

**Public record pursuant to s. 39 of the *Environmental Protection Act 1986***

**Proposal Title:** Eneabba Rare Earth Refinery Project

**Proposal Location:** 5 km south of Eneabba townsite and approximately 300 km north of Perth

**Case Number:** CMS18095

**Date referral received:** 26-10-2021

**Date more information received:** 21-12-2021

**Referrer:** Iluka Midwest Limited

**Proponent:** Iluka Midwest Limited

**Potential significant effects:**

There is potential impact on: Inland Waters and Terrestrial Environmental Quality from seepage from in-ground Tailings Storage Facility, potential impacts to human health from radioactive material, potential impacts to Flora and Vegetation and Terrestrial Fauna through clearing of rehabilitated vegetation, Social Surroundings from construction and operation noise, dust and vibration and Air Quality from dust and emissions.

**Public comment on referral information:**

Do not assess:	0
Assess: a) Referral information	0
b) Environmental review - no public review	0
c) Public environmental review	0
<i>Total submissions:</i>	0

**Decision:** s. 38G(1) – Not Assess

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the EP Act – No advice given.

**Explanation of decision:**

The EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment, due to the proposal being within the existing brownfield Eneabba mine site with limited environmentally sensitive receptors. The EPA is of the view that the potential impacts of the proposal can be adequately managed through the implementation of the proposal in accordance with the referral documentation, and the proponent's management and mitigation measures. The EPA considers that the potential impacts of the proposal can be mitigated by the following statutory decision-making processes:

- Department of Water and Environmental Regulation - Part V of the *Environmental Protection Act 1986* – Division 3 – Prescribed Premises, Works Approval and Licence.
- Department of Water and Environmental Regulation - Part V of the *Environmental Protection Act 1986* – Division 3 – Clearing of Native Vegetation.
- Department of Water and Environmental Regulation – *Rights in Water and Irrigation Act 1914* – 5C Groundwater Licence.
- Radiological Council - *Radiation Safety Act 1975* - Radiation Management Plan and Radiation Waste Management Plan.
- Radiological Council - *Radiation Safety (Transport of Radioactive Substances) Regulations 2002* - Approval of carrier's radiation protection program.

The relevant Departments will be notified of the EPA's decision for this proposal and the EPA's expectations of the outcome of their statutory decision-making process.

**Appeals:** This decision is appealable. Appeals close 31-01-2022. Appeals are administered by the Office of the Appeals Convenor.



**Professor Mathew Tonts**

CHAIR

Delegate of the Environmental Protection Authority

**Date:** 5 January 2022