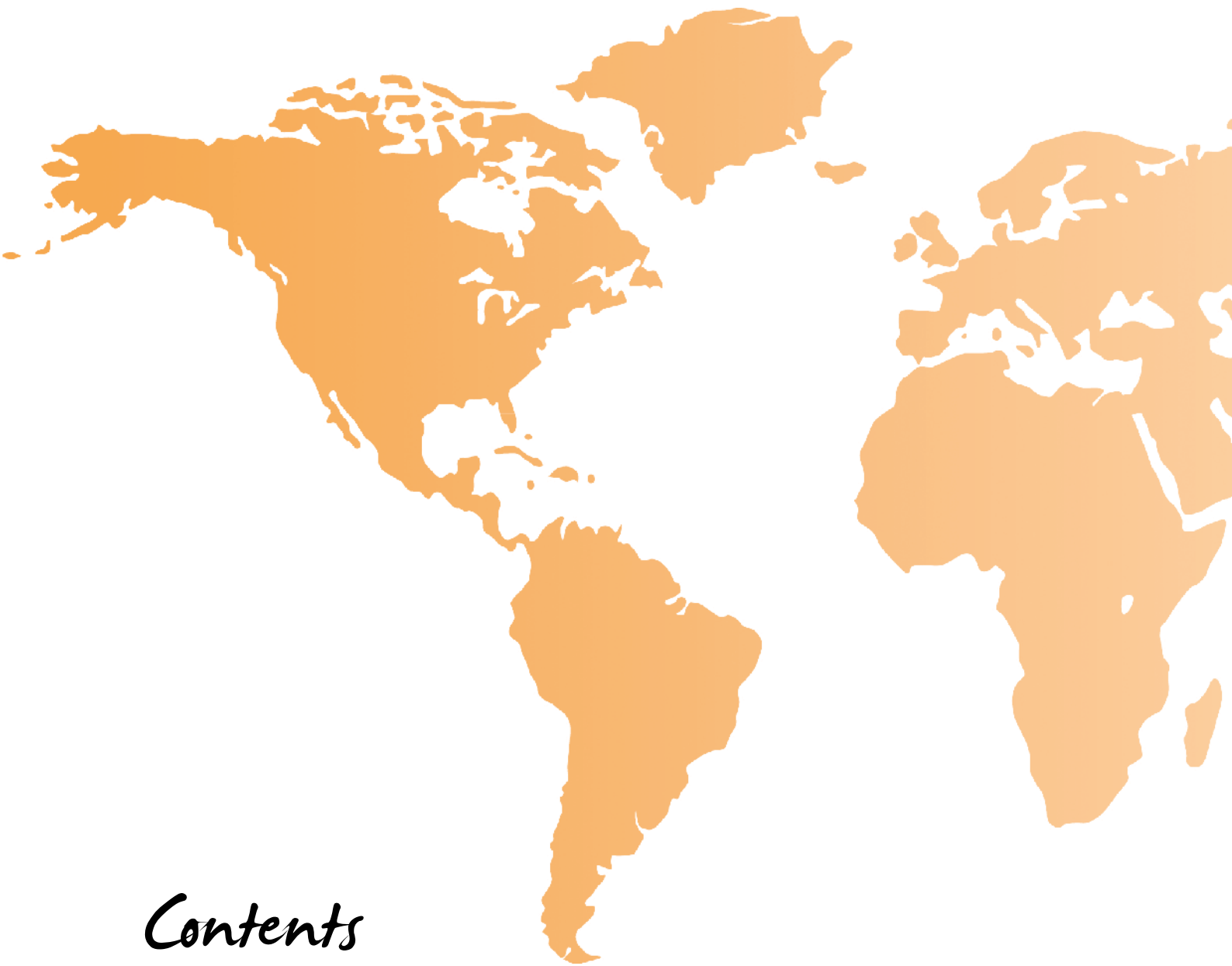




bhpbilliton
dirty deeds





Contents

Introduction	1
THE KIMBERLEY AT A CROSSROADS: BHP Billiton has a pivotal role	2
BHP'S OLYMPIC DAM URANIUM MINE: a state within a state	5
ARABUNNA ELDER vs. FEDERAL ENVIRONMENT MINISTER, SA GOVERNMENT AND BHP BILLITON: the legal challenge of the Olympic Dam expansion	7
YEELIRRIE - WIYA - WANTI	9

Front cover photo: Drill rig off the pristine Kimberley coast, part of the JV James Price Point gas hub.

