



Ass # 999

Bull # 814

State # 420

MINISTER FOR THE ENVIRONMENT WESTERN

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

**AUSI IRON PROJECT, INFRASTRUCTURE REQUIREMENTS
WICKHAM (999)**

AUSTRALIAN UNITED STEEL INDUSTRY PTY LIMITED

This proposal may be implemented subject to the following conditions:

1 Proponent Commitments

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments made in the Consultative Environmental Review and subsequently, and those made in response to issues raised following public submissions; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement.

The consolidated environmental management commitments (May 1996) were published in Environmental Protection Authority Bulletin 814 (Appendix 4) and a copy is attached.

2 Implementation

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal.

- 2-2 Where, in the course of the detailed implementation referred to in condition 2-1, the proponent seeks to change the designs, specifications, plans or other technical material submitted to the Environmental Protection Authority in any way that the Minister for the Environment determines, on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

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3 Proponent

These conditions legally apply to the nominated proponent.

- 3-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

4 Environmental Management Programme

An Environmental Management Programme applicable in two stages, prior to and post commissioning, is required.

- 4-1 Prior to commissioning, the proponent shall prepare Stage 1 of the Environmental Management Programme, to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

This Programme shall address, but not be limited to the following:

Ocean cooling water, reverse osmosis plant flushing water and anti-fouling compounds

- 1 the nature and location of the intake and discharge points on the ship loading jetty;
- 2 the sensitivity of the marine ecosystem to changes in temperature and the acceptability of a 1°C above ambient ocean water temperature discharge limit; and
- 3 details of anti-fouling compounds that will be used to coat submerged structures;

Maintenance dredging requirements

- 4 maintenance dredging requirements for the shipping channel, including volume and frequency of dredging and methods of dredge spoil disposal; and

Dust and particulate emissions

- 5 a monitoring and audit programme for all dust and particulate emissions (including emissions from the ship loading facility, the entire length of conveyor and fugitive dust).

- 4-2 Within three months following commissioning, the proponent shall prepare Stage 2 of the Environmental Management Programme, to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

This Programme shall address, but not be limited to the following:

Ocean cooling water intake and discharge of reverse osmosis plant flushing water

- 1 verification that mixing and transport of the discharged reverse osmosis plant flushing water at the ocean outfall meets the agreed standard; and
- 2 rectification measures in the event that monitoring indicates that water quality, mixing and transport of the discharged reverse osmosis plant flushing water at the ocean outfall are not to the agreed standard;

Mangroves (See condition 6)

- 3 details of any mangrove loss;
- 4 measures to compensate for any loss during construction or operation of the additional marine-based infrastructure; and
- 5 proposed rehabilitation or remediation programme; and

Professional fishing representative group

- 6 reports on the results of meetings with the relevant professional fishing representative group.

- 4-3 The Environmental Management Programme shall propose clear environmental objectives, based upon but not limited to the subject of conditions 4-1 and 4-2 above.
- 4-4 The proponent shall implement the two stages of the Environmental Management Programme required by conditions 4-1 and 4-2 at appropriate times.
- 4-5 The proponent shall integrate the Environmental Management Programme required by conditions 4-1 and 4-2 with the Environmental Management Programme required by condition 4 of the Statement for the "Direct Reduction / Hot Briquetted Iron Plant, Cape Lambert" (Assessment number 956) published on 26 March 1996.

5 Dredging

- 5-1 In order to reduce impacts on the environment, the proponent shall undertake all dredging operations in accordance with best industry practice.
- 5-2 The proponent shall undertake dredging operations during winter, or in other seasons to the requirements of the Environmental Protection Authority on advice of the Department of Conservation and Land Management.

6 Mangroves

- 6-1 The proponent shall undertake whatever measures are necessary to ensure that there is no net loss of mangroves and shall maintain their function through the following (See condition 4-2, parts 3 to 5):
 - 1 least practicable direct disturbance;
 - 2 maintenance of existing tidal patterns;
 - 3 maintenance of existing groundwater flows;
 - 4 prevention of fresh water irrigation of mangroves through controlling drainage;
 - 5 maintenance of sedimentation patterns;
 - 6 maintenance of existing water quality; and
 - 7 dust control.

7 Fauna

- 7-1 The proponent shall protect rare fauna within the infrastructure development areas.
- 7-2 To achieve the objective of condition 7-1, prior to commencement of construction, the proponent shall conduct a fauna field survey of the areas that will be affected by the additional infrastructure, with the aim of appropriate rehabilitation as required, to the

requirements of the Environmental Protection Authority on advice of the Department of Conservation and Land Management.

