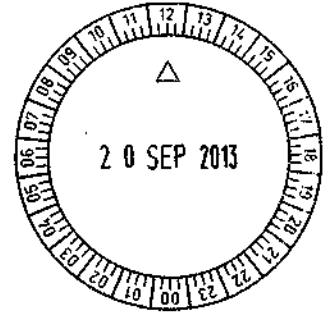


Ms Margaret Liveris, Committee Clerk,
Standing Committee on Environment and Public Affairs,
Legislative Council, Parliament House,
GPO Box A11
Perth WA 6837.
19/09/2013



RE: SUBMISSION BY PAUL SCALLAN TO THE FRACKING SENATE INQUIRY:

I would like to submit the following points in response to this inquiry.

1. Call for broadened Terms of Reference

The terms of reference of the current inquiry are far too narrow. It is extremely important that the terms of reference are expanded – fracking will have devastating impacts on the WA environment and on the health of Western Australians. The terms of reference of the inquiry need to capture the key risks of the industry.

Amongst issues that the expanded terms of reference must cover are the following:

- The potential for human health impacts. Fracking can make people sick.
- Social impacts. Gasfields will bring in hundreds of FIFO workers to communities, who drive up rents, disrupt communities, and then pull out of town.
- Groundwater contamination that may flow from failed wells, from migration via natural fissures and abandoned wells.
- Air pollution isn't covered under the terms of reference of the inquiry.
- Impacts on farming and pastoral land, as well as 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 comprises several thousand wells. The cumulative impact of those wells on

the environment, farm 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 clearly inadequate.

- Is the Department of Mines and Petroleum too deeply conflicted to be trusted with regulation of this potentially environmentally disastrous industry? The government regulator is doing the industry's bidding by pushing out a range of misleading claims. The department is clearly conflicted, tasked with both ensuring that WA's environmental values are protected and with promoting the industry.

2. Address existing Terms of Reference

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

- Under Western Australian law, landowners cannot prevent gas fracking occurring on their land

Under Western Australian law, shale gas fracking companies are permitted to frack in nature reserves and other areas of our conservation estate.

Petroleum companies can go where they want, pay a pittance in compensation, pollute people's land water, and then leave the state to clean up the mess.

- The fight for native title was decades long. Now aboriginal people may be forced to enter access 'agreements' imposed on them by inflexible legal instruments that give frackers the right to frack on native title land. That's wrong.

- 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 landholders and the community to deal with the consequences?

- Conservation parks must not be degraded by fracking. They've been preserved for a reason, and should be totally off limits.

- Will fracking in the Kimberley, South West and the Mid West lead to the spread of die-back?

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:

- Social justice issues concerning the overuse of groundwater in fracking. Each frack uses up to 30 million litres of water. The Mid West might see 25,000 wells, the Kimberley over 100,000. That kind of water use will deplete aquifers:

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 that is the point at which their obligations cease. But the wells remain a pollution threat forever. Concerningly, pollution might occur post-well abandonment without anyone knowing, because no monitoring is being done, creating a public health time bomb.

Yours Sincerely,

Paul Scallan.

P.S I would like a copy of the report issued as a result of the inquiry.