Back cover photo by Glen Klatovsky: The pristine Kimberley coast, an important breeding ground for wales, home to dugongs, turtles and hosts dinosaur footprints embedded in the rocks along the coast.



Introduction

BHP Billiton is the largest mining company in the world, worth over \$160 billion according to its own annual report. It has operations in every continent except the Antarctica.

Within its portfolio of resource extraction it produced over 222 million barrels of oil in the 2011/12 financial year. Some of that is from dangerous deep sea drilling in the Gulf of Mexico, the sort of operation that led to the massive BP oil spill in May 2010. It also produces coal – over 100 million tonnes of it in the past year – and 3,885 tonnes of uranium. Its products make a massive contribution to destructive climate change and to the profound WMD proliferation and safety risks associated with the nuclear fuel cycle.

And it is heavily involved in ‘fracking’ – the controversial fracturing of shale deposits to get at the oil locked up inside them. Fracking is blamed for water pollution and even causing earthquakes.

This ‘alternative report’ for 2012 is focused on BHP Billiton’s dirty energy production of uranium and gas, highlighting the effect it is having on local communities, the environment and other crucial resources such as water.

BHP Billiton is a ‘dual-listed’ company, made up of two legal entities, one Australian and the other British. BHP Billiton Limited is Australian. BHP Billiton plc is British. But they are run as one company, by the same Board.

In Australia it is famous as ‘The Big Australian’. In Britain it is less well known as its only operations there are the office in London and some drilling in the Irish Sea.

Although, the once “Big Australian” can perhaps now be seen as the “Big unAustralian”. The recent disputes in Australia between BHP Billiton and the Construction, Forestry, Mining and Energy Union (CFMEU) ended up with BHP Billiton forced to the table to negotiate more secure contracts for workers at all its Bowen Basin operations, following industrial action. This arose from an 18 month dispute with the company, which chairman Jac Nasser flagged as an example of “unacceptable union powers” interfering with their coal mining operations. Unions across the region are saying BHP Billiton are provoking the dispute. In May 2012 83% of workers voted against the company’s latest enterprise bargaining deal,

which if passed would have resulted in union support disappearing and BHP dealing direct with their workers.

CFMEU Mining General Secretary Andrew Vickers told ABC at the time, “there is no clearer message to the company that they are out of touch with the views of their workers and they are not going to get the sort of agreement that the company says it wants.”

It’s an odd thing: in its annual report BHP Billiton lists climate change among the risks to its business. It says that its effects ‘may adversely impact the productivity and financial performance of our operations’. It boasts about the efforts it is making to reduce the greenhouse gas emissions of its mines and smelters. But at the same time, it is relentlessly increasing its production of oil, coal and gas, which are the drivers of the climate change it admits is endangering the planet. It’s like a hopeless drunk who knows he’s killing himself but carries on boozing anyway. And it gets pretty ugly with anyone trying to take the bottle away: a Greenpeace report published last November accused BHP Billiton, among others, of spending vast amount of money to stop governments taking effective action against climate change.

One of BHP Billiton’s answers to climate change is to produce more uranium. Yet that simply replaces one set of profound problems with another. On a good day, BHP Billiton’s uranium becomes high-level nuclear waste; yet no country has found a solution to this intractable problem. On a bad day, uranium fuels nuclear disasters such as the March 2011 Fukushima disaster. BHP Billiton supplied TEPCO and other Japanese utilities with uranium while consistently turning a blind eye to grossly inadequate safety practices and grossly inadequate regulation. On a really bad day, BHP Billiton uranium will fuel Weapons of Mass Destruction ... if it hasn’t already. The company seems determined to maximise the WMD proliferation risks by exporting uranium to nuclear weapons states, dictatorships, states refusing to sign the Comprehensive Test Ban Treaty, and countries blocking progress on the proposed Fissile Material Cut-Off Treaty.

THE KIMBERLEY AT A CROSSROADS:

BHP Billiton has a pivotal role

BY GLEN KLATOVSKY

For so many of us, the red dirt, vast savannahs and untouched coastline of the Kimberley represent one of the great Australian landscapes. A unique place where you can whale watch from the shore or from a boat, witness oysters giving up their treasures, fall asleep counting the stars and experience tens of thousands of years of rich Aboriginal culture inextricably connected with the landscapes little changed since before white fellas came.