- 7-3 The proponent shall implement measures arising from the findings of the rare fauna field survey required by condition 7-2 to achieve the objective of condition 7-1.

8 Decommissioning

- 8-1 The proponent shall carry out the satisfactory decommissioning of the project, removal of installations and rehabilitation of the site and its environs.

- 8-2 To achieve the objectives of condition 8-1, at least six months prior to decommissioning, the proponent shall prepare a decommissioning and rehabilitation plan.

- 8-3 The proponent shall implement the plan required by condition 8-2.

9 Time Limit on Approval

The environmental approval for the proposal is limited.

- 9-1 If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced.

Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period to the Minister for the Environment.

Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Department of Environmental Protection that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years.

10 Performance Review

- 10-1 Each five years following the formal authority issued to decision-making authorities under Section 45(7) of the Environmental Protection Act 1986, the proponent shall submit a review of environmental protection, including but not limited to, the environmental objectives and the audit of performance against the objectives.

The objectives shall be derived from those identified in the fulfilment of the requirements of the Environmental Management Programme condition (condition 4 above).

This review shall be to the Environmental Protection Authority's requirements, on advice of the Department of Environmental Protection. The environmental objectives may be changed by the Environmental Protection Authority following the review.

11 Compliance Auditing

To help determine environmental performance, periodic reports on progress in implementation of the proposal are required.

- 11-1 The proponent shall submit periodic Progress and Compliance Reports, in accordance with an audit programme prepared by the Department of Environmental Protection in consultation with the proponent.

Procedure

- 1 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions contained in this statement and for issuing formal clearance of conditions.
- 2 Where compliance with any condition is in dispute, the matter will be determined by the Minister for the Environment.

Note

- 1 The proponent is required to apply for a Works Approval and Licence for this project under the provisions of Part V of the Environmental Protection Act.

Hon Peter Foss QC MLC
MINISTER FOR THE ENVIRONMENT

24 JUN 1996

**Proponent's Consolidated Environmental Management
Commitments**

May 1996

**AUSI IRON PROJECT
INFRASTRUCTURE REQUIREMENTS
WICKHAM (999)**

AUSTRALIAN UNITED STEEL INDUSTRY PTY LIMITED

Proponent's consolidated list of commitments (999)

- 1 Prior to construction of the Project, the proponent will prepare an Environmental Management Programme, in consultation with the DEP and CALM, to the reasonable satisfaction of the EPA.

The EMP will be incorporated into the AUSI Iron Project EMP to ensure reliable and consistent application and review. [Timing - Developed in the pre-construction phase].

- 2 The Proponent will also incorporate the components of this Infrastructure Project into the AUSI Iron EMP recommended by the EPA as part of its assessment report for that Project. [Timing - Implemented during the construction phase].

- 3 The Proponent will progressively rehabilitate disturbed areas to minimise disturbance of biological communities. The rehabilitation will be completed to the reasonable satisfaction of the EPA. [Timing - On-going]

- 4 The Proponent will use the dredge spoil as fill in the construction of the overland conveyor. The onshore settling ponds for the dredge spoil will be designed to minimise the return of salt and silt to the ocean. These procedures will be undertaken to the reasonable satisfaction of the EPA in consultation with the DEP. [Timing - Construction phase].

- 5 The Proponent will implement dust mitigation measures including containment and suppression during construction of the Project, to the reasonable satisfaction of the EPA in consultation with the DEP and the Department of Minerals and Energy. [Timing - Construction phase].

- 6 The Proponent will minimise dust generation during the operation of the conveyor by covering the conveyor and using air extraction filtering systems at the transfer points to the reasonable satisfaction of the EPA in consultation with the DEP and the Department of Minerals and Energy. [Timing - Operation phase].

- 7 The Proponent will ensure that noise from the Project will comply with the requirements of the current *Noise Abatement (Neighbourhood Annoyance) Regulations 1979*.

- 8 The Proponent will also comply with the *Environmental Protection (Noise) Regulations* when these regulations are promulgated. If noise levels attributable to the Project exceed EPA criteria, the Proponent will take measures to minimise the impacts. [Timing - On-going].

- 9 The following commitments are made relating to the construction and operation of the gas pipeline:

- 1 construction in accordance with AS 2885 - 1987;
- 2 a separation distance between the lateral natural gas pipeline and residential properties of approximately 150m. These distances are based on a preliminary estimation of risks and are considered to be conservative;
- 3 marking of the pipeline route;
- 4 regular patrols of the pipeline (including walking, road and aerial patrols);

- 5 development of a joint Emergency Response Plan for all pipelines in the proposed corridor;
- 6 communication with adjacent landowners;
- 7 use of appropriate corrosion protection and detection (internal and external); and
- 8 use of appropriate depth of cover.

