



Statement No.

Minister for the Environment; Climate Change; Peel

000741

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED
(PURSUANT TO THE PROVISIONS OF THE
ENVIRONMENTAL PROTECTION ACT 1986)**

**CAPE LAMBERT PORT UPGRADE – INCREASE IN THROUGHPUT
TO 85 MILLION TONNES PER ANNUM
SHIRE OF ROEBOURNE**

Proposal: The proposal is to increase the throughput of iron ore to 85 Million tonnes per annum at the Cape Lambert Port operations.

Proponent: Robe River Iron Associates

Proponent Address: Level 22, Central Park, 152–158 St George's Terrace,
PERTH WA 6000

Assessment Numbers: 1144 and 1663

Report of the Environmental Protection Authority: Bulletins: 924 and 1246

Previous Implementation Statement: 514

The proposal referred to in the above report of the Environmental Protection Authority may be implemented. Where the conditions and procedures of this statement are inconsistent with the conditions and procedures of statement 514, the conditions and procedures of this statement prevail in accordance with section 45B of the *Environmental Protection Act 1986*.

The implementation of the proposal is subject to the following conditions and procedures:

1 Proposal Implementation

- 1-1 The proponent shall implement the proposal as documented and described in schedule 1 of this statement subject to the conditions and procedures of this statement.

2 Proponent Nomination and Contact Details

- 2-1 The proponent for the time being nominated by the Minister for the Environment under sections 38(6) or 38(7) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal.

Published on

18 MAY 2007

- 2-2 The proponent shall notify the Chief Executive Officer (CEO) of the Department of Environment and Conservation of any change of the name and address of the proponent for the serving of a notice or other correspondence within 30 days of such change.

3 Time Limit of Authorisation

- 3-1 The authorisation to implement the proposal provided for in this statement shall lapse and be void within five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.
- 3-2 The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.

4 Compliance Reporting

- 4-1 The proponent shall submit to the CEO environmental compliance reports annually reporting on the previous twelve-month period, unless required by the CEO to report more frequently.
- 4-2 The environmental compliance reports shall address each element of an audit program approved by the CEO and shall be prepared and submitted in a format acceptable to the CEO.
- 4-3 The environmental compliance reports shall:
1. be endorsed by signature of the proponent's Managing Director or a person, approved in writing by the CEO, delegated to sign on behalf of the proponent's Managing Director;
 2. state whether the proponent has complied with each condition and procedure contained in this statement;
 3. provide verifiable evidence of compliance with each condition and procedure contained in this statement;
 4. state whether the proponent has complied with each key action contained in any environmental management plan or program required by this statement;
 5. provide verifiable evidence of conformance with each key action contained in any environmental management plan or program required by this statement;
 6. identify all non-compliances and non-conformances and describe the corrective and preventative actions taken in relation to each non-compliance or non-conformance;

7. provide an assessment of the effectiveness of all corrective and preventative actions taken; and
 8. describe the state of implementation of the proposal.
- 4-4 The proponent shall make the environmental compliance reports required by condition 4-1 publicly available in a manner approved by the CEO.

5 Performance Review

- 5-1 The proponent shall submit to the Environmental Protection Authority a Performance Review report every five years commencing upon the issuing of a formal notice by the Minister for environment under section 45(7) of the *Environmental Protection Act 1986*, which addresses:
1. the major environmental issues associated with implementing the project; the environmental objectives for those issues; the methodologies used to achieve these; and the key indicators of environmental performance measured against those objectives;
 2. the level of progress in the achievement of sound environmental performance, including industry benchmarking, and the use of best available technology where practicable;
 3. significant improvements gained in environmental management, including the use of external peer reviews;
 4. stakeholder and community consultation about environmental performance and the outcomes of that consultation, including a report of any on-going concerns being expressed; and
 5. the proposed environmental objectives over the next five years, including improvements in technology and management processes.
- 5-2 The proponent shall make the Performance Review reports required by condition 5-1 publicly available in a manner approved by the CEO.

6 Dust Monitoring

- 6-1 The proponent shall prepare a Dust Monitoring Program within 6 months of the Minister for the Environment issuing a notice under section 45(7) of the *Environmental Protection Act 1986* in consultation with the CEO to the requirements of the Minister for the Environment.

The objectives of the Dust Monitoring Program are to:

1. Establish the proposal's contribution to PM₁₀ and Total Suspended Particulate (TSP) dust levels on the town of Port Samson; and
2. Identify the number of *short-term TSP dust impacts* on the town of Port Samson attributable to the proposal.

