

Ass # 1099

Bull # 877

State # 466



MINISTER FOR THE ENVIRONMENT;  
EMPLOYMENT AND TRAINING

**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL  
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE  
ENVIRONMENTAL PROTECTION ACT 1986)**

PROPOSAL: HISMELT IRON ORE SMELTING PROJECT,  
KWINANA (297 / 1099)

CURRENT PROPONENT: HISMELT CORPORATION PTY LTD

CONDITIONS ORIGINALLY SET ON: 17 SEPTEMBER 1990

The implementation of this proposal is now subject to the following conditions which replace all previous 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, including the documented modifications of December 1996, the proponent shall fulfil the relevant environmental management commitments in the Public Environmental Review (1990), published in Environmental Protection Authority Bulletin 432, as modified and reported on in Environmental Protection Authority Bulletin 877 and edited in January 1998; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement.

In the event of any inconsistency, the conditions and procedures shall prevail to the extent of the inconsistency.

The consolidated environmental management commitments in Attachment 1 of this statement form the basis for consideration by the Chief Executive Officer of the Department of Environmental Protection for auditing of this proposal in conjunction with the conditions and procedures contained in this statement.

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## **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 initially with the proposal and subsequently in December 1996, as part of further consideration under Section 46 of the Environmental Protection Act 1986.
- 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.

## **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 System**

The proponent should exercise care and diligence in accordance with best practice environmental management principles.

- 4-1 In order to manage the relevant environmental factors, to meet the environmental objectives in Environmental Protection Authority Bulletin 877, and to fulfil the requirements of the conditions and procedures in this statement, prior to implementation of the modified proposal, the proponent shall prepare environmental management system documentation with components such as those adopted in Australian Standards AS/NZS ISO 14000 series, to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection.
- 4-2 The proponent shall implement the environmental management system referred to in condition 4-1.

## **5 Environmental Management Plans**

- 5-1 Prior to commissioning, the proponent shall prepare environmental management plans to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.

These plans shall address:

- 1 Solid (slag and filter dust), liquid (pond overflow and storm water run-off) and gas emissions (waste stack) monitoring, disposal and management methods;
- 2 Details of sampling sites, times and frequency of reporting to the Department of Environmental Protection;
- 3 Baseline data acquisition prior to commissioning the facility; and
- 4 A "greenhouse gas" audit.

- 5-2 The proponent shall report monitoring results to the Department of Environmental Protection as required by a licence issued under the Environmental Protection Act 1986.

Note: The Department of Environmental Protection will make these reports available to the public on request.

- 5-3 The proponent shall implement the environmental management plans required by condition 5-1.

## **6 Liquid Effluent**

- 6-1 The proponent shall not discharge liquid effluent such that it discharges into Cockburn Sound.

## **7 Sulphur Dioxide and Dust Emissions**

- 7-1 The proponent shall construct the facility recognising that sulphur dioxide and dust emissions will need to be controlled to comply with conditions set by a licence issued under the Environmental Protection Act 1987. These conditions will be consistent with the intent of the Environmental Protection Policy for sulphur dioxide and dust in the Kwinana Region.

- 7-2 Subsequently, the proponent shall meet emissions levels, revised as necessary to conform with the approved Environmental Protection Policy.

## **8 Decommissioning and Rehabilitation Plan**

- 8-1 At least six months prior to the cessation of operations, the proponent shall prepare a decommissioning and rehabilitation plan to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.

- 8-2 Within the six month period following the cessation of operations, the proponent shall remove all structures or facilities constructed for the proposal, and shall rehabilitate the site and the environs where affected by the proposal (including soil, surface and groundwater) such that the state of the environment is not inferior to that indicated in the "environmental audit" documents submitted to the Environmental Protection Authority by the proponent and entitled "Preliminary Environmental Audit" (March 1990) and "Environmental Audit - Stage II" (April 1990) to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority.

Note:

- 1 Exception may be made in the case of certain structures and/or facilities where the landowners have notified the Environmental Protection Authority in writing that they agree to these structures and/or facilities remaining on the site.
  - 2 An extension of the above period of six months following the cessation of operations may be granted provided that a written application requesting such an extension is made to the Environmental Protection Authority within the six month period prior to the cessation of operations.
- 8-3 The proponent shall implement the decommissioning and rehabilitation plan required by condition 8-1.

## **9 Commencement**

The environmental approval for the substantial commencement of 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 modified proposal 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 Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years for the substantial commencement of the proposal.