BHP Billiton is a Joint Venture Partner (JVP) in the one development that will open up the Kimberley to massive industrialisation. As a JVP, they have a great responsibility as the Final Investment Decision looms.

The proposed Liquefied Natural Gas hub at James Price Point, just north of Broome, will provide infrastructure for resource exploitation throughout the region. A deep water port, a power station, industrial marinas, heavy duty roads and an industrial precinct mean this development is pivotal for those advocating a mining boom for this globally significant environment and cultural asset.

Yet BHP Billiton has been one of the JVPs who have publicly stated their concerns about developing James Price Point. Shell and Chevron have also stated their concerns about James Price Point publicly. This year, Chevron sold out of the project to Shell, and Shell immediately spoke of the option of processing the gas offshore on a Floating LNG facility.

Adrian Wood, an energy analyst for Macquarie Equities Research, stated "It is clear that the joint venture partners are not that enthused about the [James Price Point] option and that means the Asian buyers are not seeing it as a credible development."

In a series of Wikileaks documents from the US embassy in Perth, BHP Billiton Vice President for Government Relations Bernie Delaney was quoted in the cable: "... told us that his firm is strongly opposed to the changes in retention leases, which are likely to push companies such as Chevron and BHP to ... develop the new James Price Point complex."

In May 2010 BHP petroleum boss Michael Yeager told investors that he would have preferred to have been able to also investigate the case for using the gas to backfill the North West Shelf and not to duplicate infrastructure.

He said he also had concerns about overcoming the size and length of the pipeline to the coast, a high amount of carbon dioxide in the gas and a soft ocean floor.

"Obviously at the end of the day the idea of building brand new greenfield Kimberley infrastructure and having right down the road from it North West shelf infrastructure that may or may not be full is the real dilemma," Yeager said. "That's why we wanted to not declare whether Kimberly or the North West Shelf should be the right option at this time. Concept selection is so vital, we wanted to work both of those options simultaneously.

Later in May 2010, Mr Yeager again said the Browse project would be technically challenging. "There are a number of major technological issues on the Browse development that will be difficult to handle," he said.

WHAT BHP BILLITON CAN DO

Following the departure of Chevron from the project, BHP Billiton has the opportunity to send the project partners and the WA Government a clear message – allow the project to be developed through Floating LNG or at existing facilities or we will leave as well.

The project costs have blown out by at least 50%, with estimates around \$45 billion now. BHP Billiton's Board and its representation on the Joint Venture Board allow it to have a powerful voice. The Final Investment Decision will be made before June 30, 2013.

BHP BILLITON BEHAVING BADLY

Recently, BHP Billiton has ignited great concerns about another one of Western Australia's great environmental assets, Ningaloo Reef. BHP Billiton were found drilling just 5 kms from the Ningaloo Reef, one of world's last great healthy coral reef systems.

BHP BILLITON HAS A CHOICE

This iconic company has an important decision to make. Is it going to continue to behave as a negative force for the environment? Or will it act publicly and with its partners in a more transparent and positive way? This company has a global voice. It is a global leader in many ways. Will it now lead or will hollow rhetoric and bad behavior continue?



THE KIMBERLEY - WHY IT IS SO IMPORTANT?

THE NATURAL VALUES

The north Kimberley is the last place on the mainland that has experienced no mammal extinctions. The Dampier Peninsula, from James Price Point to Camden Sound is the world's largest humpback whale colony and calving area. In fact, this coastline remains one of the last remaining wild coastlines on earth, rivalled only by Antarctica in scale.

The Wilderness Society commissioned the CSIRO to conduct a study of the health of the environment in the Kimberley (www.csiro.au/resources/Kimberley-Wildlife-Threat-Management). At the launch of the report Dr Tara Martin, a CSIRO ecologist at the University of Queensland stated "we're in the midst of an extinction event in Australia and the north has been the last stronghold for many native species of wildlife".

"Thirty per cent of the threatened species identified in our study are unique to the Kimberley region, while others, like the golden bandicoot, have already disappeared elsewhere in the country," she told Australian Geographic. "The Kimberley is really their last chance on earth."

THE CULTURAL VALUES

Tens of thousands of years of history can be found in the songs and stories of Aboriginal communities of the Kimberley. Extraordinary rock art, petroglyphs, middens and songlines demonstrate one of the world's greatest cultural zones.

