

**MALAYSIA
DEWAN RAKYAT**

LAPORAN PROSIDING

**SESI PENDENGARAN AWAM
MESYUARAT JAWATANKUASA PILIHAN KHAS MENGENAI
PROJEK LYNAS ADVANCED MATERIALS PLANT**

**DI BILIK MESYUARAT SENAT, BANGUNAN CANSELERI
UNIVERSITI MALAYSIA PAHANG, KUANTAN, PAHANG**

PADA HARI KHAMIS, 10 MEI 2012

**SESI PENDENGARAN AWAM JAWATANKUASA PILIHAN KHAS
MENGENAI PROJEK LYNAS ADVANCED MATERIALS PLANT (LAMP)
DI BILIK MESYUARAT SENAT, BANGUNAN CANSELERI
UNIVERSITI MALAYSIA PAHANG, KUANTAN, PAHANG**

KHAMIS, 10 MEI 2012

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[*Menteri Pengajian Tinggi*] - *Pengerusi*
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YB. Tuan Teng Boon Soon [Tebrau]
YB. Tuan Liang Teck Meng [Simpang Renggam]
YB. Dato' Zulkifli bin Noordin [Kulim Bandar Baharu]
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Encik Syed Zahiruddin bin Wan Alshagaf [Penolong Setiausaha,
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Puan Idahaizura Ibrahim [Ketua Penolong Pengarah Belanjawan]

Kementerian Sumber Asli dan Alam Sekitar

Dr. Tan Beng Hoe [Ketua Penolong Setiausaha,
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samb/-

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[Timbalan Ketua Pengarah (Pembangunan)]
Puan Rohimah Ayub [Ketua Penolong Pengarah Negeri Pahang]
Encik Muhammad Hisyam [Penolong Pengarah Negeri Pahang]
Puan Norlin binti Jaafar [Pengarah Bahagian Penilaian]
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Puan Norhayati binti Mohamad Yusof [Ketua Penolong Pengarah Bahagian Penilaian]
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Encik Mohd Yasin Sudin [Pengarah Bahagian Sokongan Teknikal]
Dr. Teng Iyu Lin [Ketua Penolong Pengarah]
Puan Suhana Jalil [Penolong Pengarah]
Encik Mohamad Hanif bin Md Arshad [Penolong Pegawai Perpustakaan]
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Dr. Ahmad Riadz bin Mazeli [Ketua Penolong Pengarah Kanan Unit Kesihatan Pekerjaan]
Encik Ng Aik Hao [Penolong Pengarah]

Jabatan Keselamatan dan Kesihatan Pekerjaan

Encik Ahmad Fauzi bin Awang [Pengarah Negeri Pahang]
Encik Abdul Aziz bin Yahya [Pengarah Bahagian Keselamatan Industri]

SAKSI-SAKSI (PENDENGARAN AWAM)

Warga Emas

Encik Tan Chin Hua
Encik Yew Yoke Chin
Encik Chan Woon Zet
Encik Liaw Sen Lan
Encik Lee Ah Chai

Individu

Encik Yong Kim Keong

Encik Choi Soo Kiang

Encik Soo Cheng Wah

Malaysia Medical Association

Dr. Carmen Chew

Jawatankuasa Peguam Negeri Pahang

Encik Hon Kai Ping
Puan Noor Jehan Abu Bakar
Encik Abdullah Johari Hamzah
Puan Amalia binti Mohamad Said
Puan Rahiza binti Zulkifli

Save Malaysia Stop Lynas

Encik Tan Bun Teet
Tuan Haji Ismail Abu Bakar
Encik Go Yuh Min
Encik Ou Da Foo

LAPORAN PROSIDING**SESI PENDENGARAN AWAM JAWATANKUASA PILIHAN KHAS
MENGENAI PROJEK LYNAS ADVANCED MATERIALS PLANT (LAMP)**

**Bilik Mesyuarat Senat, Bangunan Canselori,
Universiti Malaysia Pahang, Kuantan, Pahang.**

KHAMIS, 10 Mei 2012

Mesyuarat dimulakan pada pukul 3.05 petang.

[Yang Berhormat Dato' Seri Khaled bin Nordin
mempengerusikan Mesyuarat]

Tuan Pengerusi: *Assalaamualaikum warahmatullahi wabarakatuh.* Selamat petang dan salam 1Malaysia Ahli-ahli Yang Berhormat, Setiausaha Dewan Rakyat. Pada petang ini saya hendak mengucapkan berbilang terima kasih dan setinggi penghargaan kepada Universiti Malaysia Pahang di atas kerjasama dalam menyediakan tempat mesyuarat dan kemudahan lain bagi melancarkan lagi sesi pendengaran awam Jawatankuasa kita. Sebagai mana kita sedia maklum, kita akan mengadakan sesi ini bermula petang ini sehinggalah ke hari esok, dan bergantung pada jumlah kehadiran pihak orang awam yang ingin turut serta dalam sesi kita, kita hanya akan dapat tentukan bila kita akan tangguhkan pada hari esok.

Pada hari ini kita akan mulakan sesi yang pertama yang dijadualkan dan yang telah maklum untuk membawa kepada perhatian kita adalah seramai lima kumpulan. Manakala kita juga ada beberapa orang yang datang secara individu, yang *walk-in*, maka kalau kita menjangkakan setiap kumpulan dalam antara 20 minit hingga setengah jam, kita harap kita dapat habiskan sesi kita pada hari ini *by about 5 o'clock*, pukul 5 petang.

Jadi saya rasa tidak perlu untuk melengahkan masa, kita jemput untuk kumpulan yang pertama untuk sesi pendengaran awam kita. Kumpulan pertama terdiri daripada warga emas, kumpulan warga emas.

[Saksi-saksi Warga Emas mengambil tempat di hadapan Jawatankuasa]

3.08 ptg.

Tuan Pengerusi: *Assalaamualaikum,* salam sejahtera, selamat petang. Pertamanya terima kasih kerana dapat hadir bersama-sama untuk menjayakan perjumpaan pendengaran awam yang dikelolakan oleh Jawatankuasa Pilihan Khas mengenai Projek Lynas pada hari ini. Sebelum saya mulakan sesi, saya perkenalkan dahulu Jawatankuasa Pilihan Khas yang telah dibentuk oleh Parlimen.

Saya selaku Pengerusi adalah Ahli Parlimen Pasir Gudang merangkap Menteri Pengajian Tinggi. Sebelah kanan saya Yang Berhormat Dato' Haji Abdul Rahman bin Haji Dahlan, Ahli Parlimen Kota Belud.

Sebelah beliau ialah Yang Berhormat Tuan Teng Boon Soon, Ahli bagi kawasan Tebrau dan sebelahnyalah Yang Berhormat Dato' Zulkifli bin Nordin, Ahli bagi kawasan Kulim Bandar Baharu. Sebelah kiri saya ialah Datuk Roosme binti Hamzah selaku Setiausaha Dewan, manakala sebelahnyalah Yang Berhormat Tuan Liang Teck Meng, Ahli bagi kawasan Simpang Renggam.

Sebelum kita mulakan sesi, saya berharap pihak yang bersama dapat memperkenalkan diri dan suka juga saya maklumkan bahawa dalam sesi ini segala perkara yang kita nyatakan, yang kita cakapkan akan dicatat dan dirakamkan dan akan dilaporkan dalam bentuk *verbatim* dan dimasukkan dalam laporan prosiding. Laporan prosiding inilah yang akan dijadikan asas untuk kita bantah ke Parlimen apabila Jawatankuasa ini tamat tempohnya nanti. Bahasa yang digunakan ialah Bahasa Malaysia tetapi dengan izin, boleh digunakan bahasa Inggeris. Jadi untuk tidak melengahkan masa saya menjemput wakil untuk memberikan dan menyampaikan pandangan ataupun laporan.

3.12 ptg.

Encik Tan Chin Hua [Wakil Warga Emas]: *Hello.* Sebelum saya bermula saya ingin mengucapkan berbilang terima kasih kepada Pengerusi *Parliament Select Committee*, Datuk-Datuk, tuan-tuan dan puan-puan sekalian yang mengizinkan kami untuk menyuarakan pendapat dan pandangan kami serta cadangan-cadangan yang kami akan kemukakan nanti. Nama saya Tan Chin Hua, di sebelah kanan saya ialah Encik Liaw Sen Lan, di kiri saya Encik Chan Woon Zet dan Encik Lee Ah Chai dan sebelahnyalah Encik Chew Yoke Chin. Izinkan saya membentah dalam Bahasa Inggeris.

So, good afternoon to all of you. Actually we represent the senior citizen group of Kuantan. I am the Kuantan resident appoint right here. So before I proceed, I would like to start of with a short story. On one occasion, the citizens of Kesaputta known as Kalamas in India approached the Buddha and ask the Buddha as they were at a loss to understand the various teaching at that time. The Buddha said, "Yes, O Kalamas it is right for you to doubt, it is right for you to waver. In the doubtful matter, wavering has arisen."

So it is today with us, the resident of Kuantan, a doubt has arisen in us. The doubt is the radioactive wave hazardous to human health where those wastes will properly disposed of and what are the adverse effect on humans. These doubts have arising in us and demand answers and factual answers from Lynas and from the relevant authorities.

■1515

First of all, I would like to refer to the difference of opinion between the ICRP Group. ICRP means International Commission on Radiological Protection and European Committee on Radiation Risk (ECRR). One of our bodies in our country, IAEA quoted the ICRP model.

Thorium is one of the radioactive elements that would be produced during the process of the LANTHANIDES or radioactive earth or rare-earth. Whereas the ECRR acronym for European Committee on Radiation Risk is of the different opinion. The ICRP for Malaysian maybe wrong, the content to dilute the radiation exposure from internal resources to the whole body instead of confining it to the surrounding tissue only. So the ECRR contends that the ICRP model has under estimated. The real risk of low level radiation, the editor of ECRR, Mr. Chris Busby suggested that the risk from internal thorium exposure should be 100 times greater than what IAEA says.

Hence, begin the scientific community that is much uncertainty over the actual risk of low level radiation and as responded by Lynas. Our main concern is how many of us totally understand what radiation is and what are the rare-earth? So please allow me to quote what are rare earths or lanthanides. Listed below is the listed the 15 rare-earth. The elements are the atomic number and the atomic weight.

Elements	Atomic Number	Atomic Weight
LANTHANUM	57	138.9
CERIUM	58	140.1
PRASEODYMIUM	59	140.9
NEODYMIUM	60	144.5.
PROMETHIUM	61	147.0
SAMARIUM	62	150.4
EUROPIUM	63	152.0
GADOLINIUM	64	156.9
TERBIUM	65	159.2
DYSPROSIUM	66	162.5
HOLMIUM	67	164.9
ERBIUM	68	167.2
THULIUM	69	169.4
YTTERBIUM	70	173.0
LUTETIUM	71	175.0

These are naturally occurring radioactive elements which are of immense commercial value and that is why Lynas extracting from these land, rare earth. The elements which they want to produce the goods that they want.

During the processing of rare earth using sulphuric acid to produce rare earth oxides, radiation is irradiated. Under high temperature the atoms of all elements will certainly react with one another. Their nuclei will split and integrate creating new isotopes and in the process, emit radiation in the form of alpha, beta, and gamma rays. A seemingly non-radioactive elements example IODINE-30 can become radioactive when the isotopes of Iodine-129 and Iodine-131 are created. They are particularly harmful to humans as they can cause cancer to the bone (marrows) especially and leukemia.

I would like to quote an article written by Dr. Looi Hong Wah published in The Sun, March 09, 2012. First, he talks about Potassium-40. If we look at the number 40 which means is not under the radioactive group. 40, when absorbed is distributed more uniformly throughout the human body, mostly in the muscle tissue, which is among the least sensitive of the body's tissue (the most sensitive tissues are the lymphoid glands, bone marrows, blood, testes, ovaries, and intestines).

Accorded Thorium - 232 being the atomic number, 232 is poorly absorbed from the gastrointestinal tract but much more readily via an Inhalation Route, 70% of thorium entering the blood stream localizes in the bones where it is retained with a biological half life of 22 years, all that while irradiating the blood-forming tissues with alpha particles which are 20 times more damaging than beta or gamma radiation. The half life of Thorium – 232 is 14 billion years.

Elsewhere, from other resources is stated that below regulatory dose limit of 20mSv per year for workers and 1mSv per year for the public imposed by the Atomic Energy Protection Regulations 2010 enforced by AELB. During LAMP operations, Lynas will enforce a more stringent dose constraint of 6mSv per year for workers and 0.3mSv per year for the public. The analysis concluded that handling transport storage of the residues will not cause undue radiological risk to workers and members of the public. We would like to know when, where, and how was the analysis concluded? How many people were involved using what parameters of comparison to conclude that 'it will not cause undue radiological risk to workers and members of the public'. Please clarify with proof of data but this statement also admit at the same time and confirm without a shadow of a doubt that there is radiological risk to members of the public.

Lynas also stated in its Revision 3 documents which were made public and displayed at SUK Kuantan. I refer in particular to the following:

References: 3.3.4.1 Radiation Safety.

<i>Critical Individual / Group</i>	<i>Calculated Dose received (mSv/year)</i>
<i>1. Process Operator (WLF residue filtration process at the pressure filter area)</i>	0.86
<i>2. RSF Operator (WLF residue handling at the RSF)</i>	3.07
<i>3. Truck Driver (save as (2) above)</i>	2.96
<i>4. Public Residing off-site (1km radius of Lynas)</i>	0.002 (fencing area)

WLF is refer to Water Leach Purification. It is obvious then that the threat of radiation which can cause deformities in unborn babies and cancer to the living is very real and merits fear and grave concern.

The safe level or thresholds of the public and 20mSv per year for occupational workers quoted by Dr. Looi Hoong Wah, AELB and IAEA are derived from ICRP risk models which are currently under close scrutiny and challenged in the wake of excess childhood leukemia near nuclear power plants that cannot be explained by radiation exposures which are much below the 'safe threshold'. A United Kingdom expert panel, for instance (2004, www.cerrie.org) could not arrive at a consensus regarding the health risks of low level exposure to internal emitters (inhaled or ingested radioactive particles). Opinions are among the UK panel members ranged from negligible adverse effects to an underestimation of risk by at least 100 fold.

Hence, nobody really knows at this point how hazardous, toxic, and dangerous the Lynas refinery may turn out to be. Assurances and reassurances are needed to dispel the concerns and fears of the public and to calm the citizenry.

By way of illustration, what is radiation? To radiate means to produce heat and or light and radiation is a burst of energy that comes from a nuclear reaction and that can be very dangerous to health. Radiation is also energy from heat or light source that cannot be seen. The Lynas refinery uses rare earth to produce rare earth oxides necessary for the production of certain goods like magnets which are highly sought after by the electronics industry, etcetera.

The rare earth or lanthanides are naturally occurring radioactive elements. When sulfuric acid and water is added to these elements radiation is produced. The waste is also radioactive yet it has been re-categorized as chemical residue by AELB. Does it mean when that was made public displayed at SUK, Lynas has irrevocably stated that the lanthanide oxides or waste generated radiation is not true.

That in processing rare earth a small amount of Thorium-232 is produced in the waste product. Is Thorium-232 harmful? Let me digress a little. Radiation comes from the Latin word, RADUS meaning a beam of ray. It can mean one of the ways in which energy is transmitted or spread through space. In heat, energy can be transmitted by conduction, convection, and by radiation. Radiation can also mean one of the kinds of energy transmitted. Thus, light, radio waves, X-rays, the rays given off by radiations are alpha and beta rays given off radium and also cosmic rays which are gamma rays known also as electro-magnetic rays.

What are these rays? Alpha rays are particles comprising of a pair of protons bound together with a pair of neutrons to form a helium nucleus.

Their double positive charge makes them interact strongly with atoms in their path, so they dump all their energy very quickly whenever they encounter matter. Once inside the human body, they can be very damaging to living cells in their close proximity. Beta rays are simply fast electrons, being negatively charged are ejected by a radioactive nucleus seeking to improve its positive charge for better stability. Beta decay therefore complements alpha decay and is more penetrating than alphas. Of lighter means, they lose less energy per collision with matter and travel further, dispersing the damage they cause. Beta burns suffered by humans are caused by carbon-14, the major beta emitter in the body. Gamma rays are highly energetic electro-magnetic waves, emitted by radioactive nuclear processing too much energy for their long term stability. Gamma rays carry no electric charge but are very penetrating. Several centimeter of lead or meters of concrete are needed to shield it.

Excessive exposure to gamma rays can overwhelm the body's defenses. A good example is the radioisotope technetium-99 used in body scans for medical diagnostics, these are our x-ray machine. Another kind is neutron radiation being uncharged, neutrons are very penetrating and intensely harmful to human tissues. Being radioactive, they decay with a half life of 12 minutes when they are outside an atomic nucleus. Muons, also radioactive decay in microseconds into Beta rays. Every radioactive elements or isotopes have it own half life. If an isotope has a half life one hour and a second isotope has a half life of half hour. It is second isotope will decay more rapidly than the first isotope. Hence, its radioactivity is twice as great. This leads to the rule that "the activity of radioactive elements is inversely proportional to its half life".

The two most important radioactive isotopes in the human body are carbon-14 with a half life of 5,730 years, and potassium-40, with a half life of 1.28 billion years. Hence, potassium-40 is less active than carbon-14.

The danger with beta radiation is that betas are accompanied by gamma rays. They cause damage at any point where there is enough matter to absorb them so they can irradiate others. But not all radiation is alike. The clouds of radioactive particles released from the Japanese reactors in Fukushima are spent fuel pools containing dozens of fission by products with distinct properties and effects on humans. Hence, it is different from that one, emitted by the Lynas plant.

At very low doses, health risk is negligible but cumulative exposure can cause radiation sickness and increase the risk of cancer.

Let me quote another case. On Tuesday, 3rd January 1961, three men Richard Legg, John Byrnes, Richard McKinley were directed to pull out the control rod of reactor SL-1, located at the National Reactor Testing station in Eastern Idaho, Missouri America. But Byrnes pulled it up by about two feet whereas it should be about 4 inches causing the reactor to blow up. This is the case of human error.

So, we would like to know also to what action Lynas is able to contain the human error. This was the deadliest nuke disaster that took place in the US at that time. The US government tried to hush up but failed. This tragedy highlights to us that the best laid plans may go astray because of human error or non-compliance with procedure.

So, what are the radioactive by products of the lanthanide wastes or residues? We would like Lynas to come clean and tell the public. How do they intend to contain the irradiation of the radioactive wastes or residues? We expect an answer to these unanswered questions from Lynas, from the relevant authorities like AELB and DOE.

■1530

Here I would like to take some time to let all the ladies and gentleman that are present to have an acquaintance with what is radioactive or radiation. The word, "atom" is derived from the Greek word 'atomos' which means indivisible, a theory of Democritus (400 BC). One atom can be converted into another, it is only 1 millionth of a millimeter across. The numbers are so unwieldy atoms have their own mass scale. The standard is taken from a particular atom of carbon and gives the atomic weight of exactly 12. For example, the atomic weight of hydrogen is 1 and that of oxygen is 16. The nucleus of an atom is made up of protons and neutrons. Protons have electrical charges, neutron do not. The number of protons in a nucleus is always the same as the numbers of electrons moving around the nucleus and making up the rest of the atom. How an atom behaves depends on its electrons and protons and not on neutrons, in a chemical reaction. The number of electrons and protons makes up an atom of one element rather than another.

For example, uranium – 238 has 146 neutrons and 92 protons making up its atomic weight of 238. Uranium – 235 has 143 neutrons and 92 protons making up its atomic weight of 235. An electron can jump from an inner to an outer shell if there is collision with another atom. Lynas did admit the mineral concentrates contain radioactive material, but that it is at very low level. Lynas also admit that the rare earth contained very low levels of Thorium and that they are naturally occurring radioactive. Lynas is extracting useful element from rare earth. During processing of rare earth, what actually happens, what are the waste products? Kuantan residents especially and the public have the rights to know and be told the truth. A doctor said Thorium 232 is safe, that the 0.09 MeV of gamma radiation detected comes from the Thorium 228's decay, which then is changed to Radium 224 to Radon 220 than to Polonium 216 and then finally to lead.

