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State # 433

MINISTER FOR THE ENVIRONMENT WESTERN AUSTRALIA

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

**UPGRADE DUST MANAGEMENT
AT FINUCANE ISLAND AND NELSON POINT,
PORT HEDLAND (955)**

BHP IRON ORE PTY LTD

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 in response to public submissions; provided that the commitments and environmental management measures are not inconsistent with the conditions or procedures contained in this statement.

The consolidated environmental management commitments were published in Environmental Protection Authority Bulletin 831 (Appendix 3) 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 Time Limit on Approval

The environmental approval for the proposal is limited.

- 4-1 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.

5 Compliance Auditing

To help determine environmental performance and compliance with the conditions, periodic reports on the implementation of the proposal are required.

- 5-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit programme prepared by the Department of Environmental Protection in consultation with the proponents.

6 Environmental Management

- 6-1 The proponent shall exercise all care and due diligence in managing the proposal to ensure the protection of the environment.

- 6-2 The proponent shall prepare and implement an environmental management plan and environmental management procedures (for example those provided for in Australian Standards 9000 and 14000 (draft) series) to manage the relevant environmental factors to achieve the objectives specified by the Environmental Protection Authority in the assessment report (Bulletin 831), with appropriate monitoring, auditing and reporting to ensure compliance with these conditions and procedures and the ongoing protection of the environment.

- 6-3 If through the implementation of the procedures referred to in 6-2 the proponent identifies a relevant environmental factor not listed as such in Environmental Protection Authority Bulletin 831, the proponent shall immediately report to the Minister on that factor, a proposed objective and any proposals for management of the factor to achieve the objective.

7 Performance Review

- 7-1 Following the approval of the proposal, the proponent shall carry out an annual audit of the dust management performance and management system. The proponent shall provide the audit report to the Department of Environmental Protection each year for the first five years of the approval.
- 7-2 Each five years following the approval of the proposal, the proponent shall prepare a major review of the following:
1. environmental protection, including but not limited to consideration of the environmental objectives;
 2. the audit of performance against the environmental objectives; and
 3. the annual audits required by condition 7-1,

to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.

These environmental objectives shall include but not be limited to those identified by the Environmental Protection Authority in the assessment report (Environmental Protection Authority Bulletin 831).

The environmental objectives may be changed by the Environmental Protection Authority following the review.

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.

Hon Peter Foss QC MLC
MINISTER FOR THE ENVIRONMENT

14 NOV 1996

Proponent's Environmental Management Commitments

**UPGRADE DUST MANAGEMENT
AT FINUCANE ISLAND AND NELSON POINT,
PORT HEDLAND (955)**

BHP IRON ORE PTY LTD

PROPONENT'S ENVIRONMENTAL MANAGEMENT COMMITMENTS

The proponent makes the following commitments in relation to the development:

General

Commitment 1

The proponent will develop and implement the Dust Management Programme as a component of BHP Iron Ore Pty Ltd (BHPIO) Environmental Management Programme to improve dust management and reduce operational dust impacts.

The programme will incorporate:

- quality assurance and environmental management principles according to AS/ISO 9000 and draft AS/ISO 14000 series;
- performance measurement/ continual improvement;
- bench marking for all Hedland Operations;
- operational feedback; and
- community consultation.

The programme will be developed and implemented to the satisfaction of the Department of Environmental Protection (DEP).

Community Amenity Impacts

Commitment 2

The proponent will develop and implement for community amenity impacts, an issue definition and dust management performance assessment process, to:

- (i) address community consultation by maintaining a community complaints register;
- (ii) develop Total Suspended Particulate (TSP or PM50) air quality criteria for the Port Hedland residential area;
- (iii) develop annual performance targets based on the number of complaints/exceedances; and
- (iv) address community consultation on community amenity impacts.

The process will include the following:

- recording and responding to community complaints;
- informing Port Hedland Dust Management Committee (PHDMC) of status on a regular basis;
- maintain residential TSP monitoring programme;
- setting agreed interim TSP criteria;
- assisting the development of an air quality policy for Port Hedland in conjunction with the DEP and PHDMC;
- establishing a protocol for exceedance / complaint analysis and reporting to DEP; and
- developing and maintaining community consultation on community amenity impacts.

The above components will be developed and implemented in consultation with PHDMC and to the satisfaction of the DEP. The DEP Kwinana PM50 24h limit of $260\mu\text{g}/\text{m}^3$ is adopted as the interim exceedance target for amenity.

Commitment 3

To complete the dust management upgrade programme for Nelson Point and Finucane Island, the proponent will undertake the upgrading of:

- materials handling;
- dust suppression equipment;
- traffic and open areas; and
- dust management system.

The upgrades will be to the satisfaction of the DEP and will be completed by May 1997.

Commitment 4

The proponent will carry out ongoing review of new developments in dust management technology to continually improve dust management through:

- undertaking continual review of dust management technology; and
- implementing appropriate developed technology.

Potential Environmental Health Impacts

Commitment 5

The proponent will develop and implement a process for ongoing definition of the potential for environmental health impacts. This will be based on:

- establishing a PM10 monitoring programme;
- setting agreed interim PM10 criteria; and
- establishing a protocol for exceedance analysis and reporting to the DEP;
- assisting the development of an air quality policy for Port Hedland in conjunction with the DEP and PHDMC;
- continual review of developments in monitoring/criteria in conjunction with DEP and implement agreed programmes; and
- informing PHDMC of status on a regular basis.

The above components will be developed and implemented in consultation with the Health Department and the PHDMC, and to the satisfaction of the DEP. The US EPA PM10 maximum 24h average of $150\mu\text{g}/\text{m}^3$ is adopted as the interim exceedance target for health.

Commitment 6

The proponent will develop and implement a process to inform community on status of environmental health impacts, through dissemination of relevant information and data to the community on a regular basis, in consultation with the Health Department, the DEP and PHDMC.

Potential Ecological Impacts

Commitment 7

The proponent will develop and implement a process for ongoing definition of the potential for ecological impacts. This will be based on:

- establishing a dust deposition/ vegetation monitoring programme;
- establishing effluent discharge/harbour monitoring studies; and
- informing PHDMC of status on a regular basis.

The above components will be developed and implemented to the satisfaction of the DEP.

Any agreed potential impacts identified from these monitoring studies will be addressed through an appropriate management programme to be developed in consultation with the DEP.

Commitment 8

The proponent will develop and implement a process to inform community on status of ecological impacts, through dissemination of relevant information and data from the above studies (Commitment 7) to the community, in consultation with the DEP and PHDMC.

Commitment 9

The proponent will develop and implement programmes to minimise iron ore fines waste generation, to the satisfaction of the DEP.