



Site da Prefeitura

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Installation of a phosphate company in Anitápolis (SC) generates reaction and is vetoed by Justice

DATE

05/05/2011

DISTRICT

SC - Anitápolis

LATITUDE

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LONGITUDE

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SUMMARY

The project for exploitation of a phosphate mine in the municipality of Anitápolis, in Greater Florianópolis, brought several environmental impacts to the region, such as suppression of native forest, contamination of water bodies and of groundwater, and loss of biodiversity. In January 2010, the Federal Regional Court of the 4th Region (TRF) vetoed the installation of the sulfuric acid and fertilizer plant.



Site da Prefeitura

Vista para a Serra Geral

CASE DESCRIPTION

The project for exploitation of a phosphate mine in the municipality of Anitápolis, in Greater Florianópolis (SC), has been facing resistance on the part of environmentalists who fear that the project may have an impact in the region's rivers, among other effects (VALOR ECONÔMICO, 2010).

With 542 km² and 3,214 inhabitants (IBGE 2010), Anitápolis is 180 km from the capital of Santa Catarina (CAMPOS, 2010). Its population is economically poor and depends on the quality of the soil and water to work and support itself (MAPA DA INJUSTIÇA AMBIENTAL E SAÚDE NO BRASIL, 2009). The municipality is composed of uneven topography, with all its territory formed by large valleys and mountain ranges, plus many springs of major rivers - such as the Tubarão River (North Arm) - interlinking the Rivers: do Meio, das Pedras, do Norte, Branco, dos Pinheiros Altos, do Ouro and da Prata (PREFEITURA MUNICIPAL DE ANITÁPOLIS, 2010). The municipality has the largest hydrographic source of Santa Catarina (MAPA DA INJUSTIÇA AMBIENTAL E SAÚDE NO BRASIL, 2009).

With investments estimated at R\$ 550 million, the Anitápolis Project, as it is known, foresees the hiring of 1.5 thousand employees in the implementation phase and 400 in the operational phase (VALOR ECONÔMICO, 2010). The Government of Santa Catarina's role in the enterprise regards the infrastructure and tax breaks, such as the Development Program for Companies from Santa Catarina (SuperProdec) and the Pro-Employment Program (BRASIL MINERAL, 2008). The first provides for the postponement - and the second for the acceptance - of charging the Tax on Circulation of Goods and Services (ICMS). The law allows 75% of the tax to be postponed for four years.

The enterprise aims at mining natural phosphate and manufacturing sulfuric acid [H₂SO₄] for the production of fertilizers - activities which, as stated in the Environmental Impact Study of the project, include: setting up the mine, the tailings ponds, the industrial area and the solid waste dump, totaling 1,760 hectares (STYLO FM 102.1, 2010).

The initiative is conducted by Indústria de Fosfatados Catarinense (IFC), a joint venture between the Norwegian Yara and the fertilizers section of the American Bunge

(VALOR ECONÔMICO, 2010), currently operated by Vale (CAMPOS, 2010). To implement the project, the company acquired an area of 1.8 million hectares, nowadays covered by native vegetation in an Environmental Protection Area (SCHEIDT, 2009). IFC was created in 1980 specifically for the exploitation of the municipality's phosphate deposit, where 10% of the exploitable phosphate in Brazil lie (DINIZ, 2009).

The deposit lies under the ecological corridor linking Serra Geral to Serra do Tabuleiro (ALBUQUERQUE et al., 2006) and has the capacity of producing 540,000 tons of simple superphosphate, an input used in soybeans crops (VALOR ECONÔMICO, 2010). It is estimated that the mine also produces 200,000 tons of sulfuric acid, used in mining, and dispose of 1.2 million tons of sterile material (NUNOMURA, 2009). The installation of a phosphate plant can reduce the Brazilian dependence on imported fertilizers. Imports account for more than 56% of the Brazilian consumption of fertilizers, i.e. 11,000 tons (CAMPOS, 2010).

However, environmentalists argue that the Anitápolis Project will cause loss of biodiversity for it involves the suppression of 336.7 hectares of forest belonging to the Atlantic Forest Biome, including endangered species as well as the destruction of areas of permanent preservation, in addition to causing pollution of soil and water, which could reach 14.5% of the Tubarão River Basin (STYLO FM 102.1, 2010).



Atrativo natural e turístico: cachoeira da Usina

The environmental licensing procedures for the Anitápolis Project began in 2005. Companies Yara and Bunge signed the initiative's protocol of intentions with the Government of Santa Catarina in April 2008, amid increasing pressure from the Federal Government for the expansion of the domestic supply of fertilizers (VALOR ECONÔMICO, 2010).