But, he also stated that in processing the rare earth a small amount of Thorium-232 is produced in the waste product. So, our next question is, how are they going to disposed of the waste product safely. So, that it doesn't harm the environment and doesn't harm the people. Please clarify or admit or refute based on facts. Not speculation to alleviate the doubts and concerns of the public. Why talk about gamma rays only?

What are alphas and beta rays? Are they non-radioactive? Can they not aggravate? What is the danger level of radiation when processing rare earth? Why there is no mention that radioactive is penetrative or accumulative in the human body? To recap, radiation comes from the Latin word RADUS, meaning a beam of ray. It can mean one of ways in which energy is transmitted or spread through space. On heat, for example, energy can mean one of the kinds of energy transmitted in the last of these rays.

Thus light, radio waves, X-rays, the rays given off by radioactive substance like radium and cosmic rays are all forms of radiation. Some forms of radiation are tiny particles of matter. Others have no solidarity and are called electro-magnetic rays. Among the particles radiations are the alpha and beta rays given off by radium and also cosmic rays. Which are atomic particles traveling through outer space? Among the several kinds of electro-magnetic radiations are gamma rays, X-rays, ultraviolet rays/lights, ordinary visible lights, infra-red lights, microwaves used in radar and radio waves.

The radiation waves differ from water waves or sound waves in two ways, they can travel through empty space and at enormous speed, about 300 million kilometers a second. The only difference between the different kinds of electro-magnetic radiation is that they have different wave lengths. The wave length may be measured in nanometers. A nanometer is 1 over 1,000,000,000 of a meter, or an angstrom unit which is equivalent to 1 tenth of a nanometer. Gamma rays are given off by radioactive substances such as uranium and radium, and also when atomic nuclei are split. Radioactive substances shoot out tiny particles or rays, some of these substances occur in nature, but others are artificially made. Next we come to Isotopes. Which is the cause of concern to all? Isotopes have atoms with the same number of protons, but with different number of neutrons. Isotopes can be man made. Isotopes of the same element have the same atomic number. This number identifies the characteristic chemical properties of an element. For example, Joliot Curies created a new substance with 15 protons and 15 neutrons weighing 30.

Chemically, the new substance which is man made is also known as phosphorus, created from aluminums bombarded with alpha particles. This new isotope of phosphorus is also radioactive. Alpha rays are the nuclei of helium atoms. Each particle consists of 2 neutrons and 2 protons. The complete helium atom has 2 electrons moving around the nucleus. The nuclei of radioactive elements are unstable because they are so heavy. Beta rays consist of electrons. These are tiny particles of electrical charge. Gamma rays are electro-magnetic waves of very short wave length. They are like X-ray except that they have higher energies and this increases their penetration that is their ability to go through metal. The rays given off by radioactive substances are ionizing rays which means they are able to break up the molecules of gases to pieces which bear electric charge.

So, what are the wastes or residues from the Lynas Plant?

FGD: relative PURE GYPSUM material termed GYPSUM, Synthetic – which they claimed that they are able to commercialize out of the radioactive waste.

NUF: magnesium-rich product processed unto magnesium-rich GYPSUM

FGD: Flue Gas Desulphurization Residue

NUF: Neutralization underflow Residue

WLF: Water Leach Purification Residue

According to the Atomic Energy Licensing Radioactive Waste Management Regulations 2011, FGD and NUF can be classified as materials containing levels of radionuclide at activity concentrations less than those specified under the Second Schedule of regulation which can be removed from the Board, hence it was then re-categorised as scheduled chemical waste and not radioactive waste. Lynas also claimed that FGD and NUF can be classified as scheduled wastes under Scheduled One of the Environmental Quality (Scheduled Waste Regulations) 2005, Hence, this waste residues will potentially be governed under the Environmental Quality Act 1974 (EQA 1974) and subsidiary regulations enforced by the Department of Environment (DOE).

At the beginning, FGD and NUF were classified as radioactive waste regulated under Act 304 enforceable by AELB. In May 2011, IAEA reclassified FGD and NUF as non-radioactive waste streams for the purpose or regulations. The residents of Kuantan and the public call upon the relevant authorities to admit, which in fact they have, that the rare earth produces radioactive waste. No amount of hiding behind technical classification can negate the existence of radiation and the emission of radiation during the processing of rare earth. So, what really is the matter? This is the question. Lynas considers its operation as 'residues' because waste streams can be processed and commercialized in a variety of applications. It is alleged that 28% of Lanthanide oxide of high purity is produced.

Are these oxides radioactive, toxic and hazardous? How do they impact on us humans? I'll skip the rest then I go to our concerns, the public concerns:

Firstly, that our environment will be polluted and contaminated with radioactive, toxic gas and liquid hazardous wastes or residues arising from the use of concentrated sulfuric acid and other acids.

Second, that these radioactive, toxic gases and hazardous wastes or residues can cause severe and permanent damage to the environment.

Third that our future generations will suffer due to our inability to prevail upon the government to reconsider imposing other extraneous conditions as follows:

- (1) *Lynas will discharge its treated waste matter considered safe by Lynas, to the open sea. Since Lynas will be using huge amount of water necessary for its refining process, the possibility that the communities in Kuantan will face a water shortage situation is real and imminent.*
- (2) *hence, we would like the government and Lynas to consider, why not use the recycled and treated waste water considered safe to reduce its dependence on public water meant for the residents of Kuantan?*
- (3) *Additionally, the federal and state government should consider and build more dams to address the problem of water shortage.*
- (4) *the fear of radiation is very real. The public expects that Lynas, in discharging its duties as a socially responsible corporation, invest a small portion of its profit to set up clinics, made accessible, free of charge to all bona fide residents in Kuantan, to its services like taking their level of radioactive reading due to radiation contamination and or pollution.*
- (5) *that these clinics would treat and dispense medicines to those residents confirmed to have suffered sickness due to exposure to radiation, contamination or pollution.*
- (6) *that in the event Lynas refuses to give or offer free medical services and treatment thereof the victims is enabled by law to sue Lynas for damages to health and life and other ancillary inconveniences.*
- (7) *that, to be fair to everyone operating in the Gebeng area, a survey and reading to measure and record all data pertaining to the extent of contamination and pollution to the environment including all radioactive pollutants and contaminants in the area due to the disposal of chemical dispersants and scheduled chemical wastes by these plants must be carried out with immediate effect.*

Listed below is the list of some of the chemical plants and other industries that could have required more stringent and vigilant monitoring:

- (i) *Basf-Petronas*
- (ii) *BP Chemical*
- (iii) *Cargill*
- (iv) *Eastman*
- (v) *MTBE*
- (vi) *Kaneka*

- (vii) WR Grace
- (viii) Proctor-Gamble
- (ix) Solutia/Flexsys Chemicals
- (x) Polyplastics Asia Pacific
- (xi) PPSC
- (xii) Bredero Shaw
- (xiii) Kinsteel

Especially Kinsteel, it is an iron mill. So far, nobody has mentioned this because they have been operating some or more maybe 20 years. I just cannot understand why the monitoring is not that stringent to all and the area there is already polluted and contaminated. According to some experts, rare earth oxides are inherently harmless. But, two elements said to bond with lanthanides i.e. thorium and uranium, they are extremely radioactive and hazardous. Even among experts, there are two divergent views - one says that radiation from lanthanide wastes is relatively safe whereas the other says otherwise. Now, whom do we believe?

Kuantan is an idyllic place to stay. We do not want its pristine beauty to be polluted and destroyed. Please let us and the future generations continue to enjoy life's natural beauty, but in the event the government goes ahead and give its approval, then we would like the government to seriously consider the extraneous request from the Kuantan residence. I would like to end by this saying, 'If you prick us, do we not bleed? If you tickle us, do we not laugh? If you poison us, do we not die? If you wrong us, do we not fight?' These groups sincerely hope that PSC would be absolutely impartial in your report to Parliament after you have completed your findings. Thank you.

Tuan Pengerusi: *Thank you Mr. Tan, any questions?*

Tuan Liang Teck Meng [Simpang Renggam]: *I think all of us here also we want to – because, so far the plant is only at the beginning stage, its not even operated, started. So, we also want to know, what is the result as compared to the desired value? We want to know how exact it is. So, but without giving the TOL, we will not know what is the result. I believe you also have the same thought as me. So do you agree that the TOL in fact should be given let the see result and then only we make such a conclusion.*

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Mr. Tan Chin Hua: *I would agree with reservations that in event that's upon finding that TOL can be issued to Lynas that the extraneous conditions that we requested just now, should be seriously concentrated by the government. In particular, the waste disposal side, this is one main concern. The other concern which is publicly known is that why Malaysia, why not back in Australia, right?*

The cost of transportation from Australia to Gebeng is 4,000 kilometers is a huge transportation costs. These are some locations the public just could not accept. So, right from the beginning I felt that government has failed to educate the public properly as to the level of radiation that can be emitted from this one but I would like to add, this not only radiation from this lanthanides earth during production but also chemicals, I purposely quoted those chemical plants that had been there for so long. I'm very certain that pollution in the area is very bad and I feel that monitoring and inspection by our authorities, DOE and so on, should be more frequent and then also to be fair to Lynas as I said, Lynas has not even started yet but if there's radiation, one other source would be from Kinsteel. Kinsteel has been operating for so long.

I'm certain there is radiation for what level, up to what extent but we have no report. We would like to know. So government has to do its part as its duty to the public. A good government is one that takes care and takes care of the interest of their people and their social welfare as well you know. It's not just that we want to bring in investment to the country but how does it benefits us in the way. So if that corporation makes tonne of money and it doesn't play its role as a responsible social corporation, there is no benefit to people of Kuantan and if a quality of life is affected in some way, would you like to stay in Kuantan? I'm sure you wouldn't like. I meant as an aside maybe you said as a joke.

If you think the disposal of radiation or this waste is so safe, I would suggest that it be buried in your compound of your houses, 50 kilometers would do you know. Just to assure us that it so safe or not, I can even bury in my compound. Why does the government have to say we look for an area which is far away from people? When you say you want to go for an area where the population is very low, away from people and so on you are actually admitting that there is radioactive waste. This is very high level already.

Otherwise is very safe you know I'm coming in my house; I show you that you pacified everybody but now, you see, until now, one of the conditions, Lynas is still hoping to find is, where the suitable site? Until today, government has not come out where is the site to identify. Lynas also has not found out I think. So as I said, no if you find it so safe, put it in your house and show us.

Tuan Liang Teck Meng: *Yes, thank you. Mr. Tan also may I know that because I read through this. This is your report, isn't it?*

Mr. Tan Chin Hua: *Yes, I will be giving one copy to the chairman. You have it.*

Tuan Liang Teck Meng: *So, may I know whether you have any specialist backing you up for this information, where did you get it?*

Mr. Tan Chin Hua: *No, I find this from our public library here.*

Tuan Liang Teck Meng: *Library.*

Mr. Tan Chin Hua: *Yes, from public library and some others sources are from the net and so on. Actually I'm not affiliated or working with any NGO group in Kuantan, no. I'm preferred to engage to talk and find out a fact rather than going for other means, I do not like that. Anything that can be discussed to find the settlement, we discuss. I hope the PSC would also do likewise.*

Dato' Abd. Rahman Dahlan [Kota Belud]: *Mr. Tan, thank you very much for the report on behalf of the senior citizens group. You keep, you had been very fair, you been saying asking for assurances and reassurances from Lynas and also from the authorities. I just want to ask you, whether you have or we have had or you have been engaging Lynas directly, asking for information or going to their public hearings or public briefing? That's my first question.*

Mr. Tan Chin Hua: *My friend has been visit site three times.*

Dato' Abd. Rahman Dahlan: *Sorry, say it again.*

Mr. Tan Chin Hua: *Three times.*

Dato' Abd. Rahman Dahlan: *You visited to site?*

Mr. Tan Chin Hua: *Three times.*

Dato' Abd. Rahman Dahlan: *The site with briefing from Lynas?*

Mr. Tan Chin Hua: *Yes, with Encik Ismail, Encik Khairul and Mr. Wee.*

Dato' Abd. Rahman Dahlan: *Okay, any...*

Mr. Tan Chin Hua: *We were permitted to take photographs inside the plant but we're not reviewing it to the public.*

Dato' Abd. Rahman Dahlan: *Okay, after hearing explanation from Lynas, the Professor Ismail and the able people there, are you still not convince and from the explanation given by them?*

Mr. Tan Chin Hua: *Up to certain extent, they tried to be fair; we try to be fair also. That's why we are, have very good relationship with those three gentlemen. We do not want to cast expression on anybody without substantial facts.*

Dato' Abd. Rahman Dahlan: *Thank you but through out your report just now, you have raised concern even on the very basic things as disposal or residual disposal you know, penyimpanan ini, waste management, waste disposal, sorry. Haven't Lynas told you anything about that particular system?*

Mr. Tan Chin Hua: *Yes, they have.*

Dato' Abd. Rahman Dahlan: *And you are not convinced?*

Mr. Tan Chin Hua: *Because they are still not able to identify the site.*

Dato' Abd. Rahman Dahlan: *Not the permanent disposal facilities but the Residual Storage Facilities (RSF).*

Mr. Tan Chin Hua: *They have. We just accept what I have said the real processing or production has not even begun yet.*

These are all under simulation where you get the result. So I did ask this type of question in real situation when actual production starts would it be the same, so air kotor, one example, but Marie Curie, who discoverer of radium, how did she died? She did all the experiment on radiation using uranium in the lab under control conditions yet in the end she died of cancer due to exposure to radiation. So, Encik Ismail was gentleman enough to admit, yes is true. It cannot be otherwise because is all taken from the books. I did express, if you disagree, I will throw the books away, I would tell the public that this book written by so and so is junk, they cannot agree but it is the fact that we have to admit.

Radiation as I said can come from any source. One element that is not radioactive in chemical reaction can become radioactive. In water that we drink, do you know that the water also radioactive? There is an element inside and as know as tritium that is radioactive but the level of tritium is so low that it is not harm full. It is also beneficial to human and being drink water since our birth but can it be said of radiation from lanthanides source, that we don't know yet. So we want assurance on this fact.

Dato' Abd. Rahman Dahlan: *Okay, thank you. Just one last question Mr. Chairman, obviously number one you are not still convince by Lynas explanation despite been there for two or three times and meeting the top expert there during Professor Ismail and Encik Khairul.*

Mr. Tan Chin Hua: *Yes.*

Dato' Abd. Rahman Dahlan: *So is that the fact.*

Mr. Tan Chin Hua: *Not completely.*

Dato' Abd. Rahman Dahlan: *Not completely convinced, okay.*

Mr. Tan Chin Hua: *I appreciate that they have been quite straight forward.*

Dato' Abd. Rahman Dahlan: *Okay, on the question of a Yang Berhormat Simpang Renggam just now. Are you aware that Lynas is willing to - is asking to be given the opportunity to prove that they have is complying with the requirements by given temporary license?*

Mr. Tan Chin Hua: *Temporary TOL.*

Dato' Abd. Rahman Dahlan: *Yes, TOL.*

Mr. Tan Chin Hua: *I'm aware with that.*

Dato' Abd. Rahman Dahlan: *Then, they were saying then, judge me on my production, do not close it down. Are you aware of that?*

Mr. Tan Chin Hua: *Yes, I read about it in the papers.*

Dato' Abd. Rahman Dahlan: *Thank you.*

Tuan Pengerusi: *And based on that, that's where you feel that the extraneous conditions should be imposed.*

Mr. Tan Chin Hua: *Yes.*

Tuan Pengerusi: *So you are being fair in not saying that you totally object to the project?*

Mr. Tan Chin Hua: *No. Not completely but....*

Tuan Pengerusi: *So...*

Mr. Tan Chin Hua: *But if there is a choice off course to raise a concern, but if there is a choice why to come to Kuantan, why not elsewhere?... [Ketawa]*

Dato' Abd. Rahman Dahlan: *On that note Mr. Tan, sorry, when Lynas gave you explanation, was it just on technical explanation or also commercial?*

Mr. Tan Chin Hua: *Technical, economic. We talk on technical points.*

Dato' Abd. Rahman Dahlan: *Did they tell you about why they came to Gebeng?*

Mr. Tan Chin Hua: *Yes, they came with the answers, yes.*

Dato' Abd. Rahman Dahlan: *In terms of commercial?*

Mr. Tan Chin Hua: *Yes, we know that they intend commercialize the waste product into*

Dato' Abd. Rahman Dahlan: *No, why they choose Gebeng instead of Australia?*

Mr. Tan Chin Hua: *Yes, we know but we are not in a position to tell the public otherwise they were accused us of being supportive of Lynas... [Ketawa]*

Dato' Abd. Rahman Dahlan: *I thought, you are saying you are being independent.*

Mr. Tan Chin Hua: *Independent but I do not wants to be discharged.*

Dato' Abd. Rahman Dahlan: *But the fact is fact, okay, now very quickly I want to ask you, did they talk about why they came to Gebeng instead of elsewhere?.*

Mr. Tan Chin Hua: *Yes.*

Dato' Abd. Rahman Dahlan: *Commercial you know all the factors.*

Mr. Tan Chin Hua: *They were very forward.*

Dato' Abd. Rahman Dahlan: *And you're not convinced.*

Mr. Tan Chin Hua: *It's not say that it is not convinced, I want to see because they already*

Dato' Abd. Rahman Dahlan: *Not, you ask. Sorry Mr. Tan.*

Mr. Tan Chin Hua: *Yes, they all were admitted, so they would like to have a TOL so go and process being production then only they can justify or can take measures to correct if there is any....*

Dato' Abd. Rahman Dahlan: *No, no. Mr. Tan sorry, I just want to refresh my question because you brought up the subject just now why in Gebeng, not in Australia.*

Mr. Tan Chin Hua: *Yes.*

Dato' Abd. Rahman Dahlan: *Fair question. I think a lot of people around the country is asking that question.*

Why Gebeng instead of Australia, you know and transportation of this material from Australia to Mount Wells to here is strong numerical, that's what you are saying and I agree. But did they mention to you, or are you convinced by the reasons given by them, by Lynas officers the fact why they choose Gebeng instead of Australia?

Mr. Tan Chin Hua: *In as far as I see brings it together to the cost of the water usage and electricity, I would agree.*

Dato' Abd. Rahman Dahlan: *Did they explain to you?*

Mr. Tan Chin Hua: *Yes. That the cost is about two to three four times. Yes, I accept it.*

Dato' Abd. Rahman Dahlan: *You accept?*

Mr. Tan Chin Hua: *I accept.*

Dato' Abd. Rahman Dahlan: *But why...? Okay, I think that is fair enough.*

Dato' Zulkifli bin Noordin [Kulim Bandar Baharu]: *My question Mr. Tan is, are you given the facilities or access to information by Lynas?*

Mr. Tan Chin Hua: *Yes, that's why I said*

Dato' Zulkifli bin Noordin: *No problem.*

Mr. Tan Chin Hua: *Yes, that's why I said just now*

Dato' Zulkifli bin Noordin: *So, you are satisfied with the....*

Mr. Tan Chin Hua: *We were first given privy to take photograph.*

Dato' Zulkifli bin Noordin: *So you have no problem of access information?*

Mr. Tan Chin Hua: *No, nothing of the sort.*

Tuan Teng Boon Soon [Tebrau]: *Mr. Tan, you don't feel that they are hiding anything from you?*

Mr. Tan Chin Hua: *So far as they thinks they can let me know because that's such a thing as a treat secret.*

Tuan Teng Boon Soon: *Have you exhausted your question in fact finding?*

Mr. Tan Chin Hua: *I have not exhausted.*

Dato' Abd. Rahman Dahlan: *Why not?*

Tuan Teng Boon Soon: *If you have been ...*

Mr. Tan Chin Hua: *As we ask more will follow, as we ask more will follow. So as it arises question will arise again when the doubt arises as a Buddha said, it is alright to ask for clarification.*

Tuan Teng Boon Soon: *This case are you prepared to go back again to enquire more and dig out more.*

Mr. Tan Chin Hua: *Yes, certainly.*

Tuan Liang Teck Meng: Mr. Tan again.