Note: A short term TSP dust impact occurs when dust emissions exceed 200 µg/m³ averaged over 10 minute intervals.

- 6-2 The proponent shall include within the Dust Monitoring Program the Monitoring Actions as outlined in Schedule 2.
- 6-3 Within 12 months following the formal notice issued by the Minister under section 45(7) of the *Environmental Protection Act 1986*, the proponent shall implement the approved Dust Monitoring Program required by condition 6-1.
- 6-4 The proponent shall make the Dust Monitoring Program required by condition 6-1 publicly available in a manner approved by the CEO.

7. Dust Management

- 7-1 Prior to commissioning of the proposal, the proponent shall, in consultation with the CEO, prepare a Dust Management Plan.

The Dust Management Plan shall incorporate a program of works and outline operational procedures to be implemented in order to achieve a significant reduction in dust impacts on the town of Point Samson from the proposal.

- 7-2 The Dust Management Plan shall include the Management Actions as outlined in Schedule 3.
- 7-3 The proponent shall implement the Dust Management Plan required by condition 7-1 upon commissioning of the proposal.
- 7-4 The proponent shall make the Dust Management Plan required by condition 7-1 publicly available in a manner approved by the CEO.

8. Modelling Validation

- 8-1 Within 12 months following the commencement of processing of iron ore from the Mesa A mine at Cape Lambert, the proponent shall undertake field measurements to validate the emissions and dustiness characteristics used to model dust impacts on the town of Port Samson as published in the dust dispersion report contained in Appendix A of the proponent's *Cape Lambert Port Upgrade to 85 Mtpa – Environmental Protection Statement (EPS) (Revision 3, 30 November 2006)*.
- 8-2 Within 18 months following the commencement of processing of iron ore from the Mesa A mine at Cape Lambert, the proponent shall provide a report to the CEO on the findings of the ore validation required by condition 8-1 and the required changes, if any to the Dust Management Plan.

9 Noise Management

- 9-1 Within nine months following the formal notice issued by the Minister under section 45(7) of the *Environmental Protection Act 1986*, and in consultation with the CEO, the proponent shall undertake a Noise Monitoring Program to confirm noise modelling results reported in *Cape Lambert Port Upgrade to 85 Mtpa – Environmental Protection Statement (EPS)*.
- 9-2 Within 12 months following the formal notice issued by the Minister under section 45(7) of the *Environmental Protection Act 1986*, the proponent shall report on the accuracy of the noise modelling referred to in condition 9-1 and on the compliance of the port operations with the *Environmental Protection (Noise) Regulations 1997*.
- 9-3 The proponent shall determine and report on compliance of the proposal with the *Environmental Protection (Noise) Regulations 1997* annually to the CEO.
- 9-4 In the event that the Noise Monitoring Program required by condition 9-1 confirms that the port operations do not comply with the *Environmental Protection (Noise) Regulations 1997*, the proponent shall prepare a Noise Management Program which identifies key areas of operations requiring noise remediation works to achieve compliance.

This Program shall include dates for completion of noise reduction measures.

- 9-5 Within 18 months following the formal notice issued by the Minister under section 45(7) of the *Environmental Protection Act 1986*, the proponent shall implement the Noise Management Program required by condition 9-1.
- 9-6 The proponent shall make the Noise Management Program required by condition 9-1 publicly available in a manner approved by the CEO.

10 Water Use

- 10-1 Within 12 months following the formal notice issued by the Minister under section 45(7) of the *Environmental Protection Act 1986*, the proponent shall prepare a Water Management Improvement Plan in consultation with the Department of Water.

The objective of this Plan is to decrease the intensity of water used at the Port by increasing efficiency in water use.

This Plan shall include a detailed Water Balance report which describes the water minimisation and re-use practices to be employed to achieve the minimum practicable water use, including:

1. a metering program describing meter placement, monitoring regime and performance targets; and
2. strategies and technologies to minimise water use at the site.

10-2 The proponent shall implement the Water Management Improvement Plan required by condition 10-1.

10-3 The proponent shall make the Water Management Improvement Plan required by condition 10-1 publicly available in a manner approved by the CEO.

