



Amendment Notice 1

Licence Number	L4412/1987/8
Licence Holder	BHP Billiton Iron Ore Pty Ltd
ACN	008 700 981
File Number	DER2014/001168
Premises	Nimingarra Mining Operations Part mining leases ML251SA and ML263SA MARBLE BAR WA 6760
Date of Amendment	10/10/2018

Amendment

The Chief Executive Officer (CEO) of the Department of Water and Environmental Regulation (DWER) has amended the above Licence in accordance with section 59 of the *Environmental Protection Act 1986* (EP Act) as set out in this Amendment Notice. This Amendment Notice constitutes written notice of the amendment in accordance with section 59B(9) of the EP Act.

Alana Kidd

Manager, Resource Industries

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

Definitions and interpretation

Definitions

In this Amendment Notice, the terms in Table 1 have the meanings defined.

Table 1: Definitions

Term	Definition
AACR	Annual Audit Compliance Report
ACN	Australian Company Number
AER	Annual Environment Report
Amendment Notice	refers to this document
Category/ Categories/ Cat.	categories of Prescribed Premises as set out in Schedule 1 of the EP Regulations
CEO	means Chief Executive Officer. CEO for the purposes of notification means: Director General Department Administering the <i>Environmental Protection Act 1986</i> Locked Bag 33 Cloisters Square PERTH WA 6850 info@dwer.wa.gov.au
Delegated Officer	an officer under section 20 of the EP Act
Department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of Part V, Division 3 of the EP Act.
DBCA	Department of Biodiversity, Conservation and Attractions
DWER	Department of Water and Environmental Regulation
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i> (WA)
EP Regulations	<i>Environmental Protection Regulations 1987</i> (WA)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
Existing Licence	The Licence issued under Part V, Division 3 of the EP Act and in force prior to the commencement of and during this Review

Licence Holder Licensee	BHP Billiton Iron Ore Pty Ltd
m ³	cubic metres
Minister	the Minister responsible for the EP Act and associated regulations
MS	Ministerial Statement
mtpa	million tonnes per annum
NEPM	National Environmental Protection Measure
Noise Regulations	<i>Environmental Protection (Noise) Regulations 1997 (WA)</i>
Occupier	has the same meaning given to that term under the EP Act.
Prescribed Premises	has the same meaning given to that term under the EP Act.
Premises	refers to the premises to which this Decision Report applies, as specified at the front of this Decision Report.
Risk Event	as described in <i>Guidance Statement: Risk Assessment</i>
RIWI Act	<i>Rights in Water and Irrigation Act 1914 (WA)</i>
UDR	<i>Environmental Protection (Unauthorised Discharges) Regulations 2004 (WA)</i>
WC Act	<i>Wildlife Conservation Act 1950 (WA)</i>

Amendment Notice

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the Licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is given under section 59B(9) of the EP Act.

This notice is limited only to an amendment for Category 63. No changes to the aspects of the original Licence relating to Category 5 have been requested by the Licence Holder.

The following guidance statements have informed the decision made on this amendment:

- *Guidance Statement: Regulatory Principles (July 2015)*
- *Guidance Statement: Setting Conditions (October 2015)*
- *Guidance Statement: Decision Making (February 2017)*
- *Guidance Statement: Risk Assessment (February 2017)*
- *Guidance Statement: Environmental Siting (November 2016)*

Amendment description

On 11 May 2018 BHP Billiton Iron Ore Pty Ltd (the Licence Holder) submitted an application to amend Licence L4412/1987/8 to include Category 63 – Class I inert landfill site. The Licence Holder is seeking to include Category 63 to allow for the disposal of up to 7,000 tonnes of redundant infrastructure (inert waste) in the vicinity of the Nimingarra Mine, over a period of three years. Waste includes but is not limited to concrete, steel, rubber (tyres and conveyor rubber), porcelain and mixed rubble from both processing and non-processing infrastructure. Waste will be deposited into an existing mine void.

The Licence Holder has identified that some of the facilities to be decommissioned may contain asbestos materials, which will be disposed of in a separate area of the landfill by a competent person in accordance with the *Code of Practice for the Management and Control of Asbestos in Workplaces*, *Code of Practice for the Safe Removal of Asbestos*, *Australian Standard 2601 – The Demolition of Structure* and the *Environmental Protection (Controlled Waste) Regulations 2004*.

Hazardous waste (excluding asbestos) will be removed from site by a licensed controlled waste contractor. Table 2 below outlines the proposed changes to the Licence.

Table 2: Proposed design or throughput capacity changes

Category	Current [design] [throughput] capacity	Proposed [design] [throughput] capacity	Description of proposed amendment
63 – Class I inert landfill site	-	7,000 tonnes per year	New inert landfill to dispose of redundant infrastructure

Other approvals

The Licence Holder has provided the following information relating to other approvals as outlined in Table 3.

Table 3: Relevant approvals

Legislation	Number	Approval
EP Act	Native Vegetation Clearing Permit (NVCP) CPS 6450/1	If a borrow pit is necessary to supply clean fill for the proposed landfill, any associated clearing will be undertaken in accordance with existing NVCP CPS 6450/1.

Amendment history

Table 4 provides the amendment history for L4412/1987/8.

Table 4: Licence amendments

Instrument	Issued	Amendment
L4412/1987/1	13/10/2000	Licence
L4412/1987/2	13/11/2001	Licence renewal
L4412/1987/3	15/11/2002	Licence renewal
L4412/1987/4	17/11/2003	Licence renewal
L4412/1987/5	15/11/2004	Licence renewal
L4412/1987/6	12/09/2007	Licence renewal
L4412/1987/7	11/11/2010	Licence renewal
L4412/1987/8	12/11/2015	Licence renewal and update to new template licence
L4412/1987/8	10/10/2018	Amendment Notice 1 to include Category 63

Location and receptors

The Premises boundary of Nimingarra is located approximately 150 km east of Port Hedland in the Pilbara region of Western Australia. Yarrie Camp, operated by BHP Billiton, is located approximately 30 km to the southeast of the proposed inert landfill site. As this camp is operated by the Licensee, it is not considered a sensitive land use or receptor by DWER for the purposes of assessing the risk associated with the emissions and discharges from the proposed Category 63 inert landfill. Yarrie Homestead, located 30 km from the premises, is the nearest sensitive residential receptor.

The premises is located in the Pilbara Groundwater Area, proclaimed under the *Rights in Water and Irrigation Act 1914*. The Pilbara – Fractured Rock aquifer is the main aquifer in the Project area. Groundwater is mainly fresh. There are no public drinking water source areas within or adjacent to the premises.

The premises is within the De Grey River Basin surface water catchment area. The De Grey River, located approximately 20 km south of the premises, is a major river system within an extensive sediment filled floodplain and numerous tributary rivers and creeks. It is also listed in the Commonