

Fuziah: Najib may have made sub-judice comments
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Kuantan MP Fuziah Salleh said Prime Minister Najib Abdul Razak, may have made sub-judice comments over the weekend, when he assured that the Lynas plant is safe.

She said that as the 10 residents had filed a judicial review application in court, and he, representing the executive, should not have commented on the case.

"This is sub-judice as what he says can influence the court which is hearing it. This can be deemed as interference from the executive," she warned.

Hence, Fuziah (left) said Najib's statement will be viewed seriously and she will consult the lawyers on their next course of action.

Over the weekend while the Green rally was held in Kuantan on Sunday, Najib had commented elsewhere that the Lynas plant is safe.

Ten residents had filed a judicial review application on Feb 17, challenging the Atomic Energy Licensing Board (AELB) in granting a temporary operating licence (TOL) on Jan 30.

Today, the matter came up for the first time at the Kuala Lumpur High Court, where they faced a preliminary objection from the Attorney-General's Chambers, which is representing the AELB.

Question where waste will go

Fuziah said there are questions to be raised as where the rare earth from Lynas will go.

"In Gebeng Lynas has a Residue Storage Facility and there are questions whether the waste will be stored there permanently or for a long period of time.

"This is because Australia had said it would not accept the waste as it did not originate from there (Australia). So are we going to store it here?" she asked.

She also posed that Australian firm Lynas had said in documents submitted to the AELB that the facility can store waste "within 20 years" and it is acting on a loophole of only finding an alternative place to store it after 14 years.

"This is a mockery and danger to society and this makes a mockery to Najib's slogan of 1Malaysia, People first concept," she said.

She also asserted that despite the preliminary objection raised by the government, several residents had already filed appeals with the minister following AELB's decision to give the TOL.

"We will continue with the judicial review application as we believe AELB may have breached regulations and procedures to approve the project," she said.

No detailed EIA loophole

Fuziah said one of the questions is why there was no requirement for a detailed environment impact assessment (DEIA) report on Lynas.

She claimed that the AELB says that they cannot empower or impose the requirement as it does not fall within its jurisdiction.

“AELB claims it falls within the Department of Environment's provision to do the DEIA and not the board.

“There is clearly an incoherent procedure in Malaysia, for the government to allow the setting-up of the largest rare earth processing plant in the world. Can we truly manage this when the AELB and DOE cannot decide whether a DEIA is required?” she said.

For these reasons, the Kuantan MP said, the residents are opposing the project.

“We have asked Lynas to hold an open dialogue with us as a requirement of the DEIA but it refuses as they claim it is not bound to do so,” she said.

Fuziah said the question remains whether the BN government can manage, after granting the approval, if it then faced the possibility of an environmental disaster.

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