



Government of **Western Australia**
Department of **Environment and Conservation**

Your ref: L8575/2011/1
Our ref: KG171 A460068
Enquiries: Fiona Cormier
Phone: (08) 9080 5555
Fax: (08) 9021 7831
Email: fiona.cormier@dec.wa.gov.au

Mr Gary Andrewartha
Lightning Nickel Pty Ltd
PO Box 318
Kambalda WA 6442

Dear Sir/Madam

ENVIRONMENTAL PROTECTION ACT 1986 – AMENDMENT TO LICENCE
Licence: L8575/2011/1
Premises: Long Victor Nickel Complex

Further to my letter dated 8 December 2011, please find enclosed your amended *Environmental Protection Act 1986* licence.

If you have any questions or objections relating to the licence, please do not hesitate to contact the enquiries officer above on (08) 9080 5555 for clarification or discussion of any grievances you have.

If you are concerned about, or object to any aspect of the amendment you may lodge an appeal with the Minister for the Environment within 21 days from the date on which this licence is received. The Office of the Appeals Convenor can be contacted on 6467 5190 to find out the procedure and fee.

Members of the public may also appeal the amendments. The Appeals Registrar at the Office of the Appeals Convenor can be contacted after the closing date of appeals to check whether any appeals were received.

Yours sincerely,

Carissa Aitken
A/Manager, Works Approval & Emissions Licensing Section

Thursday 22 December 2011

enc: L8575/2011/1
copy to: Local Government Authority: Shire of Coolgardie

DIRECTOR GENERAL AND ENVIRONMENTAL SERVICES DIVISIONS: The Atrium, 168 St Georges Terrace, Perth, Western Australia 6000
Phone: (08) 6467 5000 Fax: (08) 6467 5562

PARKS AND CONSERVATION SERVICES DIVISIONS: Executive: Corner of Australia II Drive and Hackett Drive, Crawley, Western Australia 6009
Phone: (08) 9442 0300 Fax: (08) 9386 1578 Operations: 17 Dick Perry Avenue, Technology Park, Kensington, Western Australia 6151
Phone: (08) 9219 8000 Fax: (08) 9334 0498

POSTAL ADDRESS FOR ALL DIVISIONS: Locked Bag 104, Bentley Delivery Centre, Western Australia 6983
www.dec.wa.gov.au
wa.gov.au

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WESTERN AUSTRALIA

DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Environmental Protection Act 1986

LICENCE

LICENCE NUMBER: L8575/2011/1

FILE NUMBER: KG171

LICENSEE AND OCCUPIER:

Lightning Nickel Pty Ltd
PO Box 496
SOUTH PERTH, WA, 6951

NAME AND LOCATION OF PREMISES:

Long Victor Nickel Complex,
Hampton Location 48, and mining tenement M15/1761, M15/1762, and M15/1763, Lot 141
Durkin Road, Coolgardie
(as depicted in Attachment 1)

Environmental Protection Regulations 1987

CLASSIFICATION(S) OF PREMISES:

Category 6: Mine dewatering
Category 61 (A): Solid waste facility

COMMENCEMENT DATE OF LICENCE: Thursday 14 July 2011

EXPIRY DATE OF LICENCE: Wednesday 13 July 2016

CONDITIONS OF LICENCE:

As described and attached:

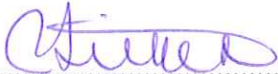
DEFINITIONS

GENERAL CONDITION(S) 3

AIR POLLUTION CONTROL CONDITION(S) 2

WATER POLLUTION CONTROL CONDITION(S) 17

ATTACHMENTS 4



.....
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

Date of Issue: Thursday 14 July 2011

Date of Amendment: Thursday 22 December 2011

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LICENCE NUMBER: L8575/2011/1

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Applicability

This licence is issued to Lightning Nickel Pty Ltd for the Victor Long Nickel Complex, Kambalda, Hampton Location 48 and mining tenement M15/1761, M15/1762, and M15/1763 (as depicted in Attachment 1), for the operation of mine dewatering. This is a prescribed premise within Schedule 1 of the *Environmental Protection Regulations 1987*, as outlined in Table 1;

Table 1: Category under which Long Victor Nickel Complex is prescribed.

Category	Category name
6	Mine dewatering
61(A)	Solid waste facility

This licence covers operation and maintenance of pipelines carrying mine dewater from the Long Victor Nickel mine to Lake Lefroy as well as the acceptance of dry tailings from St Ives Gold Mine.