Added to this global cultural asset is a unique willingness to share that takes your breath away. One example of this is the Lurujarri Trail (www.goolarabooloo.org.au/lurujarri.html). Paddy Roe, a Goolarabooloo elder established this nine-day walk in the late 1980s and the

family continues operating it today. The walk takes you through part of an ancient songline, through the ever-changing vegetation, the sand dunes, the water holes, the beaches and the cliffs. It demonstrates the connection between the landscape and the culture. An extraordinary example of this is the link between the 130 million year old dinosaur footprints found on the coast with the creation spirits worshipped for millennia. This was recently covered on ABC's Catalyst program (www.abc.net.au/news/2012-10-04/kimberley-dinosaur-track-sites-threatened/4293052?section=wa).

Then you go to Broome, the largest town in the Kimberley. Broome was excised from the White Australia Policy that limited Asian immigration to this country for many decades. This was because of the pearling industry and the use of Asian pearl divers. The result is a unique modern culture where the Asian influence is much stronger than most of the country and the intermingling of cultures and families have developed a powerful and unique identity.

It is safe to say that time spent immersed in the cultural heritage of Broome and the Kimberley cannot be replicated anywhere else on earth.

THE BIG THREAT

There is a proposal to build one of the world's biggest gas factories near Broome at a pristine piece of coastline called James Price Point (Walmadan). This gas factory is 25 times larger than the Melbourne CBD. The footprint of the development is 2500 hectares on the coast and 1000 hectares of marine habitat. It will take up to 6,000 construction workers about six years to build this one factory.

While this is just one of many proposed projects across the Kimberley, it is the enabler for the industrialisation of the west Kimberley. To realise the range of mines and gas projects being put forward you need a deep water

port, a major power station, industrial marinas, heavy duty roads, and a heavy freight airport.

More than that, it will convert Broome from a world renowned and thriving tourism hub to being a mining and energy industry service town.

The worst part of this whole story is that the gas factory does not need to be built at James Price Point. In fact some of the companies involved, including BHP Billiton, Shell and Mitsubishi, have stated their preference for alternative development options. In fact, Shell stated in *The Australian* that new floating factories were a better option, allowing LNG production “without disturbing coastlines or building a big facility in some pristine environment.” (11 Oct 2012)

Most of the major industry and business analysts have also stated the proposal at James Price Point is more expensive and riskier than using existing gas factory capacity or using other technologies.

The push to develop James Price Point is political. It is the vision of Premier Colin Barnett. He is now essentially isolated in his push as almost all other parties start to walk away from this proposal.

THE INSPIRATIONAL LOCAL RESPONSE

The people of Broome have galvanised around this threat. Over the past 30 years they have watched the neighbouring Pilbara region convert into an industrial precinct as iron ore and gas developments have ravaged that landscape and coastline. They look at the big Pilbara towns of

Karratha and Port Hedland and are hell bent on ensuring Broome does not become just another mining service town and fly-in, fly-out outpost.

Faced with their own state government and six of the biggest oil and gas companies on earth planning on destroying their home has resulted in grandmothers, small business operators, teachers and nurses, black and white, standing in front of bulldozers. Thousands of locals have held public meetings, rallies and demonstrations in town (vimeo.com/26139383#). Some have travelled around Australia and around the world to spread the message about this appalling development.

WHAT CAN WE DO?

The people of Broome and the Kimberley need our help.

The Wilderness Society and a range of other organisations and individuals are standing next to the Kimberley community. Meetings, events, rallies, concerts, stalls, exhibitions and a growing mass of volunteers dedicating their skills and time to provide substantial support has resulted in a real movement. A movement of people saying that we do not believe we have to industrialise every square inch of this amazing country.

Go to our website – www.wilderness.org.au/kimberley - and have a read. There are actions you can undertake that are identified on the website. And feel free to give us a call or email. The details are on our website. We are keen to work with the people of Australia to help the people of Broome and to ensure this global treasure maintains its environmental and cultural values.

Photo by Glen Klatovsky: WA Police defend Woodside machinery from protesters.



BHP'S OLYMPIC DAM URANIUM MINE:

a state within a state

BY DR JIM GREEN

Over 500 Australians converged on BHP Billiton's Olympic Dam uranium/copper mine in July 2012 for the Lizard's Revenge – a week of protests and education. Olympic Dam, in South Australia (SA), is the largest uranium deposit in the world by a long stretch.

