

DoE: No need for detailed EIA from Lynas
The Malaysian Insider
March 24, 2012
By Clara Chooi

KUALA LUMPUR, March 24 — Lynas Corporation was not legally required in 2008 to prepare a detailed Environmental Impact Assessment (DEIA) for its rare earths refinery in Kuantan, the Department of Environment (DoE) has confirmed.

DoE hazardous substances division director Datin Paduka Che Asmah Ibrahim told The Malaysian Insider that this was because when the mining firm was first granted the manufacturing licence to produce “rare earth oxides and carbonates” at the Gebeng Industrial Estate in 2008, DoE’s guidelines only required it to conduct a preliminary EIA (PEIA).

File photo of a signboard showing the site of the Lynas plant in Gebeng. The DoE says there is no need for a detailed EIA from Lynas.

Lynas’ ore-processing activity, which generates radioactive wastes, was at the time not listed as a “prescribed activity” requiring the preparation of a DEIA under DoE rules, she said.

“Only recently, the DoE reviewed this list of activities, taking into consideration activities with radioactive impact, future impact,” she said when contacted yesterday.

According to documents sighted by The Malaysian Insider, the DoE made the amendments on July 20, 2011, shortly after team of experts from the International Atomic Energy Agency (IAEA) completed their review of the Lynas Advanced Materials Plant (LAMP) site in Gebeng.

The IAEA had at the time just released its peer review report titled “Report on the Radiation Safety Aspects of a Proposed Rare Earths Processing Facility (The Lynas Project)” dated May 29 to June 3, 2011.

But Che Asmah told The Malaysian Insider that the only key difference between the PEIA and the DEIA was merely the element of public engagement.

“The scope of the study is essentially the same. The procedure is different but the terms of reference are the same,” she said.

DoE’s website describes the DEIA as a procedure undertaken “for those projects with major/significant impacts to the environment”, while the PEIA is an “assessment of impacts due to those activities that are prescribed”.

The structure of the PEIA’s approval procedure is led by a state DoE director while the DoE director-general oversees approval for the DEIA.

It is required under DoE guidelines for DEIA reports to be displayed at all DoE offices nationwide as well as all public and university libraries for public feedback. During the

period of display, members of the public are allowed to review and comment on the project in question.

No such engagement is required under the PEIA.

But Che Asmah pointed out today that despite the lack of public engagement for Lynas' PEIA process, a similar engagement was done by the Atomic Energy Licensing Board (AELB) earlier this January.

From January 3 to 26, the energy regulator put up for public viewing documents pertaining to Lynas Corp's application for its temporary operating licence (TOL).

Following the display, only three per cent of the feedback received opposed the project.

"There was already public engagement done so I do not see any reason for the DEIA," said Che Asmah.

She added that as LAMP was already near completion, it was no longer necessary for the DEIA to be carried out.

"Today, if any similar firm wants to conduct such a project, they would be required to conduct the DEIA before starting construction because the guidelines have been changed," she said.

The Malaysian Insider

Copyright © 2012 The Malaysian Insider

Source: <http://www.themalaysianinsider.com/malaysia/article/doe-no-need-for-detailed-eia-from-lynas/>