The concrete batching manufacturing has commenced on site to deliver paste for stabilization of the underground mine.

Nominal rated throughput

The nominal rated throughput of the premises covered by this licence is in accordance with the following:

- Quantity of mine dewater discharged: 600,000 kL per annum
- Quantity of solid waste from other premises which is stored. Reprocessed, treated, or discharged onto land: 50, 000 tonnes dry tailings per year

Other legal requirements

The licensee should be aware that these conditions do not exempt the Premises/Licensee from other statutory obligations under the *Environmental Protection Act 1986*, or any other Acts.

Emergency, Accident or Malfunction

The licensee should inform the Kalgoorlie Region office as soon as practicable of the identification of any discharge of waste which has occurred as a result of an emergency, accident or malfunction, or extreme weather conditions, otherwise than in accordance with any condition of this licence and has caused or is likely to cause pollution.

Alteration to Premises

Prior to making any significant alterations to the premises which may affect the air, water or noise emissions from the premises the Licensee must submit a proposal to the Director accompanied by supporting information and plans which allow the environmental impact of that change to be assessed.

General Requirements

The following statements reflect important sections of the *Environmental Protection Act 1986* and are included for the information of the licensee:

Licence Issue Date: Thursday 14 July 2011

Date of Last Amendment: Thursday 22 December 2011

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- The licensee should take all reasonable and practicable measures to prevent pollution of the environment.
- Noise emissions from operations on site are required to comply with the *Environmental Protection (Noise) Regulations 1997*.
- The licensee should take all reasonable and practicable measures to prevent or minimise the discharge of waste and the emission of noise, odours or electromagnetic radiation from the premises.
- The licensee should inform the Director at least 24 hours prior to the commencement of any planned non-standard operations, which may have the potential to cause pollution.

CONDITIONS OF LICENCE

DEFINITIONS

In these conditions of licence, unless inconsistent with the text or subject matter:

"Director" means Director, Environmental Regulation Division of the Department of Environment and Conservation for and on behalf of the Chief Executive Officer as delegated under Section 20 of the Environmental Protection Act;

"Director" for the purpose of correspondence means-

Regional Leader, Goldfields Regional Office
Department of Environment and Conservation
32 Brookman Street,
KALGOORLIE WA 6430

Telephone: (08) 9080 5555
Facsimile: (08) 9021 7831;

"APHA-AWWA-WEF" means American Public Health Association - American Water Works Association - Water Environment Federation; and

"NATA" means National Association of Testing Authorities.

GENERAL CONDITIONS

ANNUAL ENVIRONMENTAL REPORT

- G1 The licensee shall prepare an Annual Environmental Report containing the monitoring data and other collected data required by any condition of this licence by **31 August** each year. This report shall cover the previous 12 month period from 1 July to 30 June. One copy of this report shall be provided to the Director.

The Annual Environmental Report shall provide an overview of the project and its processes, a current plan of the premises and a table showing quantities of raw materials used and the quality and quantity of wastes produced.

A summary table of any licence exceedances should be included. This should provide a summary of significant incidents and exceedance reports and discussion

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of any responses taken to minimise the likelihood of recurrence. The licensee shall also report on the characteristics, volume and effects of its mine water discharges to the environment and on the characteristics of the receiving environment within the vicinity of the premises (eg. water quality, health of vegetation).

DEWATERING DISCHARGE REPORT

- G2 The licensee shall in the Annual Environmental Report (Condition G1 of this licence) address the environmental effects of mine dewater discharge to the Lake Lefroy. This Dewatering Discharge Report will be consistent with the requirements specified in Attachment 2 of this licence.

ANNUAL AUDIT COMPLIANCE REPORT

- G3 The licensee shall by **31 August** in each year, provide to the Director an Annual Audit Compliance Report in the form in Attachment 4 to this licence, signed and certified in the manner required by section C of the form, indicating the extent to which the licensee has complied with the conditions of this licence, and any previous licence issued under part V of the Act for the premises, during the period beginning 1 July the previous year and ending on 30 June in that year.

AIR POLLUTION CONTROL CONDITIONS

DUST - GENERAL REQUIREMENT

- A1 The licensee shall prevent visible dust from crossing the premises boundary, from all materials handling operations, dry tailings stockpiles, haul and access roads, open areas, rail loadout and transport activities.
- A2 The licensee shall ensure where saline water is used for dust suppression, damage to surrounding vegetation is avoided.