With the Protocol, it was put into practice an old project from companies Adubos Trevo and Manah - later acquired by Yara and Bunge respectively - whose research works date back to the 1970s. According to the timetable presented in 2008, IFC intended to start investments the following year. In the first half of 2009, it managed to get the Previous Environmental License (LAP), granted by the Environmental Foundation of Santa Catarina (Fatma), and would have to fulfill 30

environmental programs to begin the works. Among the demands was the conservation of the vegetation in about 80% of the land acquired by the company (DINIZ, 2009).

However, through a Public Civil Lawsuit and supported by the Federal Public Prosecutor's Office of Santa Catarina, in September 2009, some environmentalists linked to NGO Montanha Viva got an injunction from the Federal Justice, which suspended the effects of LAP granted by Fatma to IFC. In the lawsuit it was demanded that all municipalities that integrated the Tubarão River Basin, and that somehow could be affected by the project, should be heard and take sides on the subject. In total there were 21 municipalities, but only two hosted public hearings to discuss the project before LAP was issued (VALOR ECONÔMICO, 2010).

The NGO believes that the competence to license the project area belongs to the Brazilian Institute of Environment and Renewable Natural Resources (Ibama) and not to the State Environmental Agency Fatma, because underground, where the enterprise takes place, there are uranium and niobium minerals. The NGO claims that it is CNEN's - the National Council of Nuclear Energy - competence to research and exploit nuclear ores and their "associates" (VALOR ECONÔMICO, 2010).

Another claim is that the project foresees the suppression of nearly 400 hectares of vegetation to make way for an electric power transmission line. As the trees belong to the Atlantic Forest Biome, Ibama would need to allow possible cuts. For the environmentalists, that issue should be examined in the Previous License (LP) and Ibama's endorsement should be issued along with the Environmental Installation License (LAI) (VALOR ECONÔMICO, 2010).

The NGO warns on the risk that the tailings from the project's production process may affect river springs and claims that the project requires the construction of two dams. It also alleges that the eventual breaking of one of the dams can impact the Santo Antônio Lagoon, located in Laguna, in the Whale Environmental Protection Area (APA) [that is threatened with extinction] (VALOR ECONÔMICO, 2010).

According to biologist and environmentalist Jorge Albuquerque, from Montanha Viva, the tailings may contain many potentially toxic chemicals. According to him, phosphate tailings in other regions of the world have selenium, cadmium and radioactive elements which, in high concentrations, can become a serious environmental and public health problem. He says that the dams planned for the phosphate plant of Anitápolis will be, if the venture is approved, 80 meters above the level of the Pinheiro River. As the region of Anitápolis is near Serra Geral (Geral Mountain) – and subject to significant rainfall – in case of heavy rain, there would be the possibility of a potential disaster that could cause erosion of the dams of the phosphate plant and compromise the use of soil for agriculture as well as the tourism in the region (MAPA DA INJUSTIÇA AMBIENTAL E SAÚDE NO BRASIL, 2009)



According to a study by chemical engineer Sonia Corina Hess, from the Federal University of Santa Catarina, the chemical processes of the Anitápolis project can really generate health risks to the population living in the region of the mine area. The study was done at the request of the Federal Public Prosecutor's Office (MPF) and the Committee for the Environment of the Legislative Assembly. The specialist argues that at phosphate plants it is common to occur gas leakage into the atmosphere from the production of sulfuric acid, which can result in acid rain (CAMPOS, 2010).

On the other hand, Fatma counter-argues that the enterprise area is not under the Union's competence, but in a region under the jurisdiction of the State. Therefore, it would behoove the State to grant or not the Previous License. As for the vegetation, it states that 200 hectares - and not 400 - will be removed, and that Ibama's positioning on the cuts is expected in the process during the licensing's second phase, when the Environmental Installation License will be dealt with. Finally, it ensures that chemicals will not be deposited in the environment. According to the body, the project's sustainability is guaranteed (VALOR ECONÔMICO, 2010).

To restore the environmental permit, IFC and the Santa Catarina Government appealed to the Federal Regional Court (TRF) of the 4th region at the end of 2009 (VALOR ECONÔMICO, 2010). In January 2010, however, TRF dismissed the appeal and vetoed the installation of the sulfuric acid and fertilizers plant in Anitápolis (CRBIO 3, 2010).

In the third public hearing to discuss the possible installation of the phosphate plant in Anitápolis held in April 2010 in Laguna, the region's community, once again, positioned itself as opposed to the project and showed great concern about the potential environmental impacts. During the debate, a petition was delivered to the Legislative Power by Father Aluisio Rheieemann Jocken, from the Santo Antonio dos Anjos Parish, with approximately 4,000 signatures against the installation of the phosphate plant (ALESC-SC, 2010).

GEOGRAPHIC LOCATION

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