This will be completed to the reasonable satisfaction of the EPA and the Department of Minerals and Energy. [Timing - Construction and operation phases].

- 10 Dredging operations will be conducted preferably during winter, with autumn and spring the next preferred seasons, to minimise sedimentation to the reasonable satisfaction of the Department of Transport and the EPA. [Timing - Construction phase].
- 11 The Proponent will discharge the desalination plant flushing water using a seawater surface based diffuser. The discharge system will be designed to minimise any potential environmental impacts to the reasonable satisfaction of the EPA in consultation with the DEP and CALM. [Timing - Detailed engineering design phase].
- 12 Prior to commissioning, the Proponent will undertake a survey of toxic contaminants that may occur in the effluent, particularly organic pollutants (eg. heavy metals), in the marine sediment and suitable biota from the area.
- 13 Following commissioning, the Proponent will periodically undertake further testing to assess the impact of the Project. The frequency of the testing will be decided in consultation with the EPA and all sampling results will be supplied to the EPA on an annual basis.
- 14 In the event that unacceptable levels of contamination are identified and are shown to be attributable to the AUSI Iron Project, the Proponent will:
 - 1 assist in the investigations to identify the source;
 - 2 undertake remedial action on its plant if it is the source of contamination; and
 - 3 remediate the impacted area if its plant is the source of contamination.

This will be completed to the reasonable satisfaction of the EPA in consultation with the DEP and CALM. [Timing - Construction and operation phases].

- 15 The Proponent will prepare an oil spill contingency plan for the Project prior to the commencement of operations to the reasonable satisfaction of the EPA. [Timing - Prior to construction].
- 16 The Proponent will undertake an ethnographic and archaeological survey of the Project Area and obtain all approvals required by the *Aboriginal Heritage Act (1972-1980)*. This survey will be undertaken prior to the construction of the Project and to the reasonable satisfaction of the Department of Aboriginal Affairs. [Timing - Prior to construction].
- 17 The Proponent will address Aboriginal heritage issues in the induction programme to increase awareness of Aboriginal culture and will provide training and employment opportunities for Aboriginal people during the construction of the Project. [Timing - Construction phase].

- 18 The Proponent will undertake a HAZOP study and have hazardous zone classifications for areas of the Project. This work will be completed during the detailed engineering design phase and to the reasonable satisfaction of the EPA.
- 19 The Proponent will adopt the International Marine Organisation Regulations (1981) for the handling and shipping of DRI which includes monitoring of hydrogen gas concentrations within the cargo spaces. This will be undertaken to the reasonable satisfaction of the EPA and the DME.
- 20 Any potential impacts associated with the water used for the hydrostatic testing of the gas pipeline would be limited by retaining or re-using the water wherever possible and using chemicals that break down to benign compounds upon exposure to air in accordance with current industry practice. This would be undertaken during construction and to the reasonable satisfaction of the EPA.
- 21 The Proponent would ensure that there is no net loss of mangroves due to the Project.
- 22 The placement of a small groyne perpendicular to the seaward end of the causeway is expected to result in the formation of a sand beach which would be expected to provide a suitable environment for natural establishment of mangroves in this area. However, in the event that the natural establishment of mangroves has not commenced within three years from the commissioning of the conveyor, the Proponent would plant replacement mangroves on the fringes of existing mangrove communities in the vicinity of the Project Area. These activities would be undertaken to the reasonable satisfaction of the EPA.
- 23 The Proponent would liaise with CALM during the development of the lighting plan for the load-out facility. This would be undertaken to the reasonable satisfaction of the EPA in consultation with CALM.
- 24 The Proponent would select the final easements for the rail spur and gas pipeline based on engineering (eg. amount of cut/fill, and width of river crossings), environmental (eg. flora, fauna, surface hydrology and Aboriginal Heritage) and cost constraints. This would be undertaken to the reasonable satisfaction of the EPA.
- 25 The rail spur would be constructed using conventional engineering design practices. These practices, including compaction of fill and the use of drainage culverts, would minimise wind and water erosion of the rail embankments. This would be undertaken to the reasonable satisfaction of the EPA.
- 26 Operationally, the Proponent would ensure the safety of the rail spur which includes the minimisation of scouring and undermining of the embankments. The maintenance of the rail spur line would identify and rectify any areas that have been affected by wind and water erosion. This would be undertaken to the reasonable satisfaction of the EPA.