- 9-2 In the event that the proponent wishes to extend the project beyond the nominal total throughput of iron ore specified in the Consultative Environmental Review (475,000 tonnes), the proponent shall make an application to the Minister for the Environment.

## **10 Compliance Auditing**

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

- 10-1 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 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 Environmental Protection Authority reported on the proposal in Environmental Protection Authority Bulletins 432 (May 1990) and 877 (December 1997).
- 2 The proponent is required to apply for a Licence for this project under the provisions of Part V of the Environmental Protection Act.

CHERYL EDWARDES (Mrs) MLA  
MINISTER FOR THE ENVIRONMENT

- 3 FEB 1998

**ATTACHMENT 1**

**Proponent's Environmental Management Commitments**

**May 1997 - edited January 1998**

**HISMELT IRON ORE SMELTING PROJECT,  
KWINANA (297 / 1099)**

**HISMELT CORPORATION PTY LTD**

HISMELT CORPORATION PTY LTD  
MAJOR RESEARCH AND DEVELOPMENT FACILITY (1099)

LIST OF CONSOLIDATED COMMITMENTS - JANUARY 1998

The following is a consolidated list of commitments which have been made by the Proponent to manage any potential environmental impacts associated with the Major Research and Development Facility at Kwinana:

o Commitment 1

The Proponent commits to preparing and subsequently implementing an Environmental Management and Monitoring Programme prior to construction of the Major Research and Development Facility at Kwinana, that will include:

- 1 details of parameters to be monitored;
- 2 an initial baseline sampling period;
- 3 sampling sites and times;
- 4 reporting arrangements to the Environmental Protection Authority; and
- 5 a commitment to modify the management programme, if necessary, to reduce the impact of pollution.

All of the above will be determined in consultation with the Environmental Protection Authority and other relevant government authorities.

o Commitment 2

Continuously during the operation of the Major Research and Development Facility at Kwinana, the Proponent will undertake real-time monitoring of stack emissions for sulphur dioxide and total suspended particulates. Should the emission monitoring programme indicate that the Major Research and Facility is exceeding acceptable air quality criteria for any emission, then the Proponent will undertake to review and reduce these emissions.

o Commitment 3

Should dust from the Major Research and Development Facility exceed acceptable air quality criteria in areas beyond the plant boundary, then the Proponent will undertake to review and reduce dust emissions.

o Commitment 4

The Proponent will co-operate with the Environmental Protection Authority to assist in achieving the air quality objectives that the Proponent understands will be incorporated in the Environmental Protection Policy for the Kwinana region.

o Commitment 5

Prior to start-up of the Major Research and Development Facility, the Proponent will develop an Employee Safety and Emergency Response Plan for the Major Research and Development Facility as part of its Operations Manual.

o Commitment 6

The Proponent will participate in and contribute to the development of the Kwinana Industries Mutual Aid (KIMA).

o Commitment 7

The Proponent will submit a final summary report at the end of the research and development programme.

- o Commitment 8  
The Proponent will remove all Hismelt equipment and modifications not required by the site lessor at the close of the project, and leave the site as near as practicable in the condition it was in when it was made available to the Proponent.

In response to comments received during the public review period, the Proponent has made the following additional commitments:

- o Commitment 9  
The Proponent will consult with the relevant authorities including the Town of Kwinana to determine appropriate approvals/procedures for any extension of activities beyond the scope of examining the feasibility of the Hismelt direct iron ore smelting process.
- o Commitment 10  
The Proponent will ensure that the Hismelt plant is operated as per the Department of Minerals and Energy regulations.
- o Commitment 11  
The Proponent will take the following actions to improve the aesthetic appeal of the Hismelt lease area:
  - 1 design and build new buildings to current industrial standards; and
  - 2 implement a landscaping programme in consultation with the owner of the site (BHP) and the Town of Kwinana.
- o Commitment 12  
The Proponent is conducting an environmental audit which is scheduled for completion prior to the commencement of site works. The audit will establish the baseline groundwater quality of the site. Monitoring bores are being established which will enable ongoing monitoring of groundwater quality (see Commitment 13).
- o Commitment 13  
The Proponent will undertake a monitoring and management programme for solid waste disposal. This will incorporate an appropriate drainage and wastewater treatment system to manage potentially contaminated leachates from raw material stockpile or solid waste disposal areas.  
  
Groundwater quality downstream of these areas will be sampled at regular intervals. The drainage and wastewater treatment system will also be inspected regularly and properly maintained.
- o Commitment 14  
The Proponent will implement a water resources management plan to ensure that the consumption of water is minimised.





