

Media statement

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On Friday 20 November 2015, the Environment Protection Authority's Manager Investigations and Tactical Support Stephen Barry, took part in an interview with *Today Tonight* reporter Hendrik Gout.

The interview focused on the interstate transportation of waste material, the auditing processes that tracks their movements and the processing of waste materials, including lead, at landfill sites.

I understand that this story was prompted from a recent case in Victoria where the EPA in that state had fined an environmental processing company \$22,000 for failing to seek the required consignment orders to transport 900 tonnes of lead slag into South Australia.

The EPA is conducting its own investigation to identify the South Australian landfill operator that allegedly accepted this waste from Victoria and for failing to notify the EPA, as required under the *Environment Protection Act 1993*.

It was explained to Mr Gout that during this process the EPA cannot name any suspect landfill operator which could be prejudicial and compromise the ongoing investigation.

Today Tonight was also informed that the total annual volume of waste material that comes into South Australia from interstate is tracked and that all of it will not necessarily end up in a landfill. In the case of lead for example, this can be put through a chemical process known as 'immobilising' for a landfill cell. It can also be extracted and re-processed at the Nyrstar lead smelter in Port Pirie.

When Mr Gout posed the question, "So how do you know then it doesn't leak out of that cell after the lead has been immobilised?", Mr Barry's response was, "That's a good question. We do know because the cell is lined, it's properly lined to stop leachate from penetrating the base of the cell but also leachate is pumped out and tested."

When the story went to air on Friday 27 November 2015, this question was used but did not include the continuation of the response that explained the scientific processes to safeguard against leaching.

By quarantining Mr Barry's answer to the words "that's a good question" clearly misrepresented his response portraying an impression that he could not answer the question and implying there are no safeguards against the leaching of lead waste.

Mr Barry was interviewed for 14 minutes 30 seconds with a total of **28 seconds** of his responses used in the *Today Tonight* story that ran for 6 minutes and 20 seconds.

The story also claimed that there was 'a potential problem' with an EPA-licensed landfill site near the McLaren Vale vineyards by stating that it accepts lead waste which is processed into a cell that is disposed with other waste.

Furthermore, the story was critical of the Minister for Sustainability, Environment and Conservation, Ian Hunter, for not disclosing the name and location of the landfill site where lead waste was transported from Victoria which is currently being investigated by the EPA.

Today Tonight ignored the reason why the suspect landfill operator could not be named at this point in time, as previously stated.

The EPA has a zero-tolerance approach to illegal dumping and takes its responsibilities for landfill sites in South Australia very seriously by strenuously enforcing licence conditions and prosecuting cases where operators are found to be in breach.

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Provisions under the *Environment Protection Act 1993* can lead to fines of up to \$500,000 or four years' imprisonment for a body corporate, if waste disposal causes serious environmental harm and up to \$120,000 for a breach of licence conditions.

The EPA can also order the remediation of a site where waste material has been disposed without the required licencing approvals.