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Tuan Yew Yoke Chin: Mr. Yew, Mr. Chairman I would like to find out this fact, why is that Lynas prefers to come to Malaysia? The answer is quite clear. The conditions set by the Australian governments are very stringent. No houses can stay in that area within 30 km of their operation. In Kuantan within 30 km of our operation, we have got 700,000 people. Is that a big number? We have 700,000 people and I understand throughout the world, 60 mining companies applied for licenses to operate but none of them got for reason known to themselves, only Malaysia approve it. Only Malaysia approved it. 60 global mining companies applied for licenses none got approval except Malaysia. Why, reason known to our own government...

Tuan Pengerusi: About 60 global mining companies?

Encik Chew Yoke Chin: The big global companies.

Tuan Pengerusi: Applied?

Encik Chew Yoke Chin: Applied throughout the world to apply for this REE operations - Rare Earth Element mining, the last few years....

Seorang Ahli: ...Throughout the world?

Encik Chew Yoke Chin: ...Throughout the world, this came from the report from a reputable... [Disampuk]

Dato' Zulkifli bin Noordin: Mr. Chew, can you give us the source of your report?

Encik Chew Yoke Chin: Well, you can refer to Reuters and also... [Disampuk]

Dato' Zulkifli bin Noordin: Reuters is so big. Can you give us the reference, so that we can check.

Encik Chew Yoke Chin: www.reuters.com

Dato' Zulkifli bin Noordin: That is the website.

Encik Chew Yoke Chin: Reuters and also....

Dato' Zulkifli bin Noordin: No, no. Your reference when you say that in Australia there is a stringent requirement for radius...

Encik Chew Yoke Chin: I think everyone in Kuantan knows about it that....

Dato' Zulkifli bin Noordin: Yes, but we want to know. We were parliamentary select committee so we have to have facts. We have to have a reference.

Encik Chew Yoke Chin: I don't know.... [Disampuk]

Dato' Zulkifli bin Noordin: So, where is your reference?

Encik Chew Yoke Chin: ...Whether I will enable to extract this information.

Tuan Pengerusi: Mining licenses?

Encik Chew Yoke Chin: Within 30 km.

Dato' Zulkifli bin Noordin: Yes, what is your authority?

Encik Chew Yoke Chin: *You see Mr. Chairman. We have got one group was gone to Australia twice to fight...*

Dato' Zulkifli bin Noordin: *Never mind about the group. I want to know your, what is your reference when you make the remark?*

Encik Chew Yoke Chin: *This is Australian governments' conditions.*

Dato' Zulkifli bin Noordin: *You have the reference?*

Encik Chew Yoke Chin: *For the time being, no. For the time being....*

Dato' Zulkifli bin Noordin: *Can you supply us the authority or your reference when you say there is a law....*

Encik Chew Yoke Chin: *Pardon?*

Dato' Abd. Rahman Dahlan: *We will be here until tomorrow.*

Encik Chew Yoke Chin: *This law comes from...*

Dato' Zulkifli bin Noordin: *We will be here until tomorrow, can you give us the reference to the law that you say that require...*

Encik Chew Yoke Chin: *I will try, I will try. Yes, I will try.*

Dato' Zulkifli bin Noordin: *Can you? So that we can refer.*

Encik Chew Yoke Chin: *Certainly yes I will try to clarify.*

Dato' Zulkifli bin Noordin: *Okay, thank you.*

Dato' Abd. Rahman Dahlan: *Just to clarify Mr. Chew. Did you mention about 60 applications...*

Encik Chew Yoke Chin: *About 60 global mining companies applied for mining license throughout of the world..[Disampuk]*

Dato' Abd. Rahman Dahlan: *About 60 for mining licenses ataupun...*

Dato' Zulkifli bin Noordin: *Rare Earth?*

Dato' Abd. Rahman Dahlan: *Is it mining licenses or...*

Encik Chew Yoke Chin: *Mining licenses.*

Dato' Abd. Rahman Dahlan: *Mining?*

Encik Chew Yoke Chin: *Mining of course it come also with the operation. Mining itself without operations is no use.*

Dato' Abd. Rahman Dahlan: *No, but that is two different things.*

Dato' Zulkifli bin Noordin: *Refining?*

Dato' Abd. Rahman Dahlan: *Refining or mining? Okay, if you don't have. The information now... [Disampuk]*

Encik Chew Yoke Chin: *Mining plus processing.*

Dato' Abd. Rahman Dahlan: *Okay, if you don't have the information now, maybe you can supply to us because we will be here until... [Disampuk]*

Encik Chew Yoke Chin: *Yes, I hope to finish with you, much of this information comes from this investigative papers like the Bloomberg and Reuters. They are the two...*

Dato' Abd. Rahman Dahlan: *We appreciate..*

Dato' Zulkifli bin Noordin: *Yes, can you pass us the information tomorrow?*

Dato' Abd. Rahman Dahlan: *If you have time ...*

Encik Chew Yoke Chin: *What I would suggest you kindly you can also refer to www.reuters.com.*

Dato' Abd. Rahman Dahlan: *Okay, we will look into but..*

Dato' Zulkifli bin Noordin: *But can you also assist us?*

Encik Chew Yoke Chin: *Pardon?*

Dato' Zulkifli bin Noordin: *We will check your website that you refer, but can you also...*

Encik Chew Yoke Chin: *It's not my website, it is their website.*

Dato' Zulkifli bin Noordin: *No, no. We go check but can you assist us by giving us the reference that you refer to?*

Dato' Abd. Rahman Dahlan: *You have time Mr. Chew, don't worry.*

Dato' Zulkifli bin Noordin: *You don't worry. Right now we are not in the examination now. Don't worry.*

Dato' Abd. Rahman Dahlan: *Mr. Chairman, I think we have another tomorrow we have another one but if you don't have it tomorrow also...*

Encik Chew Yoke Chin: *I would try too...*

Dato' Abd. Rahman Dahlan: *I think it's okay. Next week you can give it to us.*

Encik Chew Yoke Chin: *It is not my comforting facts and information. This comes from this...*

Dato' Zulkifli bin Noordin: *Yes, it is very important. There is such a law then we will definitely study it.*

Dato' Abd. Rahman Dahlan: *Very important one.*

Dato' Zulkifli bin Noordin: *That's very important.*

Encik Chew Yoke Chin: *A piece of law...*

Dato' Zulkifli bin Noordin: *If there's such a law...*

Encik Chew Yoke Chin: *Managed by our group by this you know in Australia you got this environment group? I understand the environment group of late has won two parliament seats and it was these two groups who furnish this information.*

Dato' Abd. Rahman Dahlan: *Okay, we will try. I just want to check...*

Tuan Liang Teck Meng: *Mr. Chew, sorry. Sorry.*

Dato' Abd. Rahman Dahlan: *Sekejap, just very quickly. You say just now about 60 companies mining ya?*

Encik Chew Yoke Chin: *Mining companies.*

Dato' Abd. Rahman Dahlan: *Okey.*

Encik Chew Yoke Chin: *For mining, mining REE and also processing.*

Tuan Liang Teck Meng: *So, do you know that this Lynas plant is not a mining plant?*

Encik Chew Yoke Chin: *They are processing.*

Tuan Liang Teck Meng: *No, no. This Kuantan is not a mining but is ...*

Encik Chew Yoke Chin: *Processing.*

Tuan Liang Teck Meng: *Processing?*

Encik Chew Yoke Chin: *Don't say it's mining, it's processing. Mining is*

Tuan Liang Teck Meng: *But you referred to that 30km is referring to mining or processing?*

Encik Chew Yoke Chin: *Processing, processing. Processing.*

Tuan Liang Teck Meng: *So, please give us the information.*

Encik Chew Yoke Chin: *Because mining... Excuse me, because mining itself in its raw form is not that toxic, not that radioactive. You take it off. It's only after processing then only it become more and more radioactive and more and more toxic.*

Tuan Liang Teck Meng: *But yesterday we were told by the specialist there that the mining part is the most dangerous one.*

Encik Chew Yoke Chin: *No, no. The mining part, excuse me as I understand I am not an expert but it comes through reading and some research. Mining...*

Encik Tan Chin Hua: *Mr. Chew... Give me a minute, sorry.*

Encik Chew Yoke Chin: *Pardon?*

Encik Tan Chin Hua: *The YB here. Just now you are saying that somebody told you mining is more dangerous than processing. You just said just now. You should remember TV3 that Karam Singh now is Dato' Karam Singh Walia, he put it on his hand. So, I was surprised when he is asking this question.*

Tuan Liang Teck Meng: *I am not asking the questions. I am just saying that I was told by an expert saying so.*

Dato' Zulkifli bin Noordin: *So, we want to hear your view.*

Encik Tan Chin Hua: *We are worried on the... I think let Mr. Chew finish this first.*

Encik Chew Yoke Chin: *Excuse me.*

Dato' Zulkifli bin Noordin: *...Mr. Chew another points, these 60 mining companies that you said so, the details in the website is it?*

Encik Chew Yoke Chin: *Yes, yes.*

Dato' Zulkifli bin Noordin: *The details of the companies and the application...*

Encik Chew Yoke Chin: *You can refer to Reuters and also to Bloomberg.*

Dato' Zulkifli bin Noordin: *You keep repeating on that but we will check on the website..*

Encik Chew Yoke Chin: *You just check...*

Dato' Zulkifli bin Noordin: *Can you also assist us? Alright, thank you.*

Encik Tan Chin Hua: *Excuse me Mr. Chairman, may I add a little bit? I refer to one Mr. Mathew James, I believe he is from Lynas if I am not wrong. He said that the raising moisture is for cause for concern in the Lynas plant here. Adding that we would never compromise our standard for a cost savings, that is what he said.*

Dato' Zulkifli bin Noordin: *Mathew James?*

Encik Tan Chin Hua: *Mathew James.*

Dato' Zulkifli bin Noordin: *James, from Lynas?*

Encik Tan Chin Hua: *I believe he is on Lynas. He said that because in relation to the Lynas plant which is built on a swamp, so the ground level is quite low and breach it very fast you see..*

Seorang Ahli: *The water level...*

Encik Tan Chin Hua: *Yes, if you dump it there definitely because of this moisture coming our rain fall is very high per year compare to that in the Australian desert. So if water comes in to moisture to leakage, it would definitely affect the waste that is dump there. Even though it's temporarily for a year or two before they are sent to permanent dump site. That is why he is saying that the raising moisture is cause for concern. This is the exact words. Adding that we would never compromise our standard for cost saving.*

Dato' Abd. Rahman Dahlan: *Mr. Tan that is very important interesting point. Have you asked that questions to Lynas when you meet them?*

Encik Tan Chin Hua: *Not yet, not yet because I read it in a paper, either paper or website.*

Dato' Abd. Rahman Dahlan: *ou know on the water seepage to the water table?*

Encik Tan Chin Hua: *Yes, we bought up all the those matter about seepage and leakage..*

Dato' Abd. Rahman Dahlan: *Do you?*

Encik Tan Chin Hua: *Yes, accumulative and the adaptation to exposure to radiation.*

Dato' Abd. Rahman Dahlan: *What was their respond?*

Encik Tan Chin Hua: *He agreed yes.*

Dato' Abd. Rahman Dahlan: *That they...*

Encik Tan Chin Hua: *They will be, it would be accumulative and it would be adaptive because he raised the questions of those, some of those people who lived in a very high radioactive area like somewhere in middle east, I forgot the name already, in India.*

Then I rethought by saying that those people they were born and breed there over the centuries. So through a period of time, they learn the body learned to adapt the high radiation there.

Dato' Zulkifli bin Noordin: *They immune?*

Encik Tan Chin Hua: *...Is no longer..*

Dato' Zulkifli bin Noordin: *They immune already, the body immune already?*

Encik Tan Chin Hua: *Yes, they immune already. So, here we are coming and suddenly we are expose to just a level of radiation, it takes time for us to adapt, correct or not? But this time maybe we infected weakness sickness cyanotic. Then how do we deal with them? I said they just different. Then Encik Ismail agreed with me.*

Dato' Zulkifli bin Noordin: *But you have visited the site of the retention pond?*

Encik Tan Chin Hua: *Yes, we are not satisfied*

Dato' Zulkifli bin Noordin: *And still not satisfied?*

Encik Tan Chin Hua: *Because he is not be able to answer very well.*

Dato' Zulkifli bin Noordin: *Answer the?*

Encik Tan Chin Hua: *Whether when we take in either to ingestion or inhalation, that it is accumulative in our body or not? Today when we inhale in 0.002...*

Dato' Zulkifli bin Noordin: *Then, you have no problem with the pond itself in terms of leakage and seepage.*

Encik Tan Chin Hua: *Yes. He is able to provide that the poly sheet that they used to be the bed.*

Dato' Zulkifli bin Noordin: *And also the clay foundation. You are satisfied with that?*

Encik Tan Chin Hua: *But as far as they had done..*

Dato' Zulkifli bin Noordin: *You are concern only about the inhalation?*

Encik Tan Chin Hua: *Yes.*

Dato' Zulkifli bin Noordin: *Not the pond itself?*

Encik Tan Chin Hua: *The pond itself..*

Dato' Zulkifli bin Noordin: *Are you satisfied with the point, the leakage or the possibilities?*

Encik Tan Chin Hua: *Not fully satisfied.*

Dato' Zulkifli bin Noordin: *The design itself?*

Encik Tan Chin Hua: *The design is okay.*

Dato' Zulkifli bin Noordin: *You are okay.*

Encik Tan Chin Hua: *Yes.*

Dato' Zulkifli bin Noordin: *Your concern is the inhalation?*

Encik Tan Chin Hua: *Yes. Not only..*

Dato' Abd Rahman Dahlan: *Airborne, airborne.*

Dato' Zulkifli bin Noordin: *The airborne?*

Encik Tan Chin Hua: *The airborne also yes.*

Dato' Zulkifli bin Noordin: *Not the leakage of the seepage?*

Encik Tan Chin Hua: *Seepage is the another area. So far they said it because of the poly sheet that they use it to cover the bed, the pond bed. But this poly sheet, can last for how long?*

Dato' Zulkifli bin Noordin: *What about the clay foundation that they had?*

Encik Tan Chin Hua: *It is the same.*

Dato' Zulkifli bin Noordin: *You are not satisfied with that?*

Encik Tan Chin Hua: *No, there is no guarantee what.*

Seorang Saksi: *There is no guarantee right, sir?*

Encik Tan Chin Hua: *There is no guarantee isn't it? You don't know how good it is..*

Dato' Zulkifli bin Noordin: *Yes, yes. I just want to know whether you have seen it or you..*

Encik Tan Chin Hua: *That's what I said I am not indulged satisfied. To the extent they have given me the answers according to what I know according to resources right from the books, I would accept.*

Tuan Pengerusi: *That's why they were also saying about giving them an opportunity to go through.*

Encik Tan Chin Hua: *Yes. I agree. Okay give.*

Dato' Zulkifli bin Noordin: *We are alright with that?*

Encik Chan Woon Zet: *Sorry Mr. Tan, I don't agree... [Ketawa]*

Tuan Pengerusi: *Okay, is there any new information?*

Encik Chan Woon Zet: *On my point of view, first of all you talking about you want giving... [Disampuk] My name is Chan. You are talking about TOL. You are asking as I have been sitting here you have been asking me three times. Why is it alright or not we give TOL? When you give TOL, when the operation doing start running, there is waste right? Definitely there is waste. A waste plus radioactive waste, can I say that?*

Dato' Zulkifli bin Noordin: *You are not saying right or wrong. [Ketawa]*

Encik Chan Woon Zet: *Okey, that is a waste. I put it waste, it is a radioactive waste. Okay?*

Dato' Abd Rahman Dahlan: *Whether radioactive or not, we will confirm.*

Encik Chan Woon Zet: *I am not expert. Okay. I am just technical layman. I came from here. You just ask Mr. Tan where we do we get our source and write up this thing?*

Dato' Zulkifli bin Noordin: *No, you ask him. We don't know...*

Encik Chan Woon Zet: *Never mind, never mind. Okay, you see we have been going to libraries, we have been putting so much effort. You see Kuantan people's all wake up and do all the studies. What is that show?*

Dato' Zulkifli bin Noordin: *Mr Tan has given us the view, so what's your concern?*

Encik Chan Woon Zet: *When you give TOL that's mean waste. Why should Kuantan have this waste in a first place? Do we deserve it in a first place to have this? Why? Why should I? You see in Australia why should the waste in my backyard in a first place? Would you like it in your backyard? Something that you don't like, it is just like durian. I hate durian, I don't like durian but you keep on feeding me. Take the durian, it's good. Take it.*

Tuan Pengerusi: *Is that true you don't like durian?*

Encik Chan Woon Zet: *I don't like it, it just an example... [Ketawa]*

Tuan Pengerusi: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Chan Woon Zet: *If it's a Malaysian durian is in my backyard okay go ahead. This is my culture.*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Chan Woon Zet: *Okay, I'm just a layman first of all, I am very happy to see most of the departments are here. First of all, I haven't seen which they from are. I hope them – Let me know which department are they from? I can see, I'm blind, I am an old man.*

[Tuan Pengerusi memperkenalkan wakil-wakil dari kementerian dan agensi berkaitan]

Dato' Abd Rahman Dahlan: *The whole Federal Government is here.*

Encik Chan Woon Zet: *Alright, thank you. Mr. Chairman, if you don't mind can I make a comment.... No this is the chicken and egg.*

Tuan Pengerusi: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Chan Woon Zet: *Sayang-sayang buah kepayang, dimakan mabuk dibuang sayang... [Ketawa]*

Tuan Pengerusi: *We sayang you, don't worry.*

Encik Chan Woon Zet: *Thank you.*

Encik Yew Yoke Chin: *Mr. Chairman, may I also continue. I would like to highlight a few point. What has been said and told by Mr. Tan, I will keep quiet. So I would like to start with a huge volume of water that will be sacrificed to supply Lynas. You know how much water they used and consumed everyday?*

Dato' Zulkifli bin Noordin: *That has been touched by Mr. Tan already.*

Encik Yew Yoke Chin: *Sorry, pardon. No, he has told you the big amount of water, I am telling you the definite amount as reported by them.*

■1615

They are consuming 500 tons multiplied by 24 hours per day. They actually were taking away 40,000 people's consumption per day.

Now, very easy to get it, you multiply – one tonne is 1,000cc. 1,000cc is for four person. 5,000 tan you multiply by four and you multiply again now by 24. Then, they will give you proximity about 40,000 person consumption being scarified to Lynas. Isn't? You all got the answer?

Dato' Abd. Rahman Dahlan: *Continue sir.*

Encik Yew Yoke Chin: *Okay, now another point I wish to highlight is the offensive fumes gases emitted. The fumes include sulfur dioxide, nitrogen oxides...*

Dato' Zulkifli bin Noordin: *Offensive what?*

Encik Yew Yoke Chin: *NOx.*

Dato' Zulkifli bin Noordin: *Offensive what?*

Encik Yew Yoke Chin: *Offensive fumes. Then you have got ammonia and most importantly as also being mentioned by our so called Chinese expert few days ago. One China expert by the name Mr. Yan, I think... [Disampuk] Mr. Yan isn't? He talks about in Chinese term it's called FOG, FOG is dangerous, as dangerous as fluorine. In English you call it fluorine. Please record down F.L.O.U.R.I.N.E. In Chinese is FOG. He mentions that, he said FOG should be properly treated.*

Another point is, I wonder how much heat will be produced in the sky? How much of thermal heat will be produced in the sky? At the moment, Kuantan is already so hot with Lynas, I think I don't know how hot it will be and so much of heat will be produce. They have got three very big furnaces, three big furnaces. I think about – you have been there a number of times. How wide and what is that diameter of each? You have been there a few time isn't? Any idea?

