Compliance Plan

L4513/1969/18

BHP Billiton Iron Ore Port Hedland Operations

Department of Water and Environmental Regulation

February 2018
Purpose
The purpose of this Compliance Plan is to outline measures to ascertain ongoing compliance of instrument L4513/1969/18 (the Licence) for BHP Billiton Iron Ore Port Hedland Operations.

Introduction
An assessment of the licence for the BHP Billiton Iron Ore Port Hedland Operations (the Premises) was initiated by the Department of Environment Regulation (now Department of Water and Environmental Regulation, or DWER ) as part of a wider review of Category 58 Premises within the Port Hedland port area. The purpose of these reviews is to apply a risk-based assessment approach consistent with DWER's Guidance Statement: Regulatory Principles.

During the Review, BHP Billiton Iron Ore Pty Ltd (the Licence Holder) applied for an increase in bulk material loading throughputs from 270 million tonnes of iron ore per annual period (Mtpa) to 290 Mtpa, to be achieved in part through capital works authorised under Works Approval W5792/2015/1 and in part from operational improvements not requiring additional works.

Background
Ore processed at the Premises is sourced from a combination of mines in the Pilbara, whereby ore is unloaded from trains at Nelson Point or Finucane Island through car dumpers, then either re-screened and conveyed directly onto ships or, re-screened, sized and placed into stockpiles prior to ship loading. Reclaimers then scoop the ore from these stockpiles and transfer it via a conveyor and ship loader system to iron ore carriers for export.

The Licence Holder’s port operations are an integrated ore handling system that includes unloading ore railed from the mines, re-screening, stockpiling (incorporating blending) ore to meet customer specifications, transferring, conveying, reclamation and loading of final ore product onto vessels.

Context
The Department of Health released the Port Hedland Air Quality Health Risk Assessment for Particulate Matter (HRA) in January 2016. The HRA identified that:

- the major constituent of ambient dust from port and commercial operations in Port Hedland is iron oxide with particulate matter as $\text{PM}_{10}$ being the key parameter of concern;
• a number of factors or variables influence the amount of dust generated at the
Premises including throughput, the method of ore handling, moisture content
of the ore and the meteorological conditions;
• throughputs at the Premises represent over half over of all Port Hedland
throughputs making it the largest port operation in the area;
• sensitive land users in the West End are likely to be exposed to higher
ambient dust concentrations than those east of Taplin Street;
• the HRA recommends the continued application of the interim guideline level
of 70ug/m³ to all residential areas of Port Hedland; and
• there has been a number of dust complaints received by DWER relating to
dust with the majority being received within the last year and a number of
submissions made in relation to amenity concerns and impacts.

To provide certainty to monitoring requirements of the Licence, DWER will implement
a Compliance Monitoring Program, to analyse premises emissions data, monitor
reporting diligence and assess compliance to the licence.

**Compliance Monitoring Program**

The compliance monitoring program is comprised of four elements:

- Review of statutory submissions
- Data reporting and data requests
- Premises inspection
- Complaint response

**Review of statutory submissions**

As required by the Licence, a compliance report and monitoring data are submitted
annually to DWER for review. This review includes:

- referral to internal experts in both Air Quality and Noise to review monitoring
data; and
- assessment for both compliance with condition and environmental risk

Feedback will be provided directly to the licence holder to address any issues
identified.

**Data Reporting and data requests**

The Licence requires the Licence Holder to provide a report to DWER quarterly
detailing the investigative actions of any daily throughput exceedance specified in
Condition 4 or a Reportable Event Criteria is exceeded as per Condition 25 (ambient
and boundary air quality measures). However, the raw monitoring data captured for
Condition 22 is not required to be submitted to DWER through the Annual Monitoring Report.

As a means to capture and analyse the boundary air quality monitoring data required of the Licence, DWER will invoke the provisions of Condition 31, whereby “The Licence Holder must comply with a Department Request, within 14 days from the date of the Department Request or such other period as agreed to by the Inspector or the CEO.”

Following the first full calendar month of operation once the amended Licence has been issued, DWER will require the Licence Holder to, each month:

1. Submit to DWER the Average Monthly Availability rate for all dust control equipment specified through Condition 13;
2. Submit to DWER all data derived from the moisture content monitoring on the out-load circuit required by Condition 17 for the previous calendar month;
3. Submit to DWER the calculated DEM level for out-loaded ore as per Condition 16;
4. Submit to DWER all data derived from the boundary air quality monitoring required by Condition 22 for the previous calendar month; and
5. Submit to DWER all data derived from the ambient air quality monitoring required by Condition 24 for the previous calendar month.

This data can then be analysed to determine compliance against Condition 25 and ascertain any potential trends.

Following the implementation of this program for twelve months, the frequency of data requests may then be scaled back to quarterly, dependent upon the risk profile identified from the initial twelve-month assessment.

Premises inspection

As per the approved DWER 2017/18 Annual Compliance Program, the premises is currently scheduled for a compliance inspection in April 2018.

This inspection will be utilised, at minimum to:

- verify infrastructure requirements within the amended Licence;
- validate the monitoring program managed by the Licence Holder to ensure that the data is appropriately collected and analysed; and
- Ensure that management actions, as required by the licence are appropriately instigated as a response the monitoring data

The 2018/19 Annual Compliance Program will consider the performance and risk profile of the premises

Further, the Department has the power to inspect the site at any time to ensure compliance with the licence. For further information, please refer to the Department’s Compliance and Enforcement policy on its website.
Complaint response

Complaints received through the Department’s Pollution Watch hotline will be considered on a case by case basis. Responses to complaints may include the formal recording of the complaint, formal investigation and site attendance as required. In determining an appropriate course of action, the Department will consider the risk posed as a result of the complaint.