Plans were in train to massively expand mine production but those plans were cancelled in August due to the questionable economics of the proposed mega-expansion. However the existing mine continues to operate, producing 10 million tonnes of radioactive tailings waste annually, consuming 37 million litres of precious artesian water every day, and contributing to global problems with nuclear waste and weapons proliferation.

The concerns leading people to participate in the Lizards Revenge protests were many and varied. Olympic Dam is a state within a state; it operates under a unique set of laws enshrined in the amended Roxby Downs Indenture Act. That would be unobjectionable except that the Indenture Act allows Olympic Dam wide-ranging exemptions from environmental laws, water management laws and Aboriginal Heritage laws – and it curtails the application of the Freedom of Information Act.

SA Liberal Party industry spokesperson Martin Hamilton-Smith – no friend of anyone who converging on the mine site to protest – said “every word of the [Indenture] agreement favours BHP, not South Australians.” It beggars belief that the SA Labor government would agree to such one-sided terms; and it beggars belief that Mr Hamilton-Smith and his Liberal colleagues waved it through Parliament with no amendments.

The only politician to insist on some scrutiny of the amended Indenture Act was Greens MLA Mark Parnell. He was accused of holding the state's economy to ransom. Yet the transcripts of his late-night Parliamentary questioning of the Labor government ought to be required reading. Time and time again the government spokesperson said that BHP wanted such-and-such a provision in the Indenture Act, and the government simply agreed without further consideration or consultation.

For example, Parnell asked why the Indenture Act retains exemptions from the SA Aboriginal Heritage Act. The government spokesperson said: “BHP were satisfied with the current arrangements and insisted on the continuation of these arrangements, and the government did not consult further than that.” BHP generously supports Reconciliation Australia yet holds on tenaciously to its exemptions from the SA Aboriginal Heritage Act ... that sort of hypocrisy and cant needs to be exposed.

In a scathing assessment of the Olympic Dam royalties regime enshrined in the Indenture Act, journalist Paul Clearly wrote in *The Australian* on 21 October 2012 that the regime “has robbed the state's citizens and all Australians of the opportunity to share in the profits of what will become the world's biggest mine.” He added that the agreement “will unfortunately stand as a sad and enduring indictment of the weakness of our state governments when it comes to negotiating with powerful mining multinationals.”

Olympic Dam is a state within a state – and it has shades of a Stalinist state. When a mine worker provided the media with photos of multiple leaks in the tailings dams in 2009, BHP's response was to threaten “disciplinary action” against any workers caught taking photos. The SA government was conspicuously silent. Have the leaks of toxic tailings liquid been fixed? Who knows. It would be naive to believe anything BHP or the state government has to say on the subject.

In 2010, another worker was sufficiently concerned about occupational health issues at Olympic Dam that he leaked information to the media. The leaked documents show that BHP uses manipulated averages and distorted sampling to ensure its official figures of worker radiation exposure slip under the maximum exposure levels set by government.

The risks would escalate if plans for a massive expansion of the mine are revived. The BHP whistleblower said. “Assertions of safety of workers made by BHP are not credible because they rely on assumptions rather than, for example, blood sampling and, crucially, an assumption that all workers wear a respirator when exposed to highly radioactive polonium dust in the smelter.”



Photo by George Gengis: Police securing the gates of Olympic Dam mine South Australia, July 2012.

So there we have a couple of examples of serious concerns being raised by mine workers, with inadequate responses (or no response at all) by BHP and the SA government, and no way for any of us to get to the truth of the matter. Suffice it to mention one more. Mining consultants Advanced Geomechanics noted in a 2004 report that radioactive slurry was deposited “partially off” a lined area of a storage pond at Olympic Dam, contributing to greater seepage and rising ground water levels; that there is no agreed, accurate formula to determine the rate of evaporation of tailings and how much leaks into the ground; and that cells within a tailings pond covered an area more than three times greater than recommended, requiring “urgent remedial measures”.

The domestic problems with Australia’s uranium industry are compounded by serious international problems. Australia has uranium export agreements with nuclear weapons states with no intention of meeting their Nuclear Non-Proliferation Treaty disarmament obligations; countries with a history of secret nuclear weapons research; countries that refuse to sign and ratify the Comprehensive Test Ban Treaty; countries blocking progress on the proposed Fissile Material Cut-Off Treaty; undemocratic, and secretive states with appalling human rights records.