Encik Tan Chin Hua: *I have been there but I don't think I want to answer, let Lynas answer.*

Encik Yew Yoke Chin: *Because it is so huge and the amount produce is so...*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Yew Yoke Chin: *Pardon?*

Dato' Zulkifli bin Noordin: *You address that... [Bercakap tanpa menggunakan pembesar suara]*

Encik Yew Yoke Chin: *Yes... [Ketawa]*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Yew Yoke Chin: *Another point is the unneutralized corrosive acid together with toxic and... goethite, heavy metal seeping into the stream, subsoil and our sea.*

The residue raise reported toxic and radioactive as in Bukit Merah, Boutou and Mount Pass in US. You know what happened at the Mount Pass in US? That mining company was fined because that company – toxic water run into the Colorado River and poisoning some of the, poison the Colorado River which is a very important water sources for California.

For that reason they were fined millions of dollars and stopped for number of years. It was reopened in September last year. So, you see America is supposed to be a very advanced country and yet unable to control it's toxic, substantial toxic waste from flowing into the Colorado River. Malaysia, ours is a small country with so much of tropical streams, so much of a – this would seeping into the sea and coming to poison us, I think the chances are quite high. I am sorry to say that...

Tuan Teng Boon Soon: *Mr. Yew sorry, when was the Colorado case happened?*

Encik Yew Yoke Chin: *Oh! It's happen a few years ago, a few years ago.*

Tuan Teng Boon Soon: *According to your...*

Encik Yew Yoke Chin: *A report that I read from Bloomberg.*

Tuan Teng Boon Soon: *How many...*

Encik Yew Yoke Chin: *They were fined, I think a few million dollars. They were only allowed to reopen...*

Tuan Teng Boon Soon: *When was it?*

Encik Yew Yoke Chin: *Its about two-three years ago. They were allowed to reopen only in September last year. I made the comparative study between – I mean among the big processing plant. One in Boutou which is near the Chinese Yellow River and also this Mount Pass mining processing company in US.*

Another point is talked about the processing plant in China, Boutou. I think the Chinese government is very much alarmed. You know why? Because toxic substances are slowly seeping into the Yellow River and it is only about 5km away, only 5km away. Kuantan, you know how near we are to the sea? We are just 2km away.

Dato' Abd. Rahman Dahlan: *[Bercakap tanpa menggunakan pembesar suara].*

Encik Yew Yoke Chin: *Pardon?*

Dato' Abd. Rahman Dahlan: *It will contaminate the sea... [Bercakap tanpa menggunakan pembesar suara].*

Encik Yew Yoke Chin: *Yes and when this toxic substances seep into the sea or stream, you know what will happen? Our fish, the gill of the fish will be the first casualty. Once the fish's gill were damage or destroy the fish will die. This is a proven fact especially heavy metal like heavy metal and also aluminum metal which have been seeping into the sea and the fishes when they eat, when they consume, their gill will be effected. Once affected, they will also die.*

Dato' Abd. Rahman Dahlan: *So, you're convinced that Lynas waste will make...*

Encik Yew Yoke Chin: *Well, I think we are very near the sea.*

Dato' Abd. Rahman Dahlan: *Yes, so you are saying is that the amount of waste from Lynas would be able to contaminate the sea at least the surrounding sea...*

Encik Yew Yoke Chin: *If they are not careful, if they do not know how to control then I think the consequences can be very...*

Dato' Zulkifli bin Noordin: *So, you think if they can control, it's okay with you?*

Encik Yew Yoke Chin: *Well, if they can control maybe I think the government also on one hand would like them to open. Otherwise the government may have to compensate them to a great extent. I think they have spent millions of dollars. It is also not fair to just ask people to get away without compensation. Don't you think so? On one hand, the government has got to be very careful to look after, to be concerned for the welfare and the health of the people. On the other hand the government must also be fair to them as an investor.*

Encik Chan Woon Zet: *First of all, have you all done a survey on Balok River right now, Balok River, what we call it - the quality of the water?...*

Seorang Ahli: *Where?*

Encik Chan Woon Zet: *Balok River. People that were staying near Lynas, they are making a quite fuss about Balok River. The fisherman also making some issue on Balok River. I think – you have to look at the Balok River.*

Seorang Ahli: *Sungai Balok.*

Tuan Pengerusi: *But Lynas as haven't started.*

Dato' Zulkifli bin Noordin: *Lynas haven't started yet, Mr. Chan. You are talking about baseline study.*

Encik Chan Woon Zet: *Ya.*

Dato' Zulkifli Noordin: *Baseline study.*

Encik Chan Woon Zet: *I am talking about Balok River.*

Dato' Zulkifli bin Noordin: *So, you are suggesting that baseline study should be conducted.*

Encik Chan Woon Zet: *[Bercakap tanpa menggunakan pembesar suara] ...The river. What is the heavy metal now?*

Tuan Teng Boon Soon: *You are talking about the existing pollution?*

Encik Chan Woon Zet: *Yes and see...*

Dato' Zulkifli Noordin: *Nothing to do with Lynas right? Nothing to do with Lynas at the moment?*

Encik Chan Woon Zet: *[Bercakap tanpa menggunakan pembesar suara] ...Being charges in the Balok River?*

Dato' Zulkifli bin Noordin: *No, no. Nothing to do with Lynas now, the complain?*

Encik Chan Woon Zet: *I cannot say yet.*

Dato' Zulkifli bin Noordin: *How can you said cannot say? They are not operating yet.*

Seorang Ahli: *Because its not operating yet.*

Dato' Zulkifli bin Noordin: *So, you cannot say you cannot say..*

Encik Chan Woon Zet: *I am asking...*

Dato' Zulkifli bin Noordin: *So, you are saying that there must be baseline study first before operation.*

Encik Chan Woon Zet: *Yes.*

Dato' Zulkifli bin Noordin: *So, that we can see.*

Encik Chan Woon Zet: *Yes.*

Dato' Zulkifli bin Noordin: *So, the complain now is not related Lynas?*

Encik Chan Woon Zet: *You have not be given yet, right?*

Dato' Zulkifli bin Noordin: *No, no. You are saying that there is complains by people living nearby Balok River. That is not Lynas related isn't?*

Encik Chan Woon Zet: *No, no.*

Dato' Zulkifli bin Noordin: *I want to be sure of that, its nothing to do with Lynas.*

4.24 ptg.

Encik Liaw Sen Lan: Tuan Pengerusi, tuan-tuan dan puan-puan. Saya Liaw Sen Lan. Saya ingin hendak sentuh tentang dengan ekonomi. Kita difahamkan kerajaan bagi Lynas 12 tahun *free tax*. Maknanya masuk keluar *free tax*.

Seorang Ahli: *Tax holiday.*

Encik Liaw Sen Lan: Okey, *tax free* lah. Jikalau Lynas, dia *full-time* sebab dia *demand* gredkan, pasal harga tinggi. So, kalau dia jalankan tiga *straight* sehari maknanya *rotating*, maknanya kerajaan bagi dia *36 years free tax*. Apa faedah kerajaan dapat berkaitan tentang ekonomi? Dia tidak berhentilah maknanya. Okey, sebenarnya kita bagi dia *36 years*. Ini saya punya *calculation, wrong or right I don't know but* kita tengok, saya sekali dengan rakan saya masuk kilang. Difahamkan kilang itu – kalau *from the outside* memang *up-to-date*. Dia bagi tahu kita teknologi *Germany* bukan *China*. So, *how far its go, the effective is there, radiations come out or not that is what we don't know yet. As what you said, it haven't run yet.*

Kita tahu IAEA kata *temporary* bagi TOL, *condition* dalam 10 bulan mendapatkan tempat buang sisa, itu kata dia. Kita melawat Lynas, dia kata dia ada paip botak. Dia bagi tahu... *'federalizer'* dan satu lagi belum tahu lagi. Cuma dia kata hendak permit atau apa itu tidak tahu lagi, tidak tunjuk lagi. So, jikalau itu ada *downstream* saya mengakui membawa faedah kepada negara, sebab dia ada *byproduct*. Pelabur asing akan datang, itu saya boleh terima. Pada saya personal, boleh terima.

Akan tetapi sekarang *byproduct*, kita tidak faham dan Lynas pun tidak bagi tahu *public*. Sebenarnya *byproduct* dia di mana? *Radiation* dia keluar, dia punya *scale rate reading* dia bawa sampai mana? Kita bimbang. Kita memang bimbang atas ini.

Lagi, dari segi pergi pekerja di dalam itu tidak sampai 400 orang. Sebenarnya kita hendak terima pelabur masuk negara kita, kita ada *technology transfer*, memberi faedah pada rakyat. Akan tetapi pada masa sekarang, heboh di seluruh Malaysia bimbang berkenaan masalah kesihatan. Itu yang paling dibimbangkan. Kita kesian dengan keluhan penduduk di persekitaran Kampung Cherating, Kemaman sehingga Kuantan. Paling dekat Balok. Inilah kita bimbangkan.

So, oleh kerana itu, saya harap kerajaan harus berfikir semula. Jikalau kita bagi dia TOL, mencuba menjalankan proses *rare earth* ini, cuba ingat kalau *their engine started*, boleh tidak *you* suruh dia berhenti? Payah! Lynas *is a huge company. It is ten of the biggest listed company in Australia*. Tidakkah kita suruh dia tutup? Jika kita suruh dia tutup, dia tutup sahaja. Tidak! Kerajaan harus mengambil *solution* macam mana kita hendak selesaikan hal ini supaya dua pihak dapat keuntungan. Itulah pandangan saya. Terima kasih.

Dato' Abd. Rahman Dahlan: *Just a few question* Mr. Liaw. Mr. Liaw ada ikut Mr. Tan pergi ke kilang? Mr. Liaw ada nampak atau tidak dalam kilang tersebut rakyat Malaysia yang bekerja di situ dan pegawai-pegawai tinggi dari segi teknikal syarikat adalah rakyat Malaysia. *I think maybe one or two* mungkin, yang kita diberitahu bahawa itu adalah...

Encik Liaw Sen Lan: Semua pekerja yang dasar punya, kontraktor, subkontraktor bukan.

Dato' Abd. Rahman Dahlan: Ya lah. Akan tetapi yang...

Encik Liaw Sen Lan: Pekerja asing sahaja.

Dato' Abd. Rahman Dahlan: Akan tetapi yang pegawai-pegawai yang tinggi, *top level all Malaysian* lah?

Encik Liaw Sen Lan: *I think so.*

Dato' Abd. Rahman Dahlan: Ya, *because...* Mr. Tan?

Encik Tan Chin Hua: *Not all Malaysian. There are five foreigners working there.*

Dato' Abd. Rahman Dahlan: *Yes, that is what I said. I know not all but I think majority will be Malaysian. I just want to ask you whether you are aware of the fact?*

Encik Liaw Sen Lan: *[Bercakap tanpa menggunakan pembesar suara]*

Dato' Abd. Rahman Dahlan: *Yes, are you also aware that rare earth ini is the emerging industry in the world now* untuk teknologi hijau dan lain-lain. *So, it's a very important?*

Encik Tan Chin Hua: *Otherwise its going to help...*

Dato' Abd. Rahman Dahlan: *Thank you.*

Tuan Pengerusi: So, okay. Terima kasih banyak-banyak. Kita akan kumpulkan semua maklumat.

Encik Chan Woon Zet: *Sorry, let me finish. I put more on to the feeling of Kuantan people, first of all. Like Mr. Yew said..., thousand populations in Kuantan. The plant is so near. The nearest is about 2km. Let Mr. Yew had say that in Australia is 30km way. You talk about economical. There are Malaysians being trained. Let say there are technology being transfer. Is Kuantan – if anything happen, is it reversible? I am asking these questions.*

Once the plant run, your TOL is how long if anything happen, two years, three years, or five years? What would be the waste volume like? I am still waiting for the PDF. They are yet to announce. Then, later they said they have byproduct. So, no more risk, everything is gone. So, which is which? Bear in mind, 16,700 people living here. I am self employed. I am 50 above over years old.

Tuan Pengerusi: *We are gathering all those, whatever that you have got...*

■1630

Encik Chan Woon Zet: *Yes, yes. I am talking about the feeling of people in Kuantan, feeling of I have now. I tell you, my feeling as resident in Kuantan, I am 50 over years old, it is very difficult for me to take out my family now. Economy is getting – cari makan bukan senang. If anything happens in Kuantan, don't you think my families have to be shifted? Where is the assurance?*

Tuan Pengerusi: *Once we have completed, we will present our report, what is our finding based on whatever that you have said and based on the view of the expert scientist and all those thing...*

Encik Chan Woon Zet: *Bear in mind that, there are a lot of people staying here, the generation and generation of people who would build their future here. I hope, you know, look into this thoroughly, not only on money value, not only on technology transfer or you said the most canggih product. Do you know that, they were now talking about green technology. Whatever green technology, there are side effect. Maybe I am selfish...*

Seorang Ahli: *[Menyampuk]*

Encik Chan Woon Zet: *Thank you, this is what I am trying to bring across to PSC here... [Disampuk] Yes, please go in to the rakyat. Please take care of the rakyat you know. What is money if you don't have good health isn't, what is technology transfer? I can see a kampong peacefully if I have fatherland and live, why not, than to have a technology transfer and all this, this is danger, I know that. Please, look at this seriously...*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara] Listen to other Kuantan people.*

Encik Chan Woon Zet: *Yes okay, understand, understand.*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Chan Woon Zet: *Yes, correct...*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Chan Woon Zet: *Okay.*

Tuan Liang Teck Meng: *Mr. Chairman, I just want to do a little bit correction. I said the mining part is most dangerous, maybe I was wrong, so I think I need to clarify with the expert again. Alright, thank you.*

Encik Chew Yoke Chin: *Tuan Pengerusi, one more technical point I would like to highlight is the acid rain. You see, during process, is a processing, much of this acidic fume will go up. Carbon goes up, sulfur dioxide goes up and lot of fume goes up and this will inevitably cause acid rain and cause acidification. Once acid rain results, then many bad things will follow like metal, light or heavy, are mobilized by acidic water and drained into a stream and the nearby sea. Number two, even light metals like iron, aluminum as I pointed a lot just now, they are proven not to damage the fish gills and other water life. Forest growth, mangrove swamp will be also be badly affected. Though, it is also co-related to the rise of senile dementia. By that, I mean is Alzheimer disease. So all this powerful acid like a hydrochloric acid employed, they were also...*

Dato' Zulkifli bin Noordin: *Mr. Chew, where do you get those finding?*

Encik Chew Yoke Chin: *What, acid rain I think a...*

Dato' Zulkifli bin Noordin: *No, no, where you get the finding just now that you read?*

Encik Chew Yoke Chin: *Acid...*

Dato' Zulkifli bin Noordin: *I understand, my question is very simple, where did you get that finding?*

Encik Chew Yoke Chin: *This is general knowledge...*

Dato' Zulkifli bin Noordin: *No, no, I am asking you where did you get that finding?*

Encik Chew Yoke Chin: *It comes from environment books.*

Dato' Zulkifli bin Noordin: *What is the reference, can you – no, you have to assist us.*

Encik Chew Yoke Chin: *Okay.*

Dato' Zulkifli bin Noordin: *We want know the truth.*

Encik Chew Yoke Chin: *I can...*

Dato' Zulkifli bin Noordin: *Is it just a theory or it happen somewhere else?*

Encik Chew Yoke Chin: *No, no, I can give it the author later.*

Dato' Zulkifli bin Noordin: *Can you?*

Encik Chew Yoke Chin: *After this I will give it to you. Acid rain goes up and It will also acidification.*

Dato' Zulkifli bin Noordin: *Because we as a committee, we want to based our finding on fact, not on theory.*

Encik Chew Yoke Chin: *No, no...*

Dato' Zulkifli bin Noordin: *Is it happened anywhere. So if you can assist us...*

Encik Chew Yoke Chin: *Yes, yes...*

Dato' Zulkifli bin Noordin: *...By giving us the reference, then that will ...*

Encik Chew Yoke Chin: *I think it is a common knowledge...*

Dato' Zulkifli bin Noordin: *Please Mr. Chew, don't assume, I am asking you. That the reason why I asking you question.*

Encik Chew Yoke Chin: *I am a citizen also, I have my responsibility...*

Dato' Zulkifli bin Noordin: *I know, don't assume, and don't assume that we know. That is why I asking you a question. You can assist us – not today.*

Encik Chew Yoke Chin: *Ha, later on.*

Dato' Zulkifli bin Noordin: *Maybe tomorrow, maybe next week.*

Encik Chew Yoke Chin: *I'll try, definitely. I am also citizen of this...*

Dato' Zulkifli bin Noordin: *So that, we have the reference to backup.*

Encik Chew Yoke Chin: *I also have responsibility to my fellow citizen.*

Dato' Zulkifli bin Noordin: *I am very concerned if it causes acid rain.*

Encik Chew Yoke Chin: *Yes.*

Dato' Zulkifli bin Noordin: *But I want to know whether is it a theory or is it a fact.*

Encik Chew Yoke Chin: *Certainly not theory.*

Dato' Zulkifli bin Noordin: *So give us the reference so that we can – if you can assist us.*

Encik Chew Yoke Chin: *Ya, I will try.*

Dato' Zulkifli bin Noordin: *Thank you, thank you.*

Tuan Pengerusi: *Okay, thank you.*

Encik Chan Woon Zet: *Okay, before I go, I forgot to tell; okay this is one pen drive I'll give it to you all. These are all those events held in Kuantan where some photographers taking a lot of photo, I asked them to give me some of their photos. It has been loaded here like the seminar, the conference, the comment is all here. Please have a look at the picture people of Kuantan.*

Tuan Pengerusi: *Thank you very much for you cooperation and present to the committee. Terima kasih banyak.*

Encik Chan Woon Zet: *Okey terima kasih.*

Tuan Pengerusi: *Okay we call the next group. Kita ada empat orang lagi dalam satu kumpulan.*

[Saksi-saksi individu mengambil tempat di hadapan Jawatankuasa]

4.38 ptg.

Tuan Pengerusi: Sila duduk. Pertama, bagi pihak jawatankuasa, kita mengalu-alukan kehadiran tuan-tuan dan puan-puan. Sebelum kita mulakan, saya berharap dapat diperkenalkan diri. Oleh sebab kita kesuntukan masa, kita berikan masa 20 minit kepada kumpulan ini untuk menyampaikan pandangan-pandangan yang hendak disampaikan kepada jawatankuasa. Jawatankuasa ini bertujuan untuk mendengar pandangan-pandangan dan juga cadangan-cadangan daripada orang ramai bagi tujuan untuk kita mengumpul fakta-fakta dan apa juga maklumat supaya kita dapat melihat dan mengkaji perkara-perkara tersebut bagi tujuan untuk kita melaporkan balik kepada Parlimen sehingga tempoh jawatankuasa ini tamat kelak.

Jadi melalui pendengaran ini, ia bukan bertujuan untuk mereka yang datang mendapatkan jawapan daripada kami. *We want to know what is your views or stand or whatever that you want to inform us so that we will be able to bring it back for our considerations before we table it in Parliament.* Jadi itu sebenarnya matlamat jawatankuasa ini. Okey, boleh memperkenalkan diri, kemudian bolehlah bermula untuk membuat pembentangan masing-masing. Silakan.

4.40 ptg.

Encik Yong Kim Keong [Individu]: *A very good afternoon. First I would like to thank the government for setting up this special committee to hear the public voice for this LAMP. I am Mr. Yong. I'm from Bonsai Association, one of the associations who love the plants and the environment and... [Disampuk] Ya, Persatuan Bonsai... [Disampuk] Ya, we deal with plant.*

Beberapa Ahli: *[Bercakap tanpa menggunakan pembesar suara]*

Tuan Pengerusi: Sila, sila.

Encik Yong Kim Keong: *Okay, before I start, I always believe that government would consider to health and environment aspect before deciding the type of industry to be set up in Malaysia. From the feedback from the Kuantan residence, you see, we all do research and do all the research and study our self, the government must ask us why. This is because lack of information given to us. I think this is very important point and the authority must review all the information related to the radiation safety aspect of this LAMP project. So to reduce the doubtfulness and the worry of the people, once I always believe when our doubt is clear, sure we will not against it because no people are very doubtful because we are looking, you know, internet lah, Bloomberg lah, all here and there, why Kuantan people are like that.*

Then we should ask this question why people are like that including me because we are very concerned of our health and our generation to come and we love our country so much. So, I am not a technical man, and you trust me, my voice represents 99% of the voice of the people, Kuantan resident here.