WATER POLLUTION CONTROL CONDITIONS

HAZARDOUS CHEMICAL STORAGE

- W1(a) The licensee shall store hazardous chemicals including fuel, oil or other hydrocarbons (where the total volume of each substance stored on the premises exceeds 250 litres) within low permeability (10^{-9} metres per second or less) compound(s) designed to contain not less than 110% of the volume of the largest storage vessel or inter-connected system, and at least 25% of the total volume of substances stored in the compound.
- W1(b) The licensee shall immediately recover, or remove and dispose of, any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons, whether inside or outside the low permeability compound(s).
- W1(c) The compound(s) described in part (a) to this condition shall:
- (i) be graded or include a sump to allow recovery of liquid;
 - (ii) be chemically resistant to the substances stored;
 - (iii) include valves, pumps and meters associated with transfer operations wherever practical. Otherwise the equipment shall be adequately protected (eg. bollards) and contained in an area designed to permit recovery of chemicals released following accidents or vandalism;

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- (iv) be designed such that jetting from any storage vessel or fitting will be captured within the bunded area [see for example Australian Standard 1940-1993 Section 5.9.3 (g)];
- (v) be designed such that chemicals which may react dangerously if they come into contact, are in separate bunds in the same compound or in different compounds; and
- (vi) be controlled such that the capacity of the bund is maintained at all times (eg. regular inspection and pumping of trapped uncontaminated rain water).

W1(d) The licensee shall immediately recover, or remove and dispose of, any liquid resulting from spills or leaks of chemicals including fuel, oil or other hydrocarbons outside the low permeability compound(s).

W1(e) The licensee shall report to the Director any spills of hazardous chemicals greater than 250L that may adversely impact on the environment.

BUNDING OF OVERLAND PIPELINES

W2(a) The licensee shall ensure that all pipelines containing saline, alkaline or cyanide constituents are either buried or sited within appropriately bunded facilities. This includes but is not limited to tailings delivery lines, return water lines and saline water lines.

W2(b) The licensee shall ensure that spills with saline, alkaline or cyanide constituents are retained within pipeline bunding and catch pits.

W2(c) The licensee shall immediately recover or remove, and dispose of any spills or leaks of pipelines containing saline, alkaline or cyanide constituents.

W2(d) The licensee shall ensure any area effected by saline spills is rehabilitated as needed.

W2(e) The licensee shall report within 24 hours of next working day to the Director any spills greater than 5000L of liquid, containing saline, alkaline or cyanide constituents.

W2(f) The licensee shall keep a record of any incident, including the spill of liquid containing saline, alkaline or cyanide constituents that escapes from pipeline bunding smaller than 5000L, and provide a summary of each incident in the annual report required.

PIPELINE INSPECTIONS

W3 The licensee shall ensure that all pipelines are visually inspected at least weekly for evidence of failure. A logbook shall be kept in which the date of the inspection and the person who made the inspection is recorded. When installed leak detection equipment is out of commission, these inspections should occur at least every 4 hours.

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W4 The licensee shall ensure that primary and secondary settling basins are maintained at least at each point of discharge such that there is sufficient retention time within the basin to maximise removal of suspended solids prior to discharge to Lake Lefroy.

WATER MONITORING PROGRAMME

W5(a) The licensee shall, at the frequencies stated, take representative water samples from the settlement dams (Attachment 3), and have them analysed for the following parameters listed prior to discharge to Lake Lefroy:

Monitoring sites	Sampling Frequency	Parameters to be measured
Holding ponds / Settlement dams	Weekly	Pipeline inspections
	Monthly	Discharge volumes (ML)
	Bi-Annually	Ph, Total dissolved solids (TDS), Total suspended solids (TSS), Chromium (Cr), cadmium (Cd), selenium (Se), Iron (Fe), cobalt (Co), Lead (Pb), Copper (Cu), Nickel (Ni), Zinc (Zn), Arsenic (As), Nitrate (NO ₃)

W5(b) All water samples shall be collected in accordance with these condition of licence shall comply with Australian/New Zealand Standard 5667.1:1998 Part 1: Guidance on the design of sampling programs, sampling techniques and the preservation and handling of samples.