Both major parties now support the abandonment of previous policy of refusing uranium exports to countries that have not signed the Non-Proliferation Treaty. And the federal government is planning to allow uranium sales to a Middle Eastern dictatorship – the United Arab Emirates. The last time Australia planned uranium sales to a Middle Eastern dictatorship was in 1979 when the Fraser government was negotiating with the Shah of Iran – a few short months before his overthrow during the Iranian Revolution. You’d think we’d learn.

All of these uranium export agreements are accompanied by safeguards inspection regimes that are at best modest, sometimes tokenistic (e.g. China) and sometimes all but non-existent (e.g. Russia).

BHP is partly responsible for the Fukushima disaster, albeit the case that the greater share of the culpability obviously lies in Japan. BHP did nothing as TEPCO lurched from scandal to scandal and accident to accident over the past decade. BHP did nothing in 2002 when it was revealed that TEPCO had systematically and routinely falsified safety data and breached safety regulations for 25 years or more.

BHP did nothing in 2007 when over 300 incidents of ‘malpractice’ at Japan’s nuclear plants were revealed (104 of them at nuclear power plants). BHP did nothing even as the ability of Japan’s nuclear plants to withstand earthquakes and tsunamis came under growing criticism from industry insiders and independent experts. BHP did nothing about the multiple conflicts of interest plaguing the Japanese nuclear ‘regulator’.

Opinion polls are evenly divided on the topic of uranium mining in Australia; typically, polls find that a majority of Australians want existing uranium mines to be allowed to run their course but a majority want a ban on new uranium mines. Recent polls indicate that two-thirds of Australians oppose uranium sales to nuclear weapons states and two-thirds oppose the plan to sell uranium to India – a country which has not signed the Non-Proliferation Treaty and is engaged in a nuclear arms race with Pakistan and China. Clearly these are not fringe concerns.

Dr Jim Green is the national nuclear campaigner with Friends of the Earth.

More information:
lizardsrevenge.net
foe.org.au/anti-nuclear
australianmap.net



Photo by Svea Pitman: Protesters begin to march from their arid camp to the gates of Olympic Dam mine, July 2012



ARABUNNA ELDER vs. FEDERAL ENVIRONMENT MINISTER, SA GOVERNMENT AND BHP BILLITON:

the legal challenge of the Olympic Dam expansion

BY NECTARIA CALAN

On the 3rd and 4th April 2012, Arabunna elder Uncle Kevin Buzzacott challenged Federal Environment Minister Tony Burkes approval of the expansion of the Olympic Dam copper and uranium mine in the Federal Court, Adelaide. Uncle Kevin was represented by the Environmental Defenders Office and two Sydney based barristers on a pro bono basis. The legal grounds for the challenge were that the approval did not constitute a proper approval under the Environment Protection and Biodiversity Conservation (EPBC) Act (1999), the Act under which the Federal approval was made, as it results in uncertainty and defers much of the project design to plans and studies yet to be prepared, attached as conditions of the approval. Many of these concern significant aspects of the project and hence should have informed the approval process.

It was further argued that the Minister did not properly consider the environmental impacts of the export of uranium beyond Australia's shores, the continued and increased intake of water from the Great Artesian Basin (GAB), and the above ground storage of radioactive tailings post mine closure.

Both BHP Billiton and the South Australian government applied to become party to the proceedings, throwing their weight and resources behind the Federal Environment Minister. BHP then succeeded in having the proceedings expedited, putting Uncle Kevin's small legal team at a disadvantage given the very short time frame they had to study the massive amount of documents with which BHP and the two tiers of government were already largely familiar.

On the 20th of April, Justice Besanko dismissed the application, and BHP Billiton and the Federal Environment Minister indicated that they would be applying for Uncle Kevin to pay their costs. Leaving aside the vast inequality of wealth between BHP Billiton and Uncle Kevin Buzzacott, it is worth noting that BHP chose to become a party to the court proceedings, essentially intervening in a dispute brought against the Minister, albeit because the company had an interest in the case. The Minister, on the other hand, did not have a choice. However, by applying for costs he sent a signal that democracy in Australia should be for those who can afford it. The court decided that Uncle Kevin had standing to

pursue this challenge, as is his right under both the EPBC Act and the Administrative Decisions (Judicial Review) Act. The right to judicial review is undermined if those who seek a review are then punished with costs. In July, the Judge ruled that Uncle Kevin would not be required to pay costs.