Notes

1. The Environmental Protection Authority may seek advice from other agencies or organisations, as required, in order to provide its advice to the Department of Environment and Conservation.
2. The Minister for the Environment will determine any dispute between the proponent and the Environmental Protection Authority or the Department of Environment and Conservation over the fulfilment of the requirements of the conditions.

David Templeman MLA
MINISTER FOR THE ENVIRONMENT; CLIMATE CHANGE; PEEL

18 MAY 2007

Schedule 1

The Proposal (Assessment No. 1663)

General Description

The proposal involves the upgrading of existing infrastructure at the port (car dumper and conveyor system); extension of the wharf; new berth pockets to accommodate additional vessels; additional new facilities (reclaimer and out-loading conveyor); modification of the rail yard; and minor road re-alignments.

The upgrade works are described in the following document:

Cape Lambert Port Upgrade to 85 Mtpa – Environmental Protection Statement. Prepared for Robe River Iron Associates by Sinclair Knight Merz (30 November 2006).

Summary Description

A summary of the key proposal characteristics is presented in Table 1.

Table 1 – Summary of the Key Proposal Characteristics

Element	Description etc
Project Life	Approximately 50 years
Port capacity	85 Million tonnes per annum
Facility footprint	Not more than 195 hectares
Borrow pit	As delineated in Figure 2 of schedule 1 (attached).
Wharf length	Up to 3 140 metres
Number of ship-loading berths	4
Live stockpile capacity	Up to 4.7 Million tonnes per annum
Bulk storage capacity	Approximately 1.0 Million tonnes per annum
Number of train arrivals	Approximately 11 per day
Major Plant components	2 Car dumpers 1 Screenhouse 5 Sample stations 4 Stackers 4 Reclaimers 2 Shiploaders 5 Live stockpile rows
Water Requirements	Not more than 1 700 Million litres per year

Figures (attached)