So before the issuance of the operating license, I think the authority should at least convince us. Today I got this, IAEA report, after show and cry of the people, we are invited. I think nine of the experts came to Kuantan and finalize all the good recommendation, the improvement, all that. So I think the authority must at least update us the latest status of the implementation of the report of the IAEA and I think whereby our government has already given 100% assurance you know, we are complying this report. Indeed, I read this report; I am not so technical man, when you read this report as a layman, is very scary. So I only highlighted a few point that...

Dato' Zulkifli bin Noordin: *[Menyampuk]*

Encik Yong Kim Keong: *IAEA, 55 pages, IAEA reports.*

Dato' Zulkifli bin Noordin: *What copy of the record?*

Encik Yong Kim Keong: *I don't know but a lot of people don't have this report...*

Dato' Zulkifli bin Noordin: *IA what?*

Encik Yong Kim Keong: *IAEA Report. It is a ...*

Dato' Abd. Rahman Dahlan: *Public document.*

Encik Yong Kim Keong: *Yes, it is a public document. I don't know whether I manage to get a copy but a lot of people...*

Dato' Zulkifli bin Noordin: *No, no, it is a public document.*

Encik Yong Kim Keong: *I believe is a public document, but a lot of people do not have, only thought only. But this is very good report. So why not just follow the recommendation by so-called expert IAEA, at least you can convince us, you see.*

■1645

Okay, when I read this report, this report highlighted that the danger exposure of the inhalation of a long live airborne dust, they consist of radioactive and also thoron and radon gas. So, definitely we will scare, you see. Okay. If this – if the worse scenario happens, the authority needs to inform us why is the, hear carefully, "Magnitude of the uncertainties". We just want to know where the magnitude of the uncertainties is. Are we all going to get cancer ten years later or what, you see? We want to know what the magnitude is. You just tell us the truth then we will face it. I believe, you know. Then we are guessing you know, okay. So we are concerned, for example if the plant accidently exploded, accident and exploded, the airborne dust and the cancer caught, cancer causing gas were exposed to our air and we will inherit in deep inside of our body. So this is worry on a concern.

I hope at least the authority give us some assurances or this is would not happen but we do not know whether – for what I see, as a layman, when I read this report, I am not worry about the radiation. I am worry about the explosion. When this exploded, I think the ... plant and all these entire all that.

I saw so many you know especially you know when this exploded and I believe this is heated up about 350^oc degrees and it is so high you know. It just likes an atomic bomb, okay. So at least it covers until which area, maybe 50 kilometers radius? We do not know.

Another second point that need to be highlighted that we are concerned about the radioactive generated solid waste from the plant operation over the 20 years period will be disposed. This means secured engineer cells constructed at a permanent disposal location will be determined by the AELB and the Pahang State Government. So, same questions are very doubtful, we just want to know where is the exact location to house the waste within the secured engine cell that are able to last for 300 years. These 300 years, I think IAEA is recommended by Lynas themselves. They want to construct 300 years and we need to maintain it every in the row 300 years. So this is my concern.

So basically, I think that the information given to us is very important rather than us go on looking for our self - I would not trust so much on you know, some of the IT and all this part but we have no choice. So, this is a worried and the doubtfulness. Once the doubtfulness and worries are clear then definitely we will be convinced. When you are convinced, we definitely will not be against it. But we are not convinced most of the people in Kuantan. For example, you know why come from Australia all this all that, you are talking about the benefit but I can see there no benefit because of the 12 years tax break. What about the benefits? You say, "Oh! This one can make hybrid car engine, iPhone but America, US although there are got the raw materials but the would not produce themselves but yet they are the bigger - they control the - means they are seeing the iPhone because the iPhone maker or what you see. So, why we want to carry all the waste and maintain every 300 years? This is our concern. Okay, thank you.

Tuan Pengerusi: *[Bercakap tanpa menggunakan pembesar suara]*

4.50 ptg.

Encik Soo Cheng Wah [Individu]: Selamat petang. Saya Soo Cheng Wah, wakil dari Taman Tas. Saya seorang rakyat biasa sahaja. Saya harap rakyat, Lynas ini jangan dibuat di dalam Malaysia. Ini disebabkan kita rakyat memang susah. Memang susah hari-hari pun. Ini Lynas kerana apa dia buat, dia kerana syaitan ini RM sahaja. Kita rakyat kerana jiwa...

Tuan Pengerusi: Kerana apa?

Encik Soo Cheng Wah: Kerana jiwa kita hari-hari pun susah, tahu. Kalau awak punya jiran ada duduk satu kaki *feet*, awak senang kah? Tidak senang. Bila dia ... kita tidak tahu. Bila hendak meletup kita tidak tahu. Saya harap Lynas diberhentikan di dalam Malaysia sebab ini RM punya pasal. Lagi ada satu peribahasa, bukan. Ini orang Melayu punya peribahasa, "*Orang sayang jangan diambil, kebencian orang jangan dibuat*". Mengapa dia langsung tidak ikut. Betul atau tidak? Saya pun tidak tahulah.

Saya harap Lynas itu jangan dibuat di dalam Malaysia. *[Disampuk]*. Kita hari-hari fikir ini apa benda semua ini tunjuk perasaan tidak susah. Siapa hendak? Saya memang tahu Lynas ini sudah banyak wang letak di dalam Malaysia ini tetapi wang kita boleh cari balik. Tidak akan kita ada kita Malaysia ada kelapa sawit, ada sarang burung apa pun ada, ini getah semua ada. Mengapa kita - kalau tidak ada Lynas tidak akan kita miskin sangat.

Tuan Pengerusi: Okey, *your point taken*. Kita minta maaf. Ada lagi?

4.52ptg.

Encik Choi Soo Kiang [Individu]: Okey. Saya Mr Choi dari Kuantan. Cerita panjang, saya tidak panjanglah, okey. Saya hanya beritahu yang penting yang sisa-sisa itu...

Seorang Ahli: Sisa?

Encik Choi Soo Kiang: Ya. Sisa-sisa.

Seorang Ahli: *Waste...*

Encik Choi Soo Kiang: Kita punya PM pernah cakap, *waste* ini akan dibawa ke luar Malaysia. Okey, kita harap boleh jadi. Jangan PM sudah cerita, selepas dua tiga hari, ada orang cerita sisa-sisa ini boleh proses jadi bajalah, inilah itulah buat jalan. Kita tidak mahu dengar itu. Rakyat Kuantan, saya berani cakap, semua pun tidak suka. Akan tetapi ada sedikit orang mereka tidak suka tunjuk muka sahaja. Jangan tunggu pilihan raya bagi rakyat ajarkan kita. Jangan. Sebelum pilihan raya kita mahu dengar suara rakyat, sudah sahaja masalah penting ini. Saya terang cakap. *Thank you*.

Tuan Pengerusi: *Okay proceed with Malaysia Medical Association (MAA).*

[Saksi dari Malaysian Medical Association mengambil tempat di hadapan Jawatankuasa]

4.53ptg.

Dr. Carmen Chew [Malaysia Medical Association]: *Yes. My name is Dr. Carmen Chew. I am representing Malaysian Medical Association (MAA).*

Dato' Abd. Rahman Dahlan: *Can you turn on your microphone?*

Dr. Carmen Chew: *Yes. I think this is close enough.*

Dato' Abd. Rahman Dahlan: *No. We go for recoding. Okay, I can hear you.*

Dr. Carmen Chew: *Sure. Actually I have prepared my presentation in PowerPoint. So, since it is printed out, shall go through it, right. Of course I know that you have been briefed regarding rare earth and regarding this plant. We know rare earth is about the 17 elements but they all also contain the radioactive elements which is Thorium and the Uranium and also some heavy metal inside like Lead, Cadmium, Chromium and all that. In natural state, they are confined in compounds. Once processed, they are released out.*

Let's look at Thorium decay series. You have been briefed that Radon gas which is radioactive in a form of gas, colourless, odourless exists only 56 seconds, less than one minute. You think it is safe but wait, Radon after 56 seconds, turns into Polonium, another radioactive element. The changes keep going on. From Polonium finally it will turn into Lead which is a heavy metal. Again, it is toxic to human body.

So, let us not forget that how Thorium does get into the environment? From the waste products, it could be in the solids, it could be in the liquids and it can also be in the forms of Radon gas released. This Radon gas is released the minute you open the packaging of that ore from Australia, it is released. Throughout the processing, during crushing and all that and continuously been released at the dump site.

How does Thorium get into the body? Through inhaling contaminated dust or contaminated food or water. In the epidemiology studies - so go through the slides, the most reason study done in Bayan Obo rare earth and iron mine in China who compared between miners who had inhaled ore dust containing Thorium with miners who had inhaled dust-free air (from 1977 to 1993). The first group, who inhaled all dust, had the higher cancer weight about five times higher. In the beginning, their analysis thought that this is was probably due to the high rate of smoking habit among the miners.

However, in their subsequent study, they had a continuous study long-term and they showed that there is significant lung cancer increased lung cancer mortality in both exposed miners and unexposed workers when compared with the Chinese population in general. After analysis, they found that this is due to inhalation of Silica and Thorium bearing dusts and the thoron progeny. That mean, the Radon and all the other elements after the Thorium decay series.

In the US, a case study of 112 New Jersey households in the vicinity of a Thorium waste disposal site found a higher prevalence of birth defects (2 times higher) and liver disease (2 times higher) among the exposed population compared with unexposed group. All the references are quoted there.

Thorium dioxide has been classified by the US agency for toxic substances and disease registry as a non carcinogen. Animals study also suggests that Thorium maybe absorbed through the skin but that pose little health as hazard outside of the body.

Workers who are exposed to Thorium have been shown to have an increase chance of lung disease, lung cancer and pancreatic cancer. Thorium has also been shown to cause liver disease, blood disorder and changes to genetic material. Birth defects have been observed in animals exposed to Thorium in the laboratory.

What about the environmental effects? An environmental effect finally leads to health issues to. From the Institute for the Analysis of Global Security (IAGS) China's Rare Earth Elements Industry: What Can The West Learn? A report written by Cindy Hurst. On Page 16: Severe environmental damage.

■1700

According to an article published by the Chinese Society of Rare Earth, every tonne of rare earth produced generates approximately 8.5 kilograms of fluorine, 13 kilograms of dust using concentrated sulfuric acid high temperature calcinations techniques which is similar to our plant here to produce approximately one tonne of Kalcine rare earth or generates 9,600 to 12,000 cubic meters of waste gas containing dust concentrate hydrofluoric acid, sulphur dioxide and sulphuric acid and approximately 75 cubic meters of acidic waste water and about one tonne of radioactive waste residue.

From 'Investigating Rare Earth Element Mine Development and Environmental Protection Agency, Region 8 and Prudential Environment Impacts Report' by Justin Paul in 2011, rare earth element production could contaminate the environment if best management practices are not used and the operations are not closely monitored. The possible contaminants include, but not limited to radio nucleic. Rare earth elements metals such as barium, beryllium, copper, led, magnesium and zinc, sulfide minerals, carbonate could be a concern with rare earth elements.

Let's go back to China, Bautou. Bautou is the biggest rare earth production area in China which supplies about 60% of rare earth of the world. This area was going to cost a high level of radioactive in the soils and water around the area. Bautou was blamed for producing approximately 10 million tonnes of all varieties of waste water every year. Most of that waste water is discharged without being effectively treated which not only contaminate portable water for daily living, but also the surrounding water environment and irrigated farm lands.

Back to US, West Chicago. Many years ago they had a Thorium processing plant there. The creek and west branch river include seven mounts of creek and river sediments, banks and flood plain soils contaminated with Thorium. This plant was many years ago in 1930s. At that time, environmental issues was not a big issue then. But now, they had found that large area of contamination.

In 1991, the Illinois Department of Public health had found elevated cancer rates in the community. A study by the Illinois Department of Public Health in 1991 found a greater than expected incidents of cancer among West Chicago residents. From 1985 to 1988, the study found three times as many cases of melanoma, that is a skin cancer among men then expected in a similar population. The incidents among women for a lung cancer and among men for colorectal cancer were almost doubled the rates expected.

Just now, the other group mentioned about Mountain Pass, California. The company called Molycorp which was also a rare earth mining company. At one time it was the world leading producer before China. Hundreds of thousands of gallons of water carrying radioactive wastes spilled to around that area. So, that has been found, as you have been told. So, I would not go into it again.

So, what are the health concerns in regards to LAMP. Public health. First, the methods of storage of this solid waste. Above ground open air storage sites lined by clay and one millimeter of HDPE at the bottom. Is this an ideal way of storage? Lynas has promise to keep the area moist. But, have you seen how large is that area to keep it moist in our kind of hot climate, alright? This is very near to the beach. The breeze is always there. You cannot see fine dust. You cannot see them, but you inhale. Thorium and Radon is continuously being emitted in this exposed area.

You cannot eliminate Thorium and Radon because it is in the gas. You have to breathe. What more risk of spillage and dissemination when later you need to transport it to some other places for permanent disposal? Why should we accept this kind of storage? We should insist that it should be sealed properly in a manner that could last, right?

Second, the liquid effluent. We already told that large amount of raw water. Of course, Lynas promised to treat the waste water. Yes. They treat according to standard B from our present regulation by DOE. In this standard, have you have a look at it? We are only concerned about few things. What is the PH? What is the COD? Some of these items I haven't been able to recall now. But, a lot of other things are emitted, have been left out because this regulation is not tailored for this kind of industry.

China has come out with a new international standard, code GB 26451 in year 2011, specially tailored for this industry. They had made it a rule in their country. For all new industries to comply to this new regulation by March last year. Actually, they had come out with this regulation by March last year. So, why cannot we adopt this international standard? China has already learnt from their lesson. Learnt from their mistake. Why do we want to go through the same mistakes?

The gaseous effluent, the sulphuric fumes maybe retained in the scrubber system. But, the Radon, the Thoron is all over on that site. You cannot separate the Radon and Thoron from the air you breathe.

Initially, they had tried to suggest, to recycle the solid waste for fertilizer, for gypsum board. Even for road construction, paver's block for pavement. I have given you a table here to show you how much of radiation is contained in this kind of thing.

Recently, the China expert came and what did he say? Recycling of this waste is no longer practised in China for many years. That is why I cannot find it on the internet. Which country is recycling this waste for commercial used? Because it is not practised. Why is it not practised? Because it is dangerous to health. How can we allow this to happen? What about the permanent waste disposal? Until today there is no definitive plans for long term disposal despite recommendation from IAEA.

The amount of the quantity of the waste, you know already by now, is enormous. You said that because we do not know what is going to happen, we have to verify what is going to happen. You allow them to have the TOL. How are you going to manage the waste that is coming out from there? Are you going to allow the same sequence of events to happen in Bukit Merah? They stop the production first, and then they find a place for permanent disposal. Do not you learn from mistakes?

Many of the government authorities are still trying to deny the fact that, that had happened. It was a mistake. We always say that we must learn from history. Learn from other people mistakes, so that we do not repeat the same mistake. How can we allow this? Then come to the occupational health. Exposure to the external and internal radiation, source from lanthanide dust, the ore dust, the waste, the Radon, Thoron emission and the critical group, all the workers on the site and surrounding the site. Like I said, mentioned before, they cannot escape from it. What protection do they have? They said they will give them the N99 mask for those who are at risk. N99 mask may filter some larger particles dust. Some dust.

Dato' Abd. Rahman Dahlan: *Who say that?*

Dr. Carmen Chew: *Lynas. Lynas said, they would provide N99 mask. But, can you filter Radon gas? You cannot. The dust that can settle on their clothings and all that, they will bring home. They will bring out from that site. Not to mention of other wastes. So, the workers on the site are inadequately protected. They are the one that the highest risks.*

The present occupational accident reporting format is not tailored for this industry either. Long term comprehensive health monitoring system has to be developed for this group and the public, residents surrounding that area. Why in Bukit Merah, there were seven to eight cases of cancer among children within five years of operation of ARE? Because, ARE did not handle their waste properly. They let the waste bertabur like they said, right? Who is at risk the most? The children.

So, here it we confine the waste and we manage the waste properly, we may not see a fast rate of cancer happening. This kind of cancer will take ages.

Probably more than one or two decades to appear. See what happen in US? Slowly they are finding that the community has a higher risk of cancer.

The one in Baotou because the miners are directly exposed to it. Mind you, in Baotou, the ore has only 400 parts per million of Thorium. In Lynas, it is 1,600 parts per million. It is a big different of concentration there. What the experts say? Nuclear industry proponents often assert that low doses of radiation produce low ill effects and are therefore safe.

■ 1715

But there are many debates now in the world. Currently debating on all this method of calculation of exposure because all those calculation previously were base mainly on external in radiation, external radiation from GAMA source. What is concern here is internal radiation. The radioactive element that is inhaled or ingested into your body, 70% of it will remains inside your body if it goes into the blood stream, right. A lot of it will either lodge in the lung. That is how you get lung cancer or if it goes into the blood, it will go into the bone and once it goes into the bone, it will stay there for biological half year of 22 years every day emitting alpha radiation in your bone cell. Okay?

Not to mention the reproductive system. That is way you get leukemia because is from the bone stem. That's why you get those defects because of this kind of radiation, internal. In conclusion, China, United States and even Malaysia had solid evidences that rare earth procession plant has indeed cause harm to the environment and the people health. When contamination is proven, it is too late because it is never reversible. The future of our descendants cannot be compromise in the name of development. This is a formal presentation. Now I will tell you what I feel.

I work as a doctor many years in the government service. Everyday we see sickness, we see cancer patients. Of course we know they suffer but do you know their family members and their loves one suffer more because cancer patients knows that they are going to die anyway but the people who loves them have to stay behind and bear that loss. If a doctor makes mistakes in their practice, you can always fine them. You can always go to court, pay compensation or even stop their license from practicing before they can produce more harm.

But if this decision is made by mistake on purpose, how are you going to answers to the next generation and the generation after this, for the future of all Malaysians? I beg you all to take into serious consideration of what you are going to do next for this plant. Most important of all is the people's health. We have many Malaysian who are intelligent but they are all going out of Malaysia. Your future generations may not be that intelligent or the future generation you have a heavy health budget to bear or a heavy environmental cleanup budget to bear.

In addition to the presentation, I have attached with the some summaries of what I presented and also additional suggestions. Those suggested figures from Lynas or their numbers and all that has not been produce from a pilot plant. Now that there's no pilot plant but only the actual plant. If you have to consider about TOL, you may want to go very consciously. You start small and I'm say small means very small, maybe 1,000 tonne, monitor if it is safe progress a little bit further, 5,000 tonne. If it is proven safe again, then only you allow more production. Provided a permanent disposal facility has been approved and proven to be effective before the TOL is given.

A PDF plant is a must before production of any scale and the amount of money, that should be determine to be it safe the possible for what you call, a safe for environmental clean up and all that should be determine according to the amount of raise generated each year of production and be deposited each year, not one small lump sum at one time. You know money market fluctuate today, one million is no more one million in the next five years, right? So I have also attached an English translation of the China new Standard GB 26451 because the original is in Mandarin. I have submitted with the help of chemical engineers.