Under the Administrative Decisions (Judicial Review) Act, the results of the exercise of power by a Minister (in this case the exercising of power is making the approval) are not to be uncertain. Besanko J found that the size of the project justified some level of uncertainty, and that the Minister is entitled under the EPBC Act to impose a wide range of conditions, misunderstanding the argument that the problem was not the number of conditions per se, but that a substantial part of the project design was in the conditions. He further found that the conditions of the approval make it reasonably clear to BHP what it is required to do, thus interpreting the concept of uncertainty in the narrow sense of certainty for BHP Billiton, rather than a wider certainty as to the impacts of the project. For example, BHP are certain that they are required to produce an Environmental Protection and Management Plan, but at this stage no-one else is certain about how BHP propose to manage the impacts of the project as this plan is yet to be done.

If we were to concede, as Besanko J did, that the EPBC Act grants a wide power to impose conditions, including such management plans, then arguably there must at least be certainty as to what impacts or risks are to be

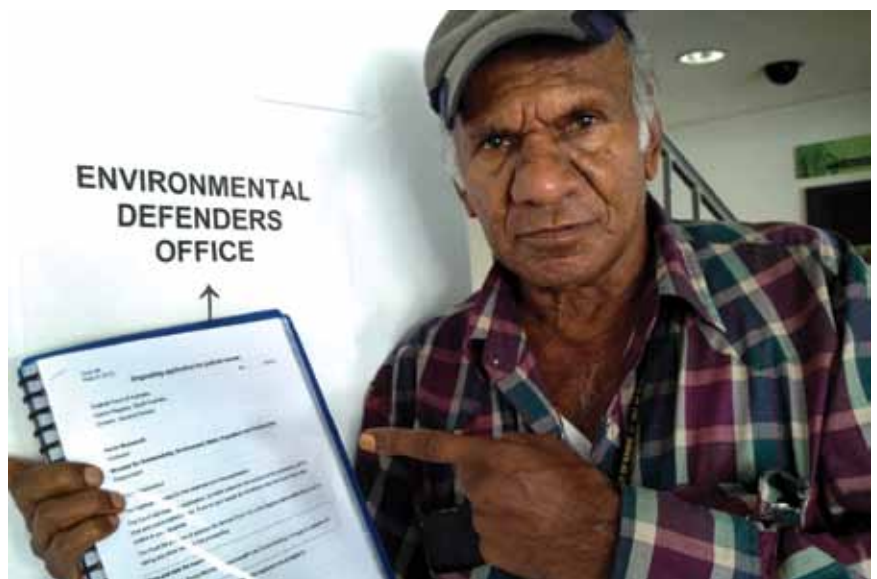


Photo by Margaret Gilchrist: Uncle Kevin Buzzacott at EDO offices South Australia.

mitigated by these management plans. However, a condition of approval is that BHP develop a mine closure plan which includes a safety assessment to determine the long term (in the order of 10 000 years) risk to the public and environment from the Tailings Storage Facility and the Rock Storage Facility. This is not a management plan to mitigate risk but a study to identify it. In his "Statement of Reasons" the Minister stated that the residual risks of the proposed action were acceptable, however the condition requiring the safety assessment be done suggests that some risks have not yet been identified.

Uncle Kevin has appealed the judgement, and a ruling is yet to be made. Despite the recent announcement by BHP Billiton that the expansion will be delayed and lower cost alternatives considered, the outcome of the appeal may still have some impact on the project.

A ruling in Uncle Kevin's favour may see the approval ruled invalid, forcing the Minister to remake the decision taking into account the contested environmental impacts. If the approval is ruled to be invalid based on the uncertainty ground, and BHP do not do any further assessments to rectify this, then the Minister would be legally obligated to refuse approval.

The Federal government approval is not set to expire until October 2016. If the South Australian government grants BHP's request for an extension to the Indenture Agreements earlier December 15, 2012 deadline for committing to the expansion, a ruling invalidating the approval may still be a significant obstacle to the project. This would depend on whether the alternatives being considered by BHP would fall under the current government approvals, or whether a new environmental assessment followed by new approvals would be required. An alternative project design should warrant a new approval process, including a new round of public consultation; however, given the broad scope of the State and Federal approvals, it remains a concern that BHP may attempt to fast-track a new proposal by framing it in such a way that it may fall under the current set of approvals, obviating the need for further public consultation, environmental assessments and new approvals from the South Australian and Federal governments.

