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WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

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

**WIDESPREAD USE OF BAUXITE RESIDUE
PEEL-HARVEY COASTAL PLAIN CATCHMENT (766)**

DEPARTMENT OF AGRICULTURE

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 (which are not inconsistent with the conditions or procedures contained in this statement) made in the Public Environmental Review and in response to issues raised following public submissions. These commitments are consolidated in Environmental Protection Authority Bulletin 714 as Appendix 1. (A copy of the commitments 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. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material 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 Code of Practice

A Code of Practice should be developed to ensure responsible use and reflect management changes found necessary as a result of monitoring.

- 3-1 Prior to the commencement of widespread use of bauxite residue, the proponent shall prepare a Code of Practice incorporating environmental issues which includes, but is not limited to consideration of the following:

- (1) dust control during transport and application;
- (2) assessment of optimum application rate based on changes to pH;

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- (3) separation distance, necessary to protect flora and water quality, between areas where bauxite residue is applied and areas of remnant vegetation or watercourses ; and
 - (4) frequency of review to incorporate management recommendations gained from experience and monitoring of bauxite use.
- 3-2 The proponent shall review the Code of Practice at a frequency determined in accordance with condition 3-1.
- 3-3 The proponent shall monitor and endeavour to ensure compliance with environmental aspects of the Code of Practice.
- 4 Evaluation of Effects of Application Rate and Soil Mixing Scenarios**
An evaluation of the variation in environmental impacts which depend upon application rate and soil mixing scenarios is necessary.
- 4-1 Within six months of the commencement of widespread bauxite residue use in the Peel-Harvey Coastal Plain Catchment, the proponent shall develop a research programme which includes, but is not limited to an evaluation of the following potential environmental effects for a range of application rates and subsequent soil mixing scenarios:
- (1) changes to soil permeability;
 - (2) changes to surface water run-off flow patterns and volumes; and
 - (3) changes to pH of surface water run-off;
- to the requirements of the Environmental Protection Authority on advice of the Chemistry Centre of Western Australia.
- 4-2 The proponent shall implement the research programme required by condition 4-1.
- 4-3 The proponent shall make available to the public results from the research programme required by condition 4-1.
- 5 Catchment Monitoring**
Key catchments with a high proportion of their area bauxite residue amended and key environments should be monitored to assess environmental impacts and confirm environmental impact assessment predictions.
- 5-1 Within six months of the commencement of widespread bauxite residue use in the Peel-Harvey Coastal Plain Catchment, the proponent shall design a monitoring programme which includes, but is not limited to addressing the following concerns for key sub-catchments and environments in the Peel-Harvey Coastal Plain Catchment:
- (1) adequacy of measures to protect remnant vegetation;
 - (2) impacts from changes in pH and Aluminium concentrations in the catchment on wetlands;
 - (3) changes to surface water run-off flow patterns and volumes, and the effects of these changes on wetlands and drainage water quality; and

- (4) monitoring of ground and surface water quality parameters, including pH, heavy metals, turbidity and radioactivity, to confirm predictions in the Public Environmental Review document and the assessment report;

to the requirements of the Environmental Protection Authority on advice of the Chemistry Centre of Western Australia.

- 5-2 The proponent shall make available to the public annually results from the monitoring programme required by condition 5-1.
- 5-3 The proponent shall review and re-submit the monitoring programme every five years until such time as the Environmental Protection Authority determines that further monitoring is not required.
- 5-4 The proponent shall implement the monitoring programme required by conditions 5-1 and 5-3.

6 Proponent

These conditions legally apply to the nominated proponent.

- 6-1 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.

7 Time Limit on Approval

The environmental approval for the proposal is limited.

- 7-1 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 by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority.)

8 Compliance Auditing

In order to ensure that environmental conditions and commitments are met, an audit system is required.

- 8-1 The proponent shall prepare periodic "Progress and Compliance Reports", to help verify the environmental performance of this project, in consultation with the Environmental Protection Authority.

Procedure

- 1 The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the proponent shall meet the requirements of either the Minister for the Environment or any other government agency.

- 2 If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.

Kevin Minson MLA
MINISTER FOR THE ENVIRONMENT

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Environmental Management Commitments

**WIDESPREAD USE OF BAUXITE RESIDUE
PEEL-HARVEY COASTAL PLAIN CATCHMENT (766)**

DEPARTMENT OF AGRICULTURE

WIDESPREAD USE OF BAUXITE RESIDUE, PEEL-HARVEY COASTAL PLAIN
CATCHMENT (766)

WESTERN AUSTRALIAN DEPARTMENT OF AGRICULTURE

The West Australian Department of Agriculture will accept commitments binding it to:

- 1 Commencing negotiations with Alcoa of Australia Limited which, if successful, will produce a Code of Practice and management structure enabling the widespread use of bauxite residue for nutrient control in the Peel-Harvey coastal plain catchment.
2. Maintaining, in conjunction with other agencies and institutions, and to the satisfaction of the EPA, a program of strategic monitoring of residue use and its benefits and impacts, under the program established through the Codes of Practice.
3. Providing the EPA and the general public with regular reports outlining the use and distribution of bauxite residue, under the program developed above and produce a major review of the program for EPA assessment within ten years.