Dato' Abd. Rahman Dahlan: *That means your effort*

Dr. Carmen Chew: *Chemical engineers, I make them do it. I asked them to do it.*

Dato' Abd. Rahman Dahlan: *It has been translated?*

Dr. Carmen Chew: *Yes. You can verify it with the original. I have submitted this to DOE of Pahang last year but there's no news. I recited again one more later again, the person in charge had not even look at it. Very disappointed with the attitude of government.*

Seorang Ahli: *DOE Pahang?*

Tuan Liang Teck Meng: *Doctor, may I?*

Dr. Carmen Chew: *Yes.*

Tuan Liang Teck Meng: *I gone through the material that you prepare for us, I appreciate it and then I believe you have done a really thorough study on the Lynas but my question is do you just start to look into Lynas project because of this Lynas project or have you also look into other industries such as tin tailing, amang that also has even a higher risk than this where the product and even has a higher radioactivity than Lynas product. Are you also looking into that kind of industries in Malaysia?*

Dr. Carmen Chew: *Mr. Liang, why are you comparing amang with Lynas here? This is rare earth. I already show you the comparison with Baotou China where the thorium concentration is only 400 parts per million, here in Lynas is 1,600 parts per million. Are you satisfied?*

Tuan Liang Teck Meng: *What I'm saying is I also want to know the level of risk of safety of the health.*

Dr. Carmen Chew: *Why do you want to compare with amang when we are not dealing with amang now?*

Tuan Liang Teck Meng: *No, if you have also such of industry in Malaysia where you know it have more dangerous impact, a risk to the human being, where we do not stop that one but then yet we are stopping the other industry when it has a lower risk. This is what I'm trying to say.*

Dr. Carmen Chew: *Now I understand what is your point, alright? So, don't you think is high time the government take into consideration of upgrading all the regulation and monitoring on all this kind of industries not just pointing at Lynas alone?*

Tuan Liang Teck Meng: *No. I think doctor, I'm asking you that do you also look into that industry or only you just started to look into Lynas because of the projects?*

Dr. Carmen Chew: *I started to look into this because of Lynas. Because the amount of awareness that is created with this news. That is how I got to know.*

Tuan Liang Teck Meng: *Thank you.*

Dato' Abd. Rahman Dahlan: *Dr. Carmen, my name is Rahman. Probably so far I think your presentation is the most comprehensive and with sources which we appreciate very much.*

Dr. Carmen Chew: *Thank you.*

Dato' Abd. Rahman Dahlan: *Just a very quick question for you. Have you read the IAEA report on Lynas?*

Dr. Carmen Chew: *Yes.*

Dato' Abd. Rahman Dahlan: *I'm not trying to say that your finding is somewhat of the mark but I'm just asking your opinion as far as IAEA report which of course as you know very-very highly expert in this radiation plus health plus all the other concern. They have come out with the conclusion that this plant is safe despite what you have said mining the 400 part per million in China, vice-versa in Lynas even than I think, I not doubting it but I think probably there are some explanation between that and the 1,600 but having said that, what is your comment about IAEA which specific*

Dr. Carmen Chew: *May I answer?*

Dato' Abd. Rahman Dahlan: *Yes.*

Dr. Carmen Chew: *If you read in detail IAEA report, there's a term of reference. In the term of reference, they are confining to certain areas of need. Health issue is not their area, not in their TOR, not in their term of reference, alright? First thing, second thing, they say that it is safe only at this stage.*

Dato' Abd. Rahman Dahlan: *What stage?*

Dr. Carmen Chew: *Only at this stage where Lynas was when they access Lynas. That was at the construction stage, they have not going into production stage.*

Dato' Abd. Rahman Dahlan: *If I may, just on those two points on I just want to reply to you. Number one, you mention about the TOR doesn't include health related issues but what have you been raising today is essentially are radiation issues and also particle and all that. Those are has been address in the report, specifically had been addressed.*

Dr. Carmen Chew: *[Menyampuk]*

Dato' Abd. Rahman Dahlan: *Sekejap and then you can answer. You know, the health issues is another thing but most of the thing that you raised in you briefing or your report to us is on radiation and waste management which is clearly stated in that report, that's number one.*

Number two, precisely what you mentioned just now that how can we trust IAEA report when the plant has not started. I mean you can reverse that argument, isn't it?

Dr. Carmen Chew: *I don't say we don't trust IAEA report. I say that the IAEA report say it is safe only up to the stage of construction not at a stage of production.*

Dato' Abd. Rahman Dahlan: *Yes. That's why I'm saying how you respond when somebody says to you reverse that argument and say how you can say that it is not safe when they are not even in production? So what I'm trying to say is both have some ideas but it's okay. I'm just giving you my opinion about the report*

■1730

Dr. Carmen Chew: *One more thing you must know about IAEA is in their – there are two big school of thought in all this – among this world experts on radiation. One, is about external radiation and the other one is on internal radiation. External radiation - most of the expert agree. They don't argue much. But when they come to internal radiation, there's a lot of dispute. There's a lot of dispute. You may not be aware of it because people are finding more and more evidences of how come there are higher risk of cancers in certain communities, related somewhere around nuclear plant or around those area where there was higher concentration of thorium defer like in Chicago and all that. So among the expert themselves, they cannot agree totally. So IAEA is one of those only. You cannot say IAEA is the only one. Right?*

If you asked me, I can invite experts from international level recognized for their work in this area to tell you about how dangerous internal emission are. Internal radiation is and how dangerous this could be.

Dato' Abd. Rahman Dahlan: *I don't dispute in one second – for one second.*

Dr. Carmen Chew: *No, but IAEA their argument is that it is still safe.*

Dato' Abd. Rahman Dahlan: *Just give me. What I'm saying is it is okay. What I'm saying is it's okay. What I'm saying I'm not disputing what you are just said about the dangerous of all this exposure and also internal radiation inhalation of particle and dusk. That's given. But that's not the point here. The point is will it happen?*

This Committee is interested to see - obviously if you inhale or swallow a big chunk of it obviously you will die. But the question is not about that and I appreciate your concern about that but I'm just saying that this committee wants to find out if that will happen or not. So that two different points. We understand you coming from health profession. Yes. You expose yourself, continuously how to raise radiation, yes. Something bad will happen to you. But this purpose is to see whether that will happen or not.

Dr. Carmen Chew: *Yes, if you have an exposed area that big, you don't have radiance gas uncontrolled release...*

Dato' Abd. Rahman Dahlan: *That's why I'm saying. So in other words whether we want to know whether radon gas is emitted freely in a big space. That's remain to be seen. But yes you are right in the way that if you are expose yourself, yes if there's a car hitting you, you will died. But will it happen, there's another issue that we are looking at.*

Dr. Carmen Chew: *But how long are you willing to wait and see? Because I said cancer will not happen tomorrow. Are you going to allow them to operate fully for the next 20 years and after that the cancer will start going out.*

Dato' Abd. Rahman Dahlan: *Well that's an opinion. We appreciate the opinion. Thank you.*

Tuan Pengerusi: *Okay, thank you very much. We have two more groups actually. So we take note of your presentation and then you will...*

Dato' Zulkifli bin Noordin: *Dr. Carmen, saya hendak tanya sikit yang saya kira saya agak tertarik dengan Bukit Merah. Perbandingan dengan Bukit Merah yang saya percaya jika boleh ditunjukkan boleh membantu kami dalam siasatan ini. Jadi ada atau tidak apa-apa kajian saintifik dibuat untuk menunjukkan ada hubung kait di antara insiden kanser yang Dr. Carmen sebut dalam ini dengan kegiatan di Bukit Merah. Saya sudah baca tetapi tidak ada yang ditunjukkan apa kajian saintifik yang dibuat. Betul dia bekerja dan mengandungi semasa bekerja di kilang Bukit Merah, tahu-tahu anak dia *deform*. Akan tetapi atau tidak kajian dibuat yang anak itu *deform* sebab itu? Ada? Ada hubung kait atau tidak kajian saintifik? Apa yang Dr. Carmen buat sekarang ini, ambil 'A', ambil 'B', *equals* 'C'. Sekarang ini yang saya hendak tahu...*

Dr. Carmen Chew: *Semua ini sudah berlaku lebih 20 tahun.*

Dato' Zulkifli bin Noordin: *Yes. Itu yang saya hendak tahu. Ada atau tidak kajian dibuat?*

Dr. Carmen Chew: *Pada masa itu tidak ada kajian dibuat.*

Dato' Zulkifli bin Noordin: *Sekarang ada?*

Dr. Carmen Chew: *Sampai sekarang pun tidak ada.*

Dato' Zulkifli bin Noordin: *Tidak ada, ya?*

Dr. Carmen Chew: Kenapa Kementerian Kesihatan tidak membuat kajian macam itu?

Dato' Zulkifli bin Noordin: So maknanya insiden yang disebut di sini tidak berdasarkan kepada kajian saintifik sebaliknya...

Dr. Carmen Chew: Pada masa itu, kerajaan tidak mempedulikan kes-kes ini.

Dato' Zulkifli bin Noordin: Bukan. *You understand my question.* Soalan saya, maknanya apa yang dibuat ini adalah andaian sebab dia bekerja di ARE.

Dr. Carmen Chew: Bukan andaian. Nanti. Bukan andaian. Dr. T. Jayabalan pernah menganjurkan pemeriksaan. Bukan menganjurkan tetapi menjalani pemeriksaan ke atas kanak-kanak dekat Bukit Merah dan mendapati plumbum *level, level* dalam darah mereka terlalu tinggi sehingga *toxic level*, kenapa?

Tempat di Bukit Merah ini sangat kecil. Tidak ada...

Dato' Zulkifli bin Noordin: Jadi adakah terbukti – adakah kajian terbukti bahawa itu...

Dr. Carmen Chew: ...Kajian yang seperti *international*...

Dato' Zulkifli bin Noordin: Tidak adalah?

Dr. Carmen Chew: Tidak ada.

Dato' Zulkifli bin Noordin: Dr. Carmen tahu atau tidak – kalau boleh bantu saya yang kegiatan di Bukit Merah itu adalah bersumberkan kepada amang dan bukan kepada *rare earth*. Tahu tidak?

Dr. Carmen Chew: Tahu tetapi...

Dato' Zulkifli bin Noordin: Jadi maknanya Bukit Merah ialah amang sebab tadi Dr. Carmen tegur kawan saya kenapa bandingkan amang dengan *rare earth* tetapi Bukit Merah ini amang.

Dr. Carmen Chew: Menjadikan kanser dan...

Dato' Zulkifli bin Noordin: Akan tetapi amang. Setujukah?

Dr. Carmen Chew: ...*Not* amang. *Thorium in the ...*

Dato' Zulkifli bin Noordin: Bukan. Soalan saya, tolong bantulah. Tolong bantu ya. Saya sudah tahu torium itu tetapi tolong bantu saya. Bukit Merah ini ialah torium bersumberkan amang. setujukah?... Betul?

Dr. Carmen Chew: Okey, kalau you cakap macam itu, adakah kaca ini berlainan dengan kaca daripada tingkap?

Dato' Zulkifli bin Noordin: Dr. Carmen, jangan pusing sangat. Saya tanya soalan mudah.

Dr. Carmen Chew: Saya tidak pusing. *Thorium is thorium.*

Dato' Zulkifli bin Noordin: Doktor, doktor...

Encik Choi Soo Kiang: *Hello, hello.* Minta maaf, Yang Berhormat. Yang Berhormat, ini bukan Parlimen.

Dato' Zulkifli bin Noordin: Bukan. Dr. Carmen...

Encik Choi Soo Kiang: Hari ini kamu tidak tanya pernah kita bersuara.

Dato' Zulkifli bin Noordin: Sebab itu kita...

Encik Choi Soo Kiang: Kita beritahu kita punya suara sahaja, Yang Berhormat. You sengaja tekan-tekan sama kita tidak boleh. *You* mahu bukti, *you* pergi cari.

Dato' Zulkifli bin Noordin: Kita mahu kebenaran.

Encik Choi Soo Kiang: *You* pergi sendiri cari itu bukti bagi kerajaan. Itu kita.

Dato' Zulkifli bin Noordin: [*Menyampuk*] Saya carilah ini.

Encik Choi Soo Kiang: Di atas itu bukan *you* duduk. Kita duduklah. Betul tidak? *You* tanya soalan semua macam tekan-tekan sama kita sahaja tahu.

Encik Yong Kim Keong: *I think the best solution, past is pastlah. Just now your question is very good.*

Dato' Zulkifli bin Noordin: *No*, kita mesti tahu. Itu contoh sahaja. Saya hendak tahu ada atau tidak...

Tuan Pengerusi: *I think the answer is obvious. So, no need to give the answer.*

Dato' Zulkifli bin Noordin: Ada perbezaan, bukan?

Encik Yong Kim Keong: *I think the baseline starting is really important. So that in future, then you keeps on blaming us all why Kuantan resident cause cancer and this one due to smoking. So I think now the government should conduct a baseline study to do a survey. So in future if anything go higher...*

Dato' Zulkifli bin Noordin: Sebab itulah kalau jawapannya tidak ada kajian, kami mungkin cadangkan buat kajian. Itu sahaja. Jadi saya hendak tahu jawapannya ada atau tidak. Itu sahaja. Kenapa rasa tertekan? Tidak timbul soal rasa tertekan.

Dr. Carmen Chew: Bukankah saya tadi sudah sebut cadangannya membuat kajian.

Dato' Zulkifli bin Noordin: Itulah. Bantulah saya. Sebab kita yang hendak buat cadangan itu. Kalau saya tahu sudah ada kajian, saya akan beritahu kepada kerajaan tengok kajian itu. Kalau tidak ada, kita mungkin – mungkin cadangkan kepada kerajaan supaya buat kajian itu. Cuma saya hendak tahu betul atau tidak apa yang saya cakap ini bahawa yang Bukit Merah itu ialah bersumberkan amang dan yang kekhuatiran berkenaan dengan Lynas ini torium bersumberkan *rare earth*.

Dr. Carmen Chew: Ya, torium sahaja.

Dato' Zulkifli bin Noordin: Betul? Itu sahaja saya hendak tahu. Apa yang rasa tertekan sangat itu?

Encik Yong Kim Keong: *I think we should learn from mistake. First thing, there must baseline study for future as a measurement. The second thing and very important thing is PDF. You see Bukit Merah after the plant growth now then only relocated to store all the waste – radioactive risk. I think this one we should look and duties expertlah. Two things. Baseline study and the PDF. You see Bukit Merah now only spend about RM200 million to RM300 million. You see.*

Tuan Pengerusi: *We take note of your point.*

Encik Yong Kim Keong: *This is very important. The past okay because how to dispute cancer maybe due to smoking of this part from today onwards, I think you should go future. The baseline study is very crucial.*

Tuan Pengerusi: *Thank you. Okay, thank you very much.*

Encik Choi Soo Kiang: *Saya tambah sikit. Saya harap kerajaan, waste ini kalau boleh mesti mahu dikeluarkan dari Malaysia. Jangan simpan dalam Malaysia. The waste. Jangan dengar Lynas cakap boleh proses buat jalan, bikin baja. Kita tidak mahu dengar itu macam. Dia mahu buat, hantar balik Australia buat jalan, buat baja. Kita Malaysia tidak payah. Kita ada cukup. Okey, itu sahaja we should do. Keluarkan daripada Malaysia. Penting, bukan? Thank you.*

Beberapa Ahli: *Terima kasih.*

Encik Yong Kim Keong: *Thanks a lot. Terima kasih ya.*

Dato' Abd. Rahman Dahlan: *Don't forget to read our report nanti. Your question will be answer by the expert.*

[Ahli-ahli berbincang sesama sendiri-mikrofon dimatikan]

[Saksi dari Jawatankuasa Peguam Negeri Pahang mengambil tempat di hadapan Jawatankuasa]

5.43 ptg.

Tuan Pengerusi: *Pertamanya, selamat datang ke Jawatankuasa Pilihan Khas. Kita running short of time. I don't want to contain whatever that you want to present to this committee. Walau bagaimanapun, kita telah juga mendengar daripada pelbagai pihak dan sudah tentulah ada juga yang saya percaya telah dibangkitkan sebelum daripada ini. Walau bagaimanapun, saya beri ruang kepada wakil Pahang Bar Committee untuk kemukakan pandangan kepada Jawatankuasa Pilihan Khas. Saya berharap pertamanya perkenalkan diri dan apa sahaja yang di cakap dan dibentangkan di sini akan direkodkan bagi maksud prosiding ini. Saya jemput.*

5.44 ptg.

Encik Hon Kai Ping: *Terima kasih kepada Tuan Pengerusi.*

Tuan Pengerusi: *You try to be within 20 minutes.*

Encik Hon Kai Ping: *I will try.* Bersama dengan saya adalah peguam-peguam juga daripada negeri Pahang. Sebelah kanan adalah Encik Abdullah Johari Hamzah, kemudian Puan Noor Jehan Abu Bakar. Sebelah kiri saya adalah Puan Rahiza binti Zulkifli dan kemudian Puan Amalia binti Mohamad Said. Semua adalah peguam daripada negeri Pahang. Untuk tidak membuang masa, saya terus ingin merujuk kepada dua dokumen yang telah diserahkan kepada Jawatankuasa Pilihan Khas ini.

Satu, yang berwarna merah yang merupakan cadangan dan syor daripada pihak kami dan kemudian satu lagi adalah merupakan ikatan dokumen yang berwarna kuning. Saya ingin juga menyerahkan satu *pendrive* kepada Setiausaha, Datuk Rosme... *[Disampuk]* *Exhibit 'A' to be tendered* oleh kerana dokumen-dokumen dan laporan-laporan pakar ada terkandung di dalam *pendrive* tersebut dan kalau dicetak memang memasuki beratus-ratus ataupun beribu-ribu muka surat. Jadi saya telah majukan dan telah dirujuk di dalam *submission* yang warna merah tersebut. *Without futher ado, I like to refer you to this submission therein.*

First of all, I like to say this. Actually I had written the letter to the secretary of this committee. I written a letter asking for example whether the witnesses and the documents which we have receive is on very strictly private and confidential basis.

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Meaning that there are people, there are inside. From inside Lynas doing the construction himself, they provide us with the information. So, I have written a letter to the Setiausaha of this PSC, asking very simply whether the Witness Protection Act or the Whistleblower Protection Act is applicable or not? Okay, because we are talking about million of dollars if not hundred of million of dollars in this industry and the people involved.

Of course Datuk Rosmee have responded orally, she did call me up and spoke to me and say that this PSC proceeding is quite public and I notice that a quite number of us here and she advise me again, producing this witnesses and naming name and producing all this document which I have. So, I would like to inform the PSC that what I have given you in this document and as well in the pen drive are only documents that I can give that does not breach confidentiality and does not put people livelihood or human life at stake.

We are here in Kuantan and I am sure your Members of Parliament would be quite glad by now that this plant is not in your backyard whether you like it or not. Okay, it is a fact that the people is against it. Without wasting time, I would like to refer to page 1 of this submission.

If we look at page 1 here at the bottom there in the bold, portion there 1 is introduction (b), at the bottom "page 16 of the IAEA report rules and regulation file. Are you all with me?

Beberapa Ahli: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *Now, the rules and regulation file would be inside the pen drive. Okay, I hope the secretary later on can make a copy of this and give to the Members of PSC. So, they can refer to it. While the Bundle of Document (BOD) refers to the orange bundle which you have with you. Okay, the hardcopies which will only contain portions of the documents refer to the inside pen drive here. What is Pahang Bar Committee stand on this, last*

Dato' Zulkifli bin Noordin: *Ini report, ini cadangan?*

Encik Hon Kai Ping: *Ini adalah kita punya...*

Dato' Zulkifli bin Noordin: *Ini dokumen..., bukan?*

Encik Hon Kai Ping: *Correct, correct.*

Dato' Zulkifli bin Noordin: *Ini cadangan?*

Encik Hon Kai Ping: *Ini cadangan dan syor kami. Yang warna merah itulah. Yang warna coklat itu adalah kita punya ikatan dokumen yang dirujuk dalam cadangan tersebut. Okay. Page 1(a) talk about how Pahang Bar Committee at its EGM last year, look into this safety aspect of this plant. 1(b) talk about the kinds of solid waste that is going to be produced by the plant. This figure are not taken out from the ARE but rather taken out from the IAEA report itself. That is page 4 of the bundle of documents okay. If you look under the regulation file page 16 you will get the IAEA report itself. Page 4, you will get this...*

So, we are talking about 145,000 tonne per annum, this solid waste. (c), I think you are familiar with the constitution in this country. (d), page 2 Yang Berhormat-Yang Berhormat is a submission. I have produced in the bundle of documents page 10 to 25 of the bundle of this submission by CAP-SAM which is quite precise and technical and contains expert references. All the comments by the SMSL, Pahang Bar Committee, MMA, CAP-SAM by Mat Azahar as individual are contain in the pen drive in the comment on submission file.