Figure 1 - Site Location

Figure 2 - Site Layout

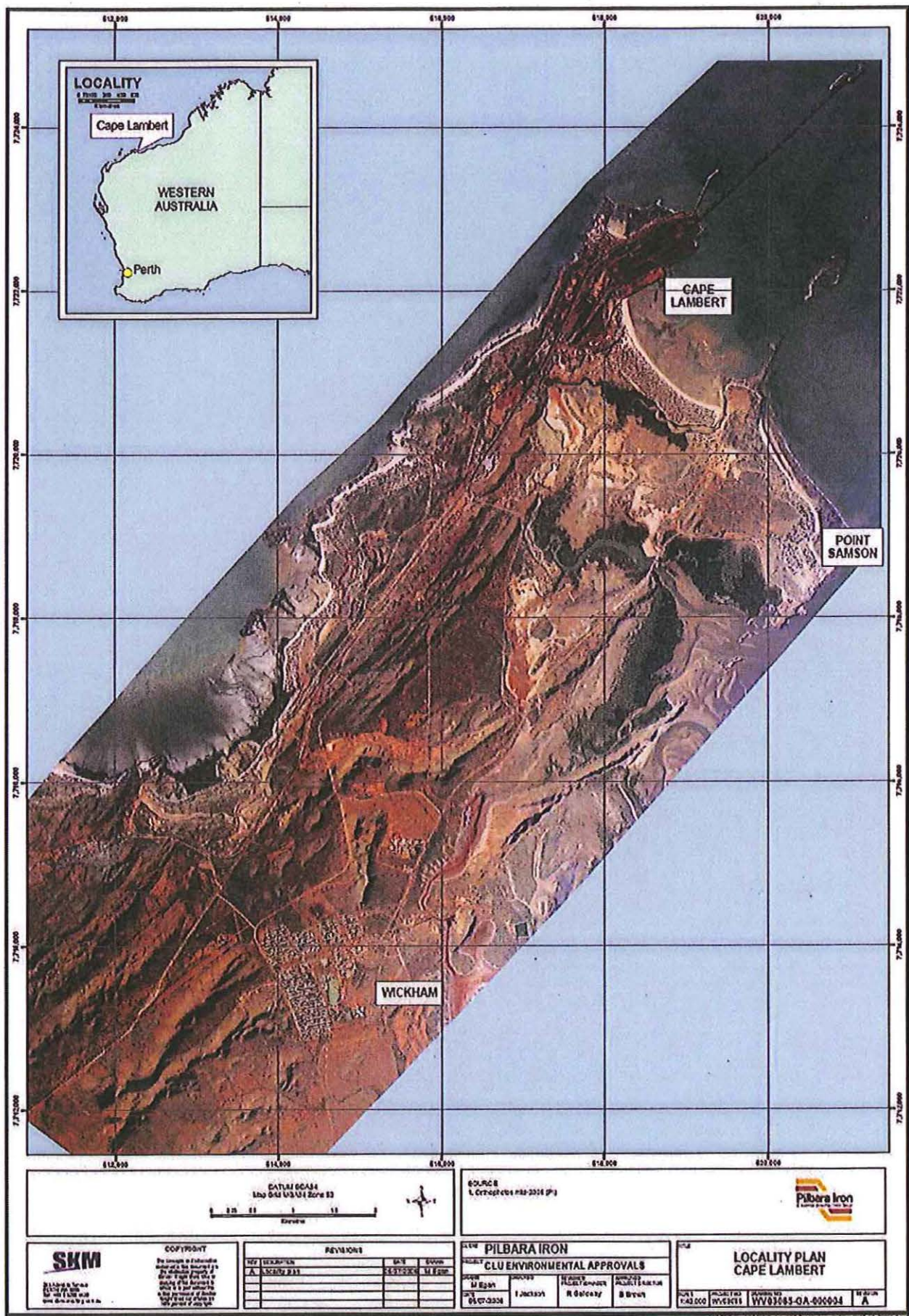


Figure 1: Site Location - Cape Lambert Port Upgrade

Schedule 2

1. Dust Monitoring Program

Monitoring Actions

The proponent shall:

- 1.1 Adopt an arc of influence of at least $290^{\circ} - 20^{\circ}$ as the trigger to monitor and investigate the real time dust monitoring data for Total Suspended Particulates (TSP) and PM_{10} dust levels, as required by Monitoring Actions 1.3 and 1.4 below.
- 1.2 Conduct dust sample speciation or a method approved by the CEO to determine the percentage of the total dust impacts on the town of Port Samson attributable to the proposal at a frequency of once per calendar month for a period of 12 months. The dust sample speciation shall commence on implementation of the Dust Monitoring Program.
- 1.3 Conduct real-time monitoring of TSP and PM_{10} ambient dust levels, wind speed and direction. The monitoring shall commence on implementation of the Dust Monitoring Program.
- 1.4 Conduct 10 minute sampling at the Real Time TEOM Monitor located in the north west corner of Point Samson (near the water tanks) (TEOM Monitor) during *short term TSP dust impacts*. The sampling shall commence on implementation of the Dust Monitoring Program.
- 1.5 Ensure conformity with Australian Standard AS 2923 (1987), *Ambient Air - Guide for Measurement of Horizontal Wind for Air Quality Applications* at a 90% return rate over the calendar year.
- 1.7 Submit quarterly written reports to the CEO providing a summary of hourly averages of real time monitoring as outlined in condition 1.3 of Schedule 2 and submit 10-minute data to the CEO upon request.

Note: Consideration should be given to reporting the annual frequency at which TSP dust levels, (sampled in accordance with the methods of Australian Standard AS 2923 (1987), at the TEOM Monitor) exceed 200 micrograms per cubic metre ($\mu g/m^3$) when the wind direction is between $290^{\circ} - 20^{\circ}$.

- 1.8 Submit an annual report to the CEO providing a summary of the dust sample speciation results as required by condition 1.2 of Schedule 2.
- 1.9 Where the proponent makes a "significant contribution" to dust levels at Point Samson the proponent shall report the dust event to the CEO.

The proposal's contribution to dust levels at Point Samson is considered to be a "significant contribution" when the wind direction is within the arc of influence of $290^{\circ} - 20^{\circ}$, unless the proponent demonstrates by dust sample speciation or a method approved by the CEO that more than 50% of the dust was generated by other sources.

Schedule 2

- 1.10 The proponent shall submit an annual trend analysis of TSP and PM₁₀ dust levels compared with benchmarked performance, dust monitoring performance, exceedences of dust amenity targets and health criteria, community complaints and progress on dust remediation works to the CEO 12 months after the implementation of the Dust Monitoring Program.
- 1.11 The report is to be publicly available and forwarded to the relevant agencies.
- 1.12 The proponent shall post real-time monitoring results of TSP and PM₁₀ dust levels on its web site or in another form approved by the CEO.

