

Environmental Protection Act 1986

Section 43A

STATEMENT OF REASONS

CONSENT TO CHANGE PROPOSAL DURING ASSESSMENT

Proposal: Sandy Ridge Facility

Proponent: Tellus Holdings Ltd

Decision

For the reasons outlined below, the EPA has determined to consent to the Proponent changing the Proposal outlined in Schedule 1 attached to this Statement of Reasons.

Background

On 4 May 2015, Tellus Holdings Ltd (Tellus) referred the Proposal to the Environmental Protection Authority (EPA) under section 38 of the *Environmental Protection Act 1986* (EP Act). The Proposal included the construction and operation of a dual open cut kaolin clay mine and a near surface geological waste repository accepting Class IV and Class V waste, including hazardous and intractable chemical wastes, and low level radioactive wastes. The proposal is located approximately 75 kilometres north east of Koolyanobing, in the Shire of Coolgardie.

The proposal would involve clearing up to 276.05 hectares (ha) of native vegetation within a development envelope of 1004.2 ha. The proposal elements include the mine pits, waste cells, mine infrastructure, accommodation camp, Class II landfill, technology park, access roads, and a water pipeline. The Class II putrescible landfill would be constructed to service the accommodation camp and office.

The proposal would firstly involve mining up to 290,000 tonnes per annum (tpa) of ore. The voids created from mining would then be used for the storage of wastes to be received over approximately 25 years.

The EPA determined to assess the Proposal at the level of Public Environmental Review (PER) on 12 August 2015.

In advance of the EPA preparing a report on the outcome of its assessment of the Proposal, the Proponent has sought the EPA's consent to the proponent changing the Proposal.

Relevant Statutory and Administrative Provisions

Section 3.8 of the Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual 2016 guides what information the EPA requires from a person wanting to change its proposal during assessment.

In considering the request for consent, the EPA considered the:

- details of the proposed change
- statement of the significance of the change and
- rationale for the change.

Materials considered in making this decision

In determining whether to consent to the proponent changing the proposal the EPA has considered the following:

- Sandy Ridge Facility Environmental Scoping Document (May 2016)
- Sandy Ridge Facility PER document (December 2016)
- Sandy Ridge Section 43A Amendment (August 2017)

Consideration

1. Nature of the proposed change

The proposed change consists of increasing the amount of waste to be permanently isolated from 100,000 tpa to 280,000 tpa. This change originates from the requirement to treat sludge wastes prior to permanent isolation.

The quantity of waste accepted at gate remains at 100,000 tpa consistent with the PER document. Tellus has clarified that of the 100,000 tpa of waste received, 40,000 tpa would be liquid waste and require treatment to immobilise the liquid waste through the addition of materials such as kaolin, cement and gypsum. Depending on the nature of the waste, the 40,000 tpa of liquid waste could increase up to 220,000 tpa of solid waste following treatment.

The change is not expected to result in any changes to predictions in the PER document.

2. Stage of the assessment process

The PER document was released for public review from 12 December 2016 to 7 March 2017. A total of 16 public submissions were received and the key issues related to potential impacts to human health from handling, storage and transport of intractable wastes, concerns about the long term management and decommissioning of the site, the waste acceptance criteria, potential impacts from waste leachate to soils and groundwater from the storage of intractable wastes, and potential impacts to significant vegetation and flora, and terrestrial fauna from clearing and waste emissions.

The proponent has prepared a response to public submissions, and the document is currently being finalised.

3. Currency, relevance and reliability of the information, including submissions

The proposal has not changed from the PER document. The proponent has provided further clarification about the process in dealing with the waste received on site prior to permanent disposal.

4. Community engagement

The PER document was advertised for public review for 10 weeks (plus two weeks over Christmas and New Year) between 12 December 2016 and 7 March 2017. A total of 16 public submissions were received. The proponent has addressed public submissions in its response to submissions document, which is currently being finalised.

The changes to the proposal was advertised for seven day public comment from 30 August to 6 September 2017. Comments received raised similar issues to the public submissions, including concerns about the acceptance of radioactive waste, potential impacts to flora and vegetation, potential impacts from waste leachate, and consultation with traditional owners. These issues have been addressed in the PER document and the draft response to submissions document.

5. Level of public concern

A total of four public comments were received in relation to the proposed changes. The EPA does not consider there to be an increased level of public interest in the proposal.

Consideration of Whether the Change is Unlikely to Significantly Increase Any Impact that the Proposal May Have on the Environment

The following were considered:

a) Values, sensitivity and the quality of the environment which is likely to be impacted

The change will not introduce new environmental factors, and does not increase the level of impact predicted from the PER document.

b) Extent (intensity, duration, magnitude and geographic footprint) of the likely impacts

There are no changes to the disturbance footprint and the size of pits proposed for the permanent isolation of waste received. Up to 290,000 tpa of ore would be mined, and the pits are expected to have the capacity to support the increased volumes of waste.

c) Consequence of the likely impacts (or change)

The increase in volumes of waste requiring permanent isolation is unlikely to cause additional impacts to the environment. An increase in kaolin ore mined and disturbance footprint is not being proposed.

d) Resilience of the environment to cope with the impacts or change

The resilience of the environment to cope with the increased volume of waste to be permanently isolated remains unchanged from that of the original proposal. An increase in kaolin ore mined and disturbance footprint is not being proposed.

e) Cumulative impacts with other projects

There would be no additional cumulative impacts with other projects. Additional waste is not proposed to be accepted on site.

f) Connections and interactions between parts of the environment to inform holistic view of impacts of the whole environment

There is no change to the potential connections and interactions of the environment due to the change from the original proposal.

g) Level of confidence in the prediction of impacts and the success of proposed mitigation

There is no change to the level of confidence in the predicted impacts and the success of proposed mitigation.

h) Public interest about the likely effect of the proposal, if implemented, on the environment, and public information that informs the EPA's assessment

Public interest in the proposal has not changed. The proposal was advertised for a seven day public comment period and a total of four public comments were received. Issues raised were similar to the public submissions received during the public review period of the PER document.

Schedule 1

Change to Proposal

Element	Current Proposal	Changed Proposal (s43A)
Class IV and V waste accepted at gate	Up to 100,000 tpa.	No change.
Class IV and V waste stored in cells	Up to 100,000 tpa.	Up to 280,000 tpa.

*A new table will be developed to align the changed proposal description with Instruction: Key Proposal Characteristics. The Key Characteristics table derived from the proponents s43A request has been used to illustrate the changes as compared to the proposal as described in the PER document.