OK TEDI: a toxic legacy

BHP Billiton shareholders, the board and the broader community can surely still remember the Papua New Guinea Ok Tedi copper mine disaster. By 2001 BHP had dumped billions of tonnes of tailings from the mine into the Ok Tedi and Fly river systems. In 1994, the company was stunned when landowners successfully enlisted the support of Australian lawyers to prosecute a class action against the company for the environmental devastation caused by its 52% owned mine. In 2000 BHP decided to dishonor an out of court settlement to clean up the river and exit the mine. As part of the company's exit plan, it gave its 52% share of the mine to the PNG Government as a gift. In return BHP demanded a guarantee of immunity from prosecution by local landowners.

The full clean up of the Ok Tedi disaster never happened and the affected communities along the river systems were never fully compensated. The toxic legacy of the Ok Tedi mine in PNG remains to this date, with rivers contaminated and local fishing and agriculture destroyed. The issues still stand from one of the worlds most disastrous mining operations and BHP Billiton walked away and left the Government to do all it's dirty work. Now a decade later the company wants back in to PNG <http://ramumine.wordpress.com/2011/09/19/bhp-targets-return-to-png/>

One can only hope shareholders would never support the company returning to PNG after the damage it has caused to the rivers, the environment and the people

Photo by Stuart Kirsch: The Ok Tedi River in 1998. Each year 100 million tonnes of waste from the Ok Tedi mine are released into the Ok Tedi River.



YEELIRRIE - WIYA - WANTI

Yeelirrie is in a small valley south of the Montague ranges in mid west Western Australia around 500 kilometres north of Kalgoorlie. The area experiences some of Western Australia's most extreme weather, temperatures can rise above 45 degrees and drop below zero. Among the spinifex, breakaways and gnarly Accacia woodlands live a wide variety of marsupials, reptiles, birds, and bugs. Below the surface is a clean water aquifer and an ancient and little studied ground water dependent ecosystem that has evolved over millions of years – Stygofauna.

BHP Billiton acquired Yeelirrie along with the massive Olympic Dam uranium mine in 2005 when it bought Western Mining Corporation. After the Fukushima nuclear disaster following the 2011 Japan earthquake and tsunami the world was reminded of the inherent risks and cost of the nuclear industry – and so return we have seen countries plan the phase out of nuclear power and consequently the uranium price drop dramatically. This year The Economist dubbed nuclear power “the dream that failed”. The post Fukushima decline in the nuclear industry and increase in operating costs alongside global economic uncertainty has led BHP Billiton to pull back from a number of projects including Yeelirrie.

In August 2012 BHP Billiton sold Yeelirrie for US \$430 million to one of the world's biggest uranium producers Canadian company Cameco. Unlike BHP Billiton, Cameco is defined by the nuclear industry the company is involved in many stages of the nuclear chain their existence revolves around the industry.

BHP Billiton's move away from uranium in Western Australia reflects the high costs involved in mining Yeelirrie, the low prices of uranium, the political uncertainty on mining uranium in Western Australia and widespread public opposition to the industry as well as unified contest to Yeelirrie by Koara and Ngalia leaders and widely by the Wongutha people. As the world's largest diversified mining company BHP have been able to take a significant step away from a toxic and contested industry. This has been echoed in South Australia with the deferral of Olympic Dam uranium mine. Following large scale protests in July 2012 there were many people across the nation that were relieved that BHP Billiton were holding off on the Olympic Dam expansion and who hope the project will never commence. Similarly there must be some relieved BHP Billiton shareholders who have contested BHP Billiton's recent and unnecessary investment in uranium.

Photo: Aerial photo of Yeelirrie – showing exploration drilling scar - April 2011.

Acknowledgements

DESIGN: Sakura Saunders

EDITORS: Jim Green & Svea Pitman

CONTRIBUTORS: Nectaria Calan, Dr Jim Green, Glen Klatovsky, Mia Pepper, Tully McIntyre

SPECIAL THANKS TO: Uncle Kevin Buzzacott, Richard Solly, BHP Shareholders for Social Responsibility, Friends of the Earth Australia, Mineral Policy Institute, London Mining Network, Environment Defenders Office South Australia, The Wilderness Society, Conservation Council of Western Australia and everyone that has taken action against BHP Billiton and their dirty energy operations in the past 12 months around the world.

with all respect to the land we walk upon and all Indigenous people across the globe.