2. Dust Management Plan

Management Actions

2.1 The Dust Management Plan shall include:

- (1) A review of current operational and maintenance procedures with the objective of ensuring that all reasonable and practicable measures are being implemented to minimise dust emissions from the proposal.
- (2) The preparation of a schedule of works and operational procedures to be implemented with the objective of reducing dust impacts from the proposal on the town of Point Samson.

The works and operational procedures should include optimising the performance of dust suppression equipment, and restricting potentially dusty operations during adverse weather conditions

- (3) Identification of potential dust remediation works and the preparation of a timeline for the implementation of the dust remediation works.

2.2 The proponent shall;

- (1) Submit an annual summary report on the progress of dust remediation works to the CEO within 12 months of the formal authority issued to the decision-making authorities under section 45(7) of the *Environmental Protection Act 1986*.
- (2) Identify and implement management actions, mitigation measures and dust event investigation procedures when the wind direction is within the arc of influence of 290° – 20° if a *short term dust impact* occurs or the dust levels recorded at the town of Port Samson exceed the National Environmental Protection Measure (NEPM) 24 hour TSP and/or PM₁₀ standards.
- (3) Record all exceedences of the NEPM 24-hour TSP and PM₁₀ standards recorded at any of the monitoring sites within the town of Point Samson.
- (4) Submit a report of all exceedences recorded under management action 2.2(3) to the CEO within five days after being recorded and identify within the report;
 1. The source/s of the dust (as far as practicable); and
 2. Where the exceedences are attributed to dust from the proposal, include a description of the management actions taken, or proposed to be taken, by the proponent to reduce the proposal's emissions to below the NEPM 24 hour PM₁₀ standard (action trigger level) (Refer to footnote);

Note: Although the action trigger level is to be based on the NEPM 24-hour PM₁₀ standard initially, it should be reviewed, and if necessary changed by the Department of Environment and Conservation following completion of the Department of Health's Port Hedland Dust Study.

- (5) Record and investigate community complaints and make this information available to the CEO upon request.

Attachment 1 to Ministerial Statement 741

Change to Proposal

Proposal: Cape Lambert Port A Development, Shire of Roebourne

Proponent: Robe River Iron Associates

Change: Linkage Proposal – Increase in throughput from 85 Mtpa to 105 Mtpa and additional infrastructure. Inclusion of Figure 3 – Indicative Layout of the Linkage Proposal

Key Characteristics Table:

Element	Description	Proposed change
Project life	Approximately 50 years	<i>No change</i>
Port capacity	85 Million tonnes per annum	105 million tonnes per annum
Facility footprint	Not more than 195 hectares	<i>No change</i>
Borrow pit	As delineated in Figure 2 of schedule 1 of Ministerial Statement 741	<i>No change</i>
Wharf length	Up to 3 140 metres	<i>No change</i>
Number of ship-loading berths	4	<i>No change</i>
Live stockpile capacity	Up to 4.7 Million tonnes per annum	Up to 5.1 Million tonnes
Bulk stockpile capacity	Approximately 1.0 Million tonnes per annum	<i>No change</i>
Number of train arrivals	Approximately 11 per day	Approximately 13 per day
Major plant components	2 Car dumpers 1 Screenhouse 5 Sample stations 4 Stackers 4 Reclaimers 2 Shiploaders 5 Live stockpile rows	<i>No change</i> <i>No change</i> <i>No change</i> 5 stackers <i>No change</i> <i>No change</i> 5 ½ Live stockpile rows
Water requirements	Not more than 1 700 Million litres per year	Not more than 2 000 Million litres per year

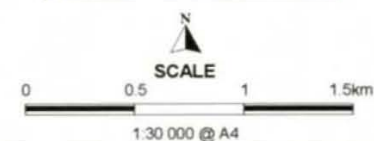
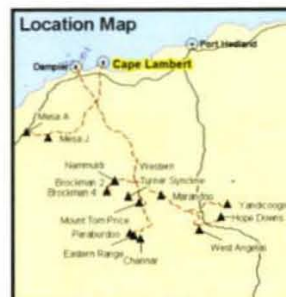
Dr Paul Vogel
CHAIRMAN
Environmental Protection Authority
under delegated authority

Approval date: 4 April 2012



LEGEND

- +—+— Railway
- Minor Road



Rio Tinto

Resource Strategy & Planning

**Figure 3:
Indicative Layout of
the Linkage Proposal**

Drawn: M. Swobbs Plan No: PDE0089210v1
Date: Nov, 2011 Proj: MGA94 Zone50