W5(c) All water samples shall be submitted to a laboratory with current NATA Accreditation for the analysis specified, and analysed in accordance with the current "Standard Methods for Examination of Water and Wastewater-APHA-AWWA-WEF", or by a method and laboratory approved by the Director.

MAINTENANCE OF WATER STORAGE PONDS

W6 The licensee shall manage the water storage ponds in a manner such that:

- (i) uncontaminated stormwater runoff resulting from roof and site drainage does not cause erosion of outer pond embankments;
- (ii) stormwater shall only be discharged to the ponds in a controlled manner (eg piped) such that erosion of pond embankments or overtopping does not occur;
- (iii) extreme rainfall events do not cause overtopping of the ponds;
- (iv) there is no discernible seepage loss from the ponds; and
- (v) vegetation (emergent or otherwise) shall be prevented from growing in the pond waste waters or on the inner pond embankments of all ponds.

Officer delegated under Section 20 of the Environmental Protection Act 1986

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Date of Amendment : Thursday 22 December 2011

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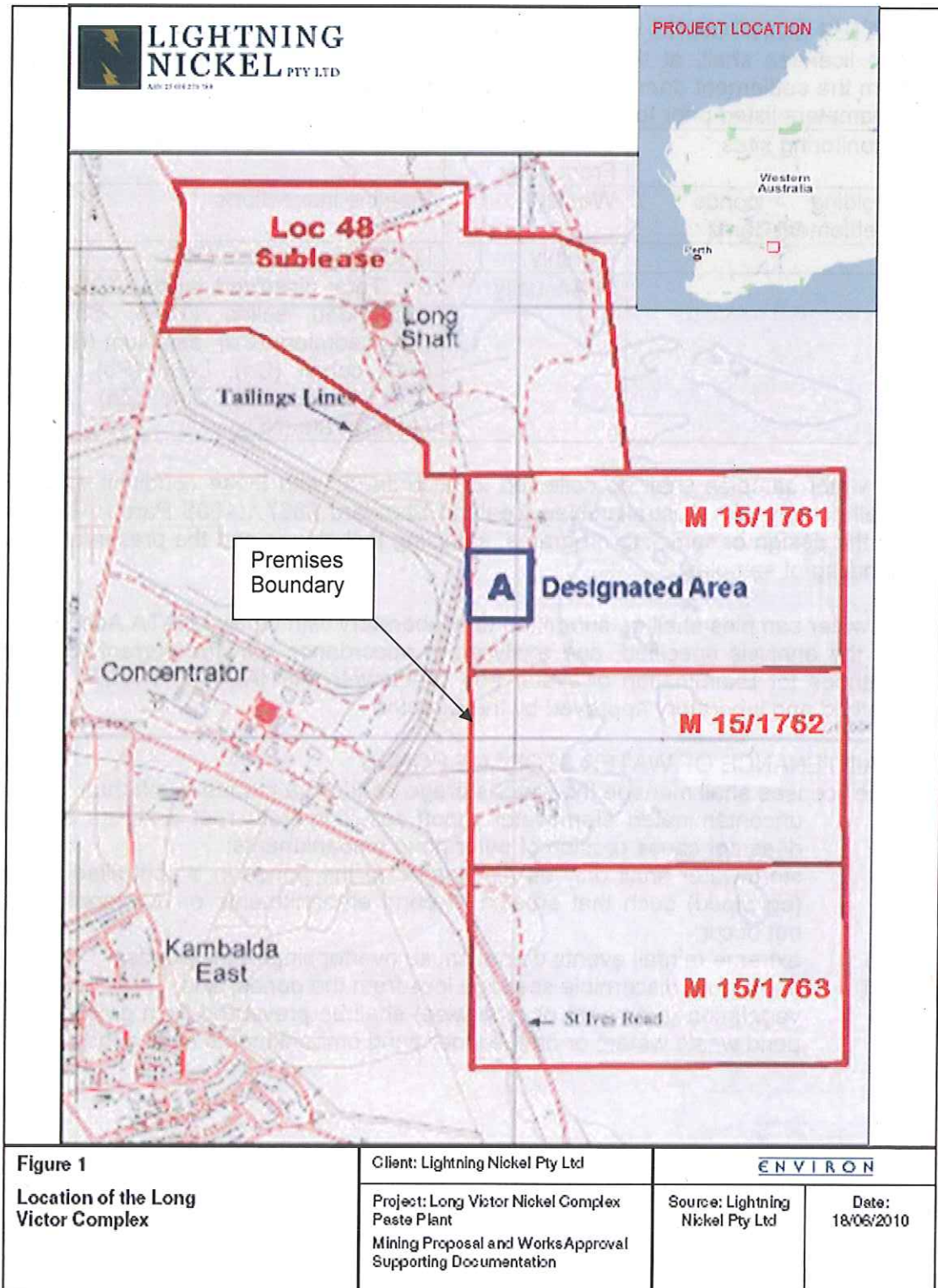
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ATTACHMENT 1: PLAN OF PREMISES



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ATTACHMENT 2: DEWATER DISCHARGE REPORTING REQUIREMENTS

Attachment 2

Waterbody Dewatering Discharge Reporting Requirements (Mine dewatering only)

The licensee should prepare a report which will provide to this Department adequate data to show that mine dewatering discharges to the receiving environment are being managed in such a way as to prevent any environmental impacts. The required information should come in the form of a concise report, which should include, but not necessarily be limited to:

SITE DESCRIPTION

1. Site description (aerial photographs, maps etc), including plan showing dewatering discharge point(s), location of monitoring bores/locations etc;
2. Topographical and meteorological data for location of discharge;
3. Hydrology - catchment, rainfall and evaporation, runoff etc in the vicinity of discharge;
4. Vegetation, in the vicinity of discharge;
5. Description of aquatic biota.

DESCRIPTION OF RECEIVING ENVIRONMENT

6. Significance of waterbody/watercourse with respect to flora (declared rare or priority)/fauna. Location with respect to wetlands protected under Environmental Protection Policies (EPP's) and Bush Forever Sites;
7. Waterbody/watercourse levels as a result of rainfall events (with respect to the seasonality of the waterbody/watercourse).

IMPACT ON RECEIVING ENVIRONMENT

8. Dewater discharge (volume and quality) as compared to runoff into the waterbody/watercourse and water quality (salt, metals and suspended solids) of the receiving waters. Estimation of the impacts of the dewatering discharge on the chemistry of the waterbody/watercourse (consideration should be given to undertaking a salt balance);
9. The area of the waterbody/watercourse likely to be affected by the dewater discharge, and effects on water body /watercourse levels resulting from the discharge;
10. The potential for water to flow along/out of the receiving waterbody/watercourse as the result of discharge;
11. Discussion of the impact of alteration of the receiving environment, especially with respect to the impacts on existing ecosystems;
12. Water balance estimates of receiving water body, watercourse - including dewater and non-dewater scenarios (with and without consideration of runoff events);
13. Sediment monitoring to determine impacts of mine dewatering discharge on the receiving waterbody/watercourse.

SUMMARY

14. Results, discussion, conclusions and recommendations.

Where your discharge is not the only discharge to a system, data from the other site(s) should be collected and incorporated into the report, where possible. An assessment of long-term trends, based on monitoring results, should also be undertaken.

Please note that, as a result of changes to the Regulations, fees are now payable for dewatering discharges. These are the same as those currently charged for tailings discharges, with a maximum fee of 400 units.

