

Ongkili: Onus on residents to prove fault with Lynas licence
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KUALA LUMPUR, April 15 — The three petitioners appealing against Lynas Corp's Kuantan plant must present new information to prove local regulators had erred in approving the Australian miner's temporary operational licence (TOL), Datuk Seri Maximus Ongkili has said.

The Science, Technology and Innovation minister (picture) told The Malaysian Insider that the appeal to him, scheduled for Tuesday next week, is allowed for under the Atomic Energy Licensing Board (AELB) Act so "they can furnish additional or more convincing information that they have not argued or provided before."

"The onus is on them, not on me, to say that decision of the board is not correct. So give me additional information to point to the fact that it was not a wise decision.

"The onus is on them to convince me that the board had erred in interpreting the regulations or facts," he said in a recent interview.

"I am keeping in mind the basis upon which the board has already used for deciding on the matter before this.

"If they are just furnishing what they have furnished before, then I will have to look at that and decide on that basis," the minister added.

The Malaysian Insider reported on Thursday three out of six petitioners against Lynas Corp's temporary licence for its RM2.3 billion refinery in Kuantan have withdrawn from the April 17 ministerial hearing on the issue to focus on the judicial review over the plant's licence.

But Kuala Lumpur High Court Justice Rohana Yusof rejected the bid by 10 residents to stop Lynas' rare earth plant as she did not want to embarrass Ongkili should he decide differently from the court on the temporary operating licence (TOL).

Save Malaysia Stop Lynas (SMSL) chairman Tan Bun Teet confirmed that while he and two others had pulled out, his vice chairman will lead the group that will meet the minister at the Malaysian Nuclear Agency in Bangi on Tuesday.

In January, the AELB approved a TOL for the Lynas plant but has said it will not issue the permit until the Australian miner complies with extra safety conditions imposed.

It then said last week it will not issue a TOL to Lynas Corp until the outstanding appeal to the science, technology and innovation minister has been completed.

Last Tuesday, Lynas Corp's Malaysian subsidiary said the plant would be ready to fire up operations in three weeks' time.

Critics allege that Lynas Corp has failed to give enough assurances on how it will handle the

low-level radioactive waste that will be produced at the plant.

But the Australian miner maintains that waste from the Gebeng plant will not be hazardous and can be easily recycled for commercial applications.

Continued protests, backed by the federal opposition, have forced the government to form a Parliamentary Select Committee to study the project.

However, Pakatan Rakyat (PR) has refused to participate in the panel, calling it an attempt to "whitewash" the alleged danger of radiation pollution from the refinery.

It has promised to shut the plant down if it takes over federal power in elections that must be called by May 2013.

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