Dato' Abd. Rahman Dahlan: *Yang Berhormat, can we go straight to the point of the main concern? Those that you mentioned are already in here.*

Encik Hon Kai Ping: *Yes.*

Dato' Abd. Rahman Dahlan: *Classified and the document, we know where to find. We will read that later. Can you just go to the... as a chairman. We go directly to the concern that we have.*

Encik Hon Kai Ping: *Okay, first concern at the bottom of page 2. Page 2, point 3... [Disampuk] Sorry, I refer to the submission.*

Dato' Zulkifli bin Noordin: *This one..., the pink one?*

Encik Hon Kai Ping: *Pink one at page 2. At the bottom. Paragraph 3 at the bottom. Now, if you look at the IAEA report that is in page 2 and 3 of the...*

Seorang Ahli: *Bundle.*

Encik Hon Kai Ping: *Of the bundle in the yellow color, You have the recommendation 8, 9, 10 because the government of Malaysia has said that they will comply all the 11 recommendations of the IAEA Report. Okay, page 8, 9 and 10 talk about the consultation. Okay, so what might – first point is there wasn't proper consultation because if we consider the fact that so many people, thousand over submission have been made to the AELB...*

Dato' Zulkifli bin Noordin: *Public consultation.*

Encik Hon Kai Ping: *Yes but then within two working days, they came out with the acquisition. First point, page 3 of the red documents, cadangan dan syor. At the top of number 4, this is talking about the PDF. Now, if you look at the regulations governing the licensing of the PDF that is in regulation 23(2), that is in page 26 of the chocolate bundle, you have the regulation 23 and also you look at the IAEA itself, that is pages 8 and 9 of the bundle. Okay, there must be a PDF identified.*

The fact of the matter involved the latest document produced by Lynas whether it is radioactive waste management program or the safety case, both the document provided by 31 of December, they have not identify the PDF. This is an admitted fact. What Dato' Marshal, CEO of Lynas had said there a commercial usage of the waste. Which means they are going recycle it. Our government in August last year have ready – good put in the rules so that we can recycle in now, okay. Now, an expert witness in the symposium recently has stated, I am not sure whether you have this loose-leafy or not. I have a separately loose-leafy given to all of you. Okay, in the recent symposium.

Seorang Ahli: *On Monday.*

Encik Hon Kai Ping: *He has stated quite clearly what Lynas is suggesting, it means they are going to recycle the waste and make it into some sort of material to be used for the roads etc. Is an abandoned proposal which is not...*

Seorang Ahli: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *The talk..., paragraph of this article.*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara] ...This coming from where?*

Encik Hon Kai Ping: *This is from a report in the internet Yang Berhormat.*

Dato' Zulkifli bin Noordin: *Where is the talk held?*

Encik Hon Kai Ping: *It is a symposium that was conducted...*

Dato' Zulkifli bin Noordin: *I know... [Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *Yes, yes.*

Dato' Zulkifli bin Noordin: *Which website?*

Encik Hon Kai Ping: *I can email to you later because I download this thing, so I am sure I would have it, but if you...*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *Correct, I understand but – in fact I got it because I google it. If you just google it on the internet, you will get it.*

Seorang Ahli: *...If you can assist me...*

Encik Hon Kai Ping: *I know, I know! I am telling you, I am assisting you by telling you how I got it.*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *So, I make a mistake by not finding out the printing and everything.*

Dato' Zulkifli bin Noordin: *From where..., which website?*

Encik Hon Kai Ping: *You know, you try to google...*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *Yes, yes.*

Seorang Ahli: *Nanti dia bagi lah.*

Encik Hon Kai Ping: *Sure, okay. So, the Chinese expert have said that this so called technology is outdated and has been abandoned. It means the technology proposed by Lynas, they are going to recycle and reused it etc, is no longer in used. So, we are asking the CEO of Lynas. How are they going to recycle it? We need the PDF, is it because he is saying that we are going recycle it? "Do not worry, we are going recycle it, so we don't need the PDF." Okay, but we are saying that you need the PDF. It is because you have not proven to us in any document that you can recycle it.*

I refer to page 4 of the red bundle, read at the top there. Page 4 the red bundle, read at the top. Regulation 17 of the Environmental Quality Act, you can not actually dilute it to bring down the level of the radioactivity. Tuan Pengerusi, tuan-tuan dan puan-puan sekalian. Second point, there is point 5 in page 4. This is regarding the DEIA. I am sure that you are aware that last year on 20 June 2011, the Environment Quality Act have been amended. Now, you required the DEIA procedure for rare earth activities. I refer you to page 29 of the bundle, the chocolate bundle which has been amended on 20 of June last year.

Read at the bottom, item number 17 prescribed activities using radioactive materials and generating radioactive waste. So, as far as the DOE is concerned alam sekitar, any activities done by Lynas should go by way of the DEIA is procedure but only if PEIA was done. Okay, but...

Seorang Ahli: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *20th June.*

Seorang Ahli: *Last year.*

Encik Hon Kai Ping: *Last year.*

Seorang Ahli: *But the...*

Encik Hon Kai Ping: Akan tetapi permohonannya untuk TOL belum lagi dimasukkan ketika itu. *So, our argument is that you should still comply with it. Okay, I like to refer Tuan Pengerusi dan Yang Berhormat-Yang Berhormat to page 31 to 33 of the chocolate bundle. Number 31 to 33 is evidence by Professor Jamal Hisham Hashim. The few expert that have dare to come forward and say no problem, can use their name.*

He is an expert in the DEIA procedure because in our appeal before Datuk Seri Dr. Maximus Johnity Ongkili. He has produced the alam sekitar officer, Deputy Pengarah of DOE and all that thing. They came forward and told us. Actually, that Lynas have complied with the DEIA procedure because the only difference between the DEIA and PEIA procedure is there must be a consultation in the DEIA procedure and also because Lynas has produce the RIA and PEIA report and everything, so there was consultation. Indirectly, Lynas has complied with DEIA procedure. That was the explanation by department of environment officers.

This statement here, if we look at page 31 of the bundle, brown color, right at the bottom of the paragraph there. It'll explain to you that the procedure for the DEIA and PEIA is entirely different. PEIA procedure is an in-house procedure done at the state. While the DEIA procedure is by independent body in Putrajaya. Okay, so that is my point here. That Lynas have not complied with the DEIA procedure and as far as I am concern, technically, the activity they have done, run foul of the Environmental Quality Act and its illegal.

Further on, point 6 of page 5 of my red color bundle, comment and syor. The AELB have failed to require a fresh RIA. Report to be done before considering application for the TOL. The RIA, when it was really at the end of May, we look at it and we are shocked because paragraph 6 of the RIA itself says very clearly that it is produce based on the information totally by Lynas. That is why the end of the RIA report, there is so much suggestion and everything that all the fact produced in a RIA report must be retested again when the plant in operation. Okay, we point it out to the IAEA panel. We are all appeal also before the IAEA panel, they are fully aware of it. Okay.

As a result, Director General of AELB is here, he can confirm or otherwise. On the 16 of June, Raja Dato' Abd Aziz came forward with the statement saying that there should be fresh RIA, done. I believe this is also carried in the IAEA report but unfortunately I don't know why there is no fresh RIA report done. That is our complaint.

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So, our syor, our cadangan is there must be a fresh RIA report to be done. Page six of my red color bundle, number seven at the top, there must be a Health Impact Assessment.

If you go by the way of DEIA procedure, there would be a Health Impact Assessment report to be done. Lynas should have save all of us, all the trouble by right at the beginning doing DEIA procedure. Then we got SIA, we got DEIA and we got everything, HIA procedure. Because if we look, these are the chemical that will be utilized by Lynas. It's going to be a huge, it's going to be biggest rare earth operating plant in the world producing 20% of the rare earth mineral itself. It will be huge.

So, at the very least, there must be a HIA. To support this, once again I refer Dato'-Dato' and Dato' Sri to pages 52 and 53 of the bundle in the chocolate bundle, very important. Again, by Professor Dato' Jamal Hisham Hashim. Page 52 and 53 of the chocolate bundle again by Professor Jamal Hisham Hashim. I do not propose to read it out. I hope that the panel of the PSC please read through what the professor says. He says, "At the very least, there must be HIA to be done for Lynas".

We went to page 7 of the pink bundle, at the top, number 8. I believe we had heard from the MMA just now by Dr. Carmen. I do not propose to repeat what she has said. Her comments are also in the bundle here but I would like to refer to the reports which she mentioned about the internal ingestion of the radioactive particulates. That is in page 7, paragraph 9 of the red bundle. Here you have Professor Chan's testimony in pages 58 to 60. If you look at the bundle itself, the chocolate bundle page 58 to 60, you have Professor Chan testimony. He is professor on health in University Malaya and he refers to quite number of international reports which I refer to at the bottom and these all in the pen drive. So maybe the secretary will forward to you all this report that is available.

What he says basically is, you know, the high incidences of leukemia or cancer that are occurring among young children around this kind of facilities cannot be explain unless the use of model where this nuclides had been ingested, because all these radioactivity cannot penetrate the skin even from Lynas. Cannot penetrate the skin. But, this study shows and explain that if this things but inadvertently is ingested somehow, then it can explain the high incidences of cancer among the young children in this area in France and Germany etc.

Bring on, page 8 of the red bundle. It is a fact that Australia have not allow any rare earth processing plant up to today. Australia is 25 times a size of Malaysia. We have a lot... [Disampuk] Sorry?

Dato' Abd. Rahman Dahlan: *That's a fact?*

Encik Hon Kai Peng: *Yes, that is a fact.*

Dato' Abd. Rahman Dahlan: *We are very concerned.*

Encik Hon Kai Peng: *Yes.*

Dato' Zulkifli bin Noordin: *Are you aware that license has been issued?*

Encik Hon Kai Peng: *License you should but that is...*

Dato' Zulkifli bin Noordin: *By Australian Government, are you aware?*

Encik Hon Kai Peng: *No. But I refer to you, now Australian Government report that it's contain – inside the pen drive okay. The extract taken in page 61 and 62 of the bundle. If you look at page 61, the actual report itself is the Australian Government report for the year 2010, its about 200 pages and this particular pages that give the summary of the rare earth operation plants in the Australia and they are persistently rejected such plant because either by a public cry or etc.*

Public out-cry you can see page 62 of the bundle of the documents. There is a report by Sydney Morning Herald regarding the stringent requirements that the operation in Mount Welds, it is all there also in the pen drive, the 44 commitments that there have to adhere to. I believe that is the partially the reason why they come over to Malaysia because it is quite costly. The kind of commitments that they must adhere to in Australia if they want to proceed to have a secondary processing plant in Meenar in Western Australia.

Carry on, page 9 of the red bundle, item number 11. This is where I am going to have a problem because this is where – if you look at the pen drive, unfortunately we don't have OHP here, you have a color photograph of the process tanks in area 240 of the plant itself or the cement was very badly done, you know, and there will leakages here and there and everywhere. And of course as you read the New York Times, the original contractor, Cardotex, have stepped back because AkzoNobel, the supplier of the international lining has disallowed their product to be used and because they have to give this manufacturer warranty and they refuse it because of the condition of the process tanks. they have "gostan". Instead, we got Trepax from Thailand now taking over the project. I produce the email in page 67 that tells me there is bound to be a leakage within two years from the process tanks. That all I can say, unfortunately at the moment because of the problem of the divulging, people concern.

Moving on, pages 11 of the red color bundle, these are the environmental bond. I think one of the AELB they asked of RM15 million. As far as we concern, this is grossly inadequate based on calculation considering the volume of the waste is coming up and the rare earth that is produce, it should be on an annual basis around USD300 million for each year of production of 22,000 tons of rare earth ore. This is picked up in the EIA report page 5, page 2 of the bundle of the document the chocolate one. It may seem to be a big figure, USD300 million, but don't forget, the good old Lynas is earning early revenue is a big billion. That is what they say on annual basis and this is tax free.

Moving on, page 12 of the red color bundle. I don't intend to go through it. This is mainly the submission by CAP-SAM. The find..., in very detail how they are not comply with the EIA report and how the government is bending backwards to allow them to recycle the waste.

When in 2007, the radioactive policy in this country is that the waste must be going back to the supplier. That is the produce also in the page 68 to 69 of the chocolate bundle. There was the policy of the government until Lynas came.

Page 13 lastly Tuan Pengerusi, Dato'-Dato', tuan-tuan and puan-puan, is the expert report by Peter Karamoskos which is produced in total in pages 70 to 92 of the chocolate bundle of documents. He is saying there is non compliance of EIA report and there is bound to be, the area, in which the LAMP Plant is situated is not suitable because of the dampness of the area.

So, in conclusion, our cadangan and syor is contain at the bottom of pages 13 to pages 14 of the red bundle of the documents. We are saying that there is not of non compliance, it may also be illegal what they have done and all this rules and regulation at the very least at HIA must be mandated before any operating license be issued to Lynas. That's all. I am not sure whether my colleague want to add,

6.10 ptg.

Puan Nor Jeehan Abu Bakar: *Assalamualaikum warahmatullaahi wabarakaatuh, selamat petang. I just like to add a little bit about access of information. What I would like to bring the panel's attention is to the Declaration of RIO with clearly state in Principle 10 which we are signatory of that. "That environmental issues are best handled with participation of all concern citizen..." [Disampuk] No, no, because Principle 10... [Disampuk] Rio Declaration 2002. We are signatory of that and Principle 10 clearly state that, "Environmental issues are best handled with participation of all concerned citizens..." who are here today, "...At the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities including information on hazardous materials and activities in their communities, and the opportunity to participate in decision making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective process and access to judicial administrative proceeding including redress and remedy shall be provided."*

Why I'm emphasizing on access to information here is because until April last year, we were in the dark about the LAMP that is going to come out here in our backyard. We feel that...

Dato' Abd. Rahman Dahlan: *[Bercakap tanpa menggunakan pembesar suara]*

Puan Nor Jeehan Abu Bakar: *The public. The public here, it is not the Pahang Bar only knew about it in April, the whole public knew about it in April last year.*

So, we feel that there was an element of secrecy, something sneaky about it and we feel that the element of access to information is not available there to the public.

Dato' Abd. Rahman Dahlan: *How is it now?*

Puan Nor Jeehan Abu Bakar: *Pardon?*

Dato' Abd. Rahman Dahlan: *How is it now?*

Puan Nor Jeehan Abu Bakar: *How is it now? After a lot of out-cry, slowly there is a little bit of opening up I believe.*

Dato' Zulkifli bin Noordin: *Did you all engage with Lynas?*

Puan Nor Jeehan Abu Bakar: *Okay, the things is there were a few public consultation but nobody from Lynas ever came. Is that true? Raja Dato' Abd Aziz was there the first one in Indera Mahkota, there was people from DOE, there were people from PKNP but nobody from Lynas. So, when they keep telling the public that they are engaging us they are using the local authorities as their mouth piece to engage us, they themselves are not engaging us. By taking up newspapers advert and saying that, "You have any problem, come and visit our website", that is not public engagement.*

Tuan Teng Boon Soon: *[Bercakap tanpa menggunakan pembesar suara]*

Puan Nor Jeehan Abu Bakar: *We need to talk to them.*

Tuan Teng Boon Soon: *Ya.*

Puan Nor Jeehan Abu Bakar: *Public engagement is you tell us, we ask question. That is public engagement.*

Dato' Zulkifli bin Noordin: *You make any effort to see them to engage them, did you?*

Puan Nor Jeehan Abu Bakar: *We went to Australia to meet them.*

Dato' Zulkifli bin Noordin: *You did?*

Puan Nor Jeehan Abu Bakar: *We went to Australia to meet them...*

Dato' Zulkifli bin Noordin: *When what was that?*

Puan Nor Jeehan Abu Bakar: *It was somewhere in July.*

Dato' Zulkifli bin Noordin: *Last year?*

Puan Nor Jeehan Abu Bakar: *Last year, yes. We went to Australia to meet them. We make ... him self.*

Dato' Zulkifli bin Noordin: *You mean to say Lynas here refuse to meet you? Are you suggesting that?*

Puan Nor Jeehan Abu Bakar: *No, I am not suggesting that, but they have not make any effort to meet us.*

Dato' Zulkifli bin Noordin: *Why did you go to Australia?*

Puan Nor Jeehan Abu Bakar: *Why did we go to Australia? Because we need to talk to them.*

Dato' Zulkifli bin Noordin: *You couldn't to talk to them here?*

Puan Nor Jeehan Abu Bakar: *Nobody wants to talk us.*

Dato' Zulkifli bin Noordin: *That's what I am trying to ask. Are you saying that Lynas here refuse...*

Dato' Abd. Rahman Dahlan: *You are willing to go to Australia...*

Puan Nor Jeehan Abu Bakar: *We were willing to go to Australia because...*

Dato' Zulkifli bin Noordin: *Because Lynas here refuse to see you?*

Puan Nor Jeehan Abu Bakar: *No, I would not say Lynas here refuse to meet us.*

Dato' Zulkifli bin Noordin: *Are you attempting to see Lynas?*

Puan Nor Jeehan Abu Bakar: *We believe that, it is a duty of Lynas.*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Peng: *No, the...*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Peng: *You see, I think the rakyat groups you know, is actually written in an order the invitation and everything to visit.*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Peng: *We have written letters.*

Dato' Zulkifli bin Noordin: *I want to ask whether Pahang Bar, I know you are saying that Lynas should go to the public and make the public consultation, we know that. I am asking another – did you try to go...*

Puan Nor Jeehan Abu Bakar: *That is not our responsibility.*

Dato' Zulkifli bin Noordin: *You are saying that is not your responsibility...*

Dato' Abd. Rahman Dahlan: *I think is a fair question because some of the things that you mention here are very serious issue which we are very concerned about it and you were willing to go all the way to Australia to find information...*

Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Dato' Abd. Rahman Dahlan: *You are saying that you are not getting information from Lynas Malaysia which is actually in your backyard as you mention earlier. So, the question from the panel is quite straight forward, have you try...*

Tuan Pengerusi: *I think it very clear and furthermore they are not on trial. It is okay... [Ketawa] Any other things?*

Encik Hon Kai Peng: *Actually on concern...*

Dato' Zulkifli bin Noordin: *Tuan Pengerusi, our concern here is also public access.*

Encik Hon Kai Peng: *Yes, very much.*

Dato' Zulkifli bin Noordin: *As your group say we are very satisfied with the answer. So I want to know from Pahang Bar if there is any lack of access...*

Encik Hon Kai Peng: *You see, there's...*

Dato' Zulkifli bin Noordin: *I want to know, did Lynas ever refuse to meet you?*

Encik Hon Kai Peng: *It is not a question of – it just a meeting because we know of the certain problems within the plant. So, we want to go to the certain tank to investigate certain things. So, that was in condition that the group said we want to have free access to certain areas where we hear of the complaints but unfortunately they refuse to allow us to have free access...*

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Dato' Zulkifli bin Noordin: *[Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *Yes and they want to bring us on guided tours, you know.*

Dato' Zulkifli bin Noordin: *Pahang Bar*

Puan Noor Jehan Abu Bakar: *No, the public*

Encik Hon Kai Ping: *Public also with the various groups and also of course we have written into even the...*

Dato' Zulkifli bin Noordin: *The other group says they were allowed to go in. So I was... [Bercakap tanpa menggunakan pembesar suara]*

Encik Hon Kai Ping: *Yes, they are allowed to go in.*

Puan Noor Jehan Abu Bakar: *They were very selective.*

Dato' Zulkifli bin Noordin: *So, I want to know. Don't talk about the other group. I want to know about Pahang Bar?*

Encik Hon Kai Ping: *But it's not too late you know. I've got these complaints today. If you can confirm, you know you can go to that various tanks, they are allowed every access to all the engineers...*

Dato' Zulkifli bin Noordin: *Because if there is any group that Lynas refuse entry for access, we will be concerned. I'm very concern. Because we heard from the other group also, they have access. So I want to know you, Pahang Bar refused because you went all the way to Australia.*

Encik Hon Kai Ping: *It's not the Pahang.*

Puan Noor Jehan Abu Bakar: *Not the Pahang Bar went to Australia. I was one of the person who...*