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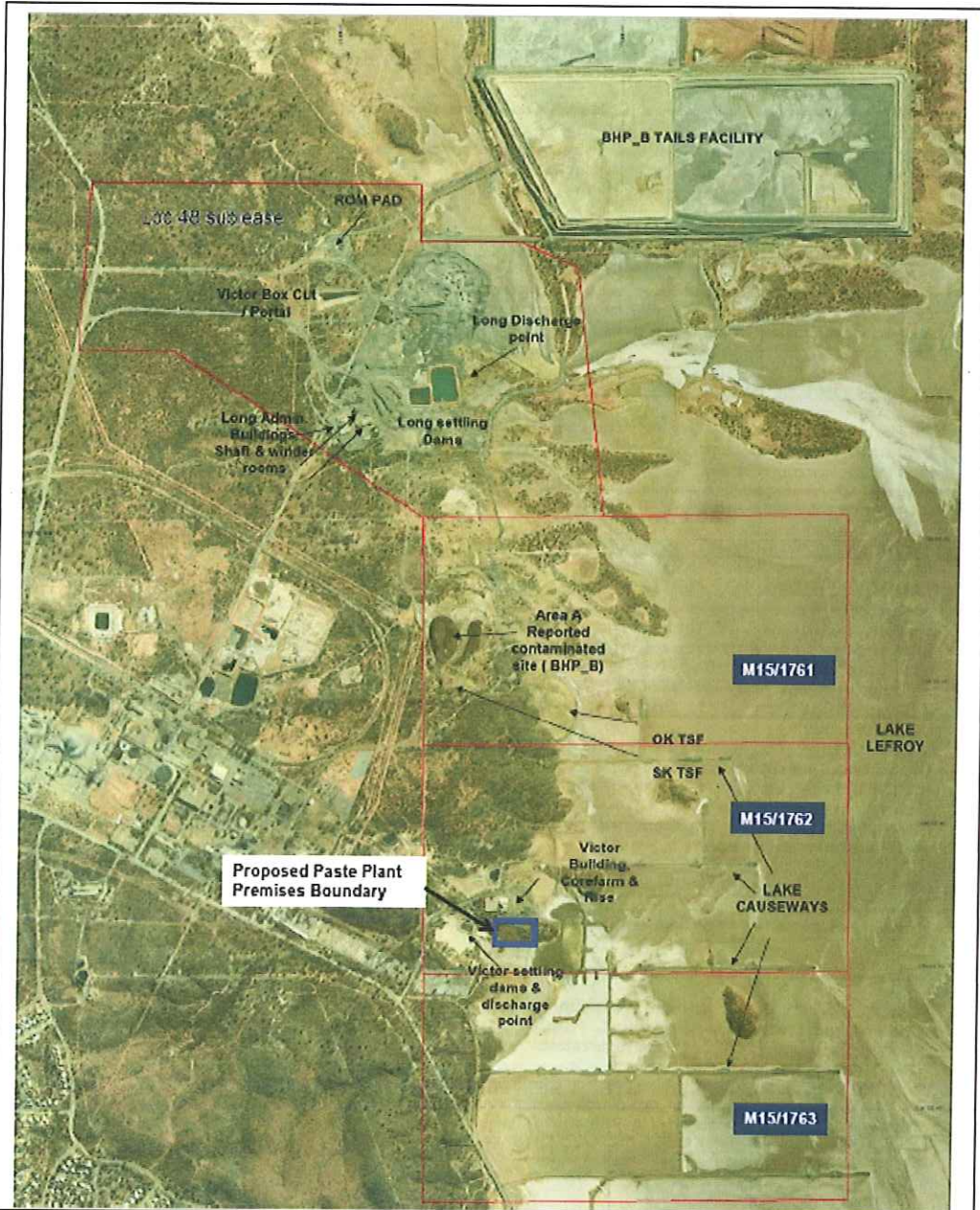
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ATTACHMENT 3: PLAN OF PREMISES AND DISCHARGE POINTS



Location of Premises	Client: Lightning Nickel Pty Ltd	ENVIRON	
	Project: Long Victor Nickel Complex Paste Plant Mining Proposal and Works Approval Supporting Documentation	Source: Lightning Nickel Pty Ltd	Date: 18/06/2010

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ATTACHMENT 4 ANNUAL AUDIT COMPLIANCE REPORT

SECTION A

LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ACN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C
No Please proceed to Section B

Each page must be initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

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SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each licence condition that was not complied with.

a) Licence condition not complied with?	
b) Date(s) when the non compliance occurred, if applicable?	
c) Was this non compliance reported to DEC?	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DEC verbally Date _____
<input type="checkbox"/> Reported to DEC in writing Date _____	<input type="checkbox"/> No
d) Has DEC taken, or finalised any action in relation to the non compliance?	
e) Summary of particulars of non compliance and what was the environmental impact?	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram)	
g) Cause of non compliance	
h) Action taken or that will be taken to mitigate any adverse effects of the non compliance	
i) Action taken or that will be taken to prevent recurrence of the non compliance	

Each page must be initialed by the person(s) who signs Section C of this annual audit compliance report

INITIAL: _____

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**SECTION C
SIGNATURE AND CERTIFICATION**

This Annual Audit Compliance Report may only be signed by a person(s) with legal authority to sign it. The ways in which the Annual Audit Compliance Report must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this Annual Audit Compliance Report is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
an individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment and Conservation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment and Conservation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the Corporations Act 2001; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment and Conservation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment and Conservation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SEAL (if signing under seal)

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____