Dato' Zulkifli bin Noordin: *Not Pahang Bar lah?*

Encik Hon Kai Ping: *Not Pahang Bar.*

Puan Noor Jehan Abu Bakar: *Not Pahang Bar. I, as a member of public went to Australia with the group, SMSL.*

Dato' Zulkifli bin Noordin: *There's no question of you being denied access to Lynas here.*

Encik Hon Kai Ping: *Indirectly there is lah because it is all guided tours.*

Puan Noor Jehan Abu Bakar: *There is.*

Encik Hon Kai Ping: *They wouldn't allow you to have free access to you know exactly where you want to go and do some test and everything.*

Puan Noor Jehan Abu Bakar: *No, the thing is Sir, we want a two way dialogue with them and they have never appeared in any of the dialogue. They never, never appeared.*

Dato' Zulkifli bin Noordin: *I understand that, my question next is whether attempt.*

Puan Noor Jehan Abu Bakar: *Yes, there was attempt for us...*

Dato' Zulkifli bin Noordin: *They refuse?*

Puan Noor Jehan Abu Bakar: *Not to say they refuse. They wanted to give us like Mr. Hon said lah, a guided tour. They refused to allow us to see and full access of what was written in the New York Times about the crack containment area.*

Tuan Teng Boon Soon: *In your experience, in your meeting with Lynas, did they ever refuse to answer any of the questions...*

Puan Noor Jehan Abu Bakar: *They never met us. They never met us.*

Encik Hon Kai Ping: *This is the first objection right at the beginning itself when the so-called public consultation was done in Indera Mahkota and in Beserah. I stood up and told Yang Mulia Datuk Aziz that he and the DOE should not be the one defending Lynas. We want Lynas officers to be on the stage. But instead we get you know - they are the person who processing the license to check on the quality and everything but yet they are on the stage defending Lynas. So we say where is the Lynas officers?*

Puan Noor Jehan Abu Bakar: *They are the person who was supposed to be taking care of ours... safeguard our interest and they are on the stage, taking care and safeguarding Lynas interest.*

Dato' Abd Rahman Dahlan: *The concern is valid. The concern is valid but I think to summarily say that the AELB and DOSH are not capable of answering the question also.*

Encik Hon Kai Ping: *No, no. I have not thought that...*

Tuan Pengerusi: *Let me finish dulu. Because I think we have a problem here. One of the reason is why this committee is formed is because the high level of distrust what Lynas is saying among the public.*

Encik Hon Kai Ping: *Yes.*

Tuan Pengerusi: *And I doubt that we have the CEO of Lynas Malaysia answering your questions that you're concern will be addressed but what we are trying to say here is I think for AELB and DOSH to be able to be there and answer questions also is not wrong. It's not wrong because they are at the end of the day will be responsible because they are the one who regulated industries. So they are not in a way that is a orang kata, "nasi tambah" sajalah. They are a main player that you can engage as well.*

Encik Hon Kai Ping: *I think for this Datuk, our member of the Bar, Dato' Zulkifli can understand that better. How you would like, I mean...*

Dato' Zulkifli bin Noordin: *He's the lawyer.*

Encik Hon Kai Ping: *Oh, sorry Dato'. You are the one that going to decide on the license. So I mean – I'm sorry. I'm talking about AELB. They are the one processing the license. They are the one to decide on the license. Here we have the judge coming forward on the stage you know and defending Lynas. You know it is like by judge coming forward in a court, you know.*

Puan Noor Jehan Abu Bakar: *Where is the impartialities? Where is the impartialities.*

Tuan Pengerusi: *No, I think we are...*

Encik Hon Kai Ping: *Compression against...*

Tuan Pengerusi: *No, I think their present maybe is too show or to give confidence to the public on matters of the procedure and approval of the license.*

Puan Noor Jehan Abu Bakar: *It's kind of backfired Dato' Seri because we lost confidence...*

Tuan Pengerusi: *Nanti dulu. Jadi dia begini. Dia perlu ada dalam pertemuan umum itu. Pada masa yang sama, yang tidak ada itu maknanya sekarang kita marah kenapa Lynas pun tidak ada. Jangan balik nanti kalau Lynas ada, dia tidak ada, you datang sini, you marah pula kerana dia tidak ada dulu.*

Encik Hon Kai Ping: *So...*

Tuan Pengerusi: *So, when they are presence, it's okay. But the problem is now Lynas tidak ada.*

Encik Hon Kai Ping: *Tidak ada.*

Tuan Pengerusi: *Lynas tak ada. Okey.*

Encik Hon Kai Ping: *So, when the first meeting was held, they expected Lynas would be there. Suddenly...*

Dato' Zulkifli bin Noordin: *So the problem is not their appearance. The problem is no appearance by Lynas. Is it?*

Puan Noor Jehan Abu Bakar: *...For them.*

Dato' Zulkifli bin Noordin: *So the problem is not their appearance. You cannot cast any ... to the authority.*

Tuan Pengerusi: *Okey, ada apa-apa lagi?*

Encik Hon Kai Ping: *That's all Datuk, Tan Sri.*

Tuan Pengerusi: *Ya. Ada apa-apa? We are running out of time. We have heard from you very clearly. I think we understand. I think there is a gap...*

Dato' Abd Rahman Dahlan: *Boleh tanya... Can I have a name puan dari itu. Satu sahaja, very quick question. What's your name madam?*

Puan Noor Jehan Abu Bakar: *Jehan.*

Dato' Abd Rahman Dahlan: Jehan.

Puan Noor Jehan Abu Bakar: Yes.

Dato' Abd Rahman Dahlan: Puan Jehan. *Are you one of SMSL, so many – apa.*

Puan Noor Jehan Abu Bakar: *I'm a SMSL*

Dato' Abd Rahman Dahlan: SMSL.

Puan Noor Jehan Abu Bakar: *Actually I went there in my capacity as Malaysian Natures Society's President. I'm Malaysian Natures Society Pahang, President.*

Dato' Abd Rahman Dahlan: *President.*

Puan Noor Jehan Abu Bakar: Yes.

Dato' Abd Rahman Dahlan: *But you...*

Puan Noor Jehan Abu Bakar: *Environmental issues that I went there. So happen I'm also a lawyer.*

Dato' Abd Rahman Dahlan: *You not a legal representative from SMSL?*

Puan Noor Jehan Abu Bakar: *No, I'm not. I'm with Pahang...*

Dato' Abd Rahman Dahlan: *Because I... [Disampuk] That's right, that's right.*

Dato' Zulkifli bin Noordin: *You went there as a NGO?*

Puan Noor Jehan Abu Bakar: *Yes, I went there under MNS. No, I did not go there as a member of the Bar.*

Tuan Pengerusi: *Thank you very much.*

Encik Hon Kai Ping: *Thank you Dato' Sri.*

Tuan Pengerusi: *Take note of all your concern and we will evaluate.*

[Saksi dari Save Malaysia Stop Lynas mengambil tempat di hadapan Jawatankuasa]

6.23 ptg.

Tuan Pengerusi: Selamat datang. Salam berbahagia. Kita berada di Pendengaran Awam Jawatankuasa Pilihan Khas Parlimen mengenai Projek Lynas. Jawatankuasa ini diwujudkan bagi tujuan untuk mendengar segala pandangan daripada masyarakat mengenai projek ini. Pada hari ini kita berada di Pahang untuk kita mendapat pandangan dan kita mendengar mengenai perkara-perkara yang ingin dibangkitkan di mana perkara-perkara itu akan kita bawa untuk kita rumuskan dan bantangkan balik ke Parlimen. Jadi, saya jemput wakil daripada *Save Malaysia, Stop Lynas (SMSL) to present your case, you boleh berucap sama ada bahasa Malaysia atau bahasa Inggeris dan sebelum itu memperkenalkan diri dan we hope to finish it within 20-25 minutes. Thank you.*

Encik Tan Bun Teet [Save Malaysia Stop Lynas]: *20 minutes?*

Tuan Pengerusi: *Because of the time.*

Encik Tan Bun Teet: Okey, okey. Terima kasih Tuan Pengerusi. Nama saya Tan Bun Tee. Saya adalah *chairperson of Save Malaysia Stop Lynas.*

Tuan Haji Ismail Abu Bakar [Save Malaysia Stop Lynas]: *Assalamualaikum.* Saya Haji Ismail Abu Bakar, naib pengerusi *Save Malaysia, Stop Lynas*.

Encik Go Yuh Min [Save Malaysia Stop Lynas]: Selamat petang semua. Saya Go Yuh Min, AJK *Save Malaysia, Stop Lynas*.

Encik Ou Da Foo [Save Malaysia Stop Lynas]: Selamat petang. Nama saya Ou Da Foo, *Save Malaysia committee*.

6.27 ptg.

Encik Tan Bun Teet: Tuan Pengerusi, sebelum kita bermula, bolehkah saya buat satu permintaan. Kita sudah tunggu di luar dekat dua jam.

Dato' Abd Rahman Dahlan: Air.

Encik Tan Bun Teet: Air lah. Memang ini jadi adat manusia, adat Malaysia, kan. Macam mana air pun tidak ada... *[Disampuk]* Ya, patut perhati sedikit.

Tuan Pengerusi: Perkara yang ini kita tak perlu gaduh.

Encik Tan Bun Teet: Okey, okey. Kita nak Datuk... Okey, okey.

Datuk Roosme binti Hamzah: *Sorry.*

Encik Tan Bun Teet: Cakap pun lancar sedikit kan.

Datuk Roosme binti Hamzah: *Thousand apologies.*

Encik Tan Bun Teet: *Apologies accepted. Thank you.*

Dato' Abd Rahman Dahlan: Khemah besar lagi kat luar, takkan tidak minum kot?

Encik Tan Bun Teet: Ya, ya. Haji... *[Berbincang dengan Encik Haji Ismail Abu Bakar]* Okey, minta maaf ya. Kami adalah satu kumpulan yang terdiri daripada penduduk biasa di Kuantan, yang tinggal di Kuantan. *We are the residents group. We are Kuantan's residents. We spend our whole life, we build our family here. We invested everything here and we love this town very much. Now, we don't think it is fair for Lynas to build this plant quietly without our knowledge, without telling us what is involved, without telling us what is the stake and without even bother to consult us.*

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This is most unfair. I'm sure if you too, you are dignified Member of Parliament were to be treated to the same treatment. I'm sure you too would not be too happy about it. So, when we heard about it last year, we did a quick search on what is rare earth. I'm sure distinguish Member of Parliament knows that. Earlier on, we have a rare earth factory in Bukit Merah and the fall out from that factory is all sell evidence. It is been recorded in many books, in many publications, therefore it arouse our anxiety. That is how Malaysia was form. We are here to speak out on behalf of the resident of Kuantan, not for anyone else. We are not alligned to any political parties, we don't speak for anyone else except people like us who are ordinary resident in Kuantan.

We are happy that at least the Parliament is setting up a committee called a Parliament Select Committee, to listen to the grouses, to the complaints, to anything that worries the people of Kuantan here. We are grateful for your presence today.

Dato' Zulkifli bin Noordin: *Mr. Tan, I'm very concern about what your opening statement just now. How did you come to know this Lynas?*

Encik Tan Bun Teet: *I don't know whether you know about Fukushima's nuclear accident?*

Dato' Zulkifli bin Noordin: *Never mind, don't ask me. I want to know how did you know.*

Encik Tan Bun Teet: *What do you mean?*

Dato' Zulkifli bin Noordin: *How do you come to know this Lynas?*

Encik Tan Bun Teet: *It does not pop-up in my dreams, it is reported. Yes, after the Fukushima accident, New York Times reported about the world largest rare earth plant being built somewhere in Kuantan. I'm sure without any spread of information, nobody would know anything at all.*

Tuan Liang Teck Meng: *So, you think anything this it has relationship with the Fukushima? It's all about the radiation and thing?*

Encik Tan Bun Teet: *That would be two simplistic of questions to ask. I don't think it is an answer.*

Tuan Liang Teck Meng: *Because you mentioned after the Fukushima incident, then you say that we start looking in to the Lynas project.*

Encik Tan Bun Teet: *No, I don't say that.*

Tuan Liang Teck Meng: *So, any relationship between why you mentioned about after Fukushima incident.*

Encik Tan Bun Teet: *I'm sure I didn't say that. I said I heard about it after the Fukushima nuclear accident was reported in the paper. That's all, I don't think you should twist the words around. I'm sorry about that. It's straight come from an ordinary person's mind, I'm not a trained professional, I don't speak eloquence, I'm not a lawyer, it is straight from the heart, I hope you don't take it to seriously, no hard feelings.*

Tuan Liang Teck Meng: *Thank you.*

Tuan Haji Ismail Abu Bakar: *Assalamualaikum Yang Berhormat Tuan Pengerusi dan Ahli-ahli sekalian. Persoalan yang ditimbulkan oleh rakyat setempat tentang Lynas ini ialah kerana tidak ada *consultation*, tidak ada perbincangan awal di kalangan masyarakat. Kalau ada pun perjumpaannya hanya tidak berapa lama sahaja. Kami hanya dimaklumkan, kemudian kita bincang dengan AELB, Dato' Seri Dr. Raja Aziz. Kemudian selepas dua kali perbincangan, terus dihentikan.*

Keduanya, apabila kita maklum tentang Lynas ini, kita rasa ia merupakan satu projek yang tidak begitu difikirkan terlebih dahulu, tidak ada perbincangan awal, macam perkara bidan terjun sahaja di sini. Saya dimaklumkan bahawasanya Lynas ini mulanya hendak dijalankan Terengganu tetapi oleh kerana sesuatu masalah, maka tidak dibuat di Terengganu. Sebaliknya, Kerajaan Negeri Pahang di bawah pimpinan Yang Amat Berhormat Menteri Besar Datuk Seri Adnan Yaakob menerima projek ini tanpa usul periksa. Sedangkan masalah yang berlaku di Fukushima dan Bukit Merah contohnya, tidak diambil iktibar langsung.

Jadi, sebab itulah kami mengadakan perbincangan dan tidak setuju dengan projek ini. Kami tahu ini projek besar, projek kerajaan, kami dimaklumkan projek ini akan memberikan peluang pekerjaan kepada rakyat sebanyak 350 pekerjaan tetapi setakat ini kita tidak tahu macam mana. Kita telah beberapa kali cuba berbincang dengan pihak kementerian dan sebagainya tetapi nampaknya setakat ini tidak ada respons. Tidak ada sambutan, seolah-olah Ahli PSC ini bercakap bagi pihak Lynas, bukan bagi pihak Kerajaan Malaysia. Saya tahu Kerajaan Malaysia, tidak semua Yang Berhormat-Yang Berhormat, Menteri-menteri, semua pegawai kerajaan yang boleh bersetuju cara macam ini tetapi setuju dulu sebab ini projek besar, projek yang dianggap berbahaya kepada masyarakat, berbahaya kepada rakyat, berbahaya juga kepada alam sekitar tetapi tidak ada perbincangan.

Kita ada perbincangan *public consultation*, selepas dua tiga hari, terus lulus, bagi TOL. Jadi, ini yang kita tidak setuju. Kalau hendak buat, buatlah dengan baik kerana kita rakyat, kita rakyat yang menentukan kerajaan, bukan tuan-tuan yang menentukan kerajaan. Jadi, itu sahaja, kami minta supaya perkara ini ditimbang kerana rakyat Kuantan, khususnya tidak berapa senang hati dengan projek ini. Sekian, terima kasih.

Encik Tan Bun Teet: *Okey, may I continue? In earlier sessions, they were asked, was there any consultation, was there any engagement with Lynas? Let me tell you this. I wrote to Lynas last year in July, asking for an engagement. Until today they have not replied. Unless they have something to hide, that's why before I go on, I would like the distinguish members of the PSC to give me a written guarantee that what I'm going to tell you next would absolve me of any possible legal action by Lynas as it is now I've been sued by Lynas. I'm sure you are aware about that, right. Today Lynas has actually put in a second application to gag us and here you want us to tell everything we know about Lynas, which is fair. But, what I'm going to tell you, may get me into another hot soup, a second defamation suit. Can you give me a written assurance like all Members of Parliament enjoyed in the Parliament that what I am going to tell you cannot and would not be use by Lynas in another defamation suit. Can you do that?*

Tuan Pengerusi: *I don't think we can do that. To be fair to you, for Members of Parliament that is within or the privileged is from the standing order and from the law, Constitution. But, in here we do not have such thing. So, I'm afraid and it's better that you try to avoid because I know that firstly, that there is a pending court case which is a judicial review and secondly, I'm being told that there is a defamation suit against you. So, we don't want another, you will be in trouble with another suit.*

Encik Tan Bun Teet: *So, in other words, I cannot tell the whole story. Then, you will not get the whole story. You don't even know everything. So, it is rather disappointing for Tuan Pengerusi, for you to come out with a statement saying that the plant is safe whereas if I'm given the protection under Witness Act or the Whistleblower Protection Act, then I will be able to tell you. At the end of the day, we conclude that the plant is not safe, contrary to what you had just mentioned at 259.*

Dato' Abd. Rahman Dahlan: *Can I interject a little bit? Mr. Tan, if you are very sure of what you are about to say, you are very sure without any degree of doubt, then by all means proceed, because if you are very seriously thinking...*

Encik Tan Bun Teet: *No, we understand the legal implication.*

Dato' Abd. Rahman Dahlan: *Let me just finish dulu okey, because then, if we say that we cannot give you that immunity that is given to all of us as Members of Parliament under the standing order. Then you say that there's no point for us to talk to you. Then I put to you then, if you feel strongly about it, as passionate as you are, then you have all this evidence that you think will hold your agreements in the court of law, then, by all means...*

Encik Tan Bun Teet: *No, I'm going to the court of law to defend myself on the defamation suit. So, let us wait till the court holds the session.*

Dato' Zulkifli bin Noordin: *Mr. Tan, if you are well aware, defamation suit is best defended by truth. If what you are going to say dearly to you, within your knowledge is the truth, you shouldn't be scared.*

Encik Tan Bun Teet: *It is not a question of scared.*

Dato' Zulkifli bin Noordin: *No amount of defamation- I faced five hundred millions sued, I faced hundred millions sued, don't worry, I know. If you are telling the truth...*

Encik Tan Bun Teet: *Good for you then, good for you.*

Dato' Zulkifli bin Noordin: *If you are telling the truth, don't worry.*

Encik Tan Bun Teet: *Excuse me Dato' Zulkifli Noordin, I know you are a lawyer, you are trained as the lawyer, so if I'm trained as a lawyer, I will definitely go to court...*

Dato' Zulkifli bin Noordin: *You don't need to be trained as a lawyer to tell the truth.*

Encik Tan Bun Teet: *It's not question of telling the truth.*

Dato' Zulkifli bin Noordin: *Truth, you don't have to be a lawyer.*

Encik Tan Bun Teet: *The thing here is, whatever truth that I have, I will be using it in the court of law, not here. I think I don't want to waste your time since you cannot give me the assurance, I will thank you very much of your time. Thank you, you can have early Maghrib.*

Dato' Abd. Rahman Dahlan: *No need, no need.*

Encik Tan Bun Teet: *Okey, thanks.*

Tuan Pengerusi: Terima kasih semua Yang Berhormat-Yang Berhormat, tuan-tuan dan puan-puan. *It is a very long day when you have that kind of ending.* Saya ingat memang dia datang untuk itu sahaja. Walau apa pun saya percaya kita akan teruskan *public hearing* kita pada hari esok. Saya percaya memang pun *it is not an easy matter*, ini bukan satu isu yang mudah dan saya mengharapkan kerjasama daripada semua kementerian, jabatan dan agensi. Saya ingat ada banyak perkara yang dibangkitkan pada hari ini yang saya percaya memerlukan reaksi dan jawapan daripada semua jabatan dan agensi.

So, saya sekali lagi mengucapkan berbilang terima kasih. *We will be meeting starting tomorrow about 9.30. Tomorrow, we are supposed to have about enam kumpulan tetapi banyak individu. I believe that it will be repetitiouslah.* Okey, terima kasih, *Assalamualaikum*, salam sejahtera, rehatlah betul-betul.

Mesyuarat ditangguhkan pada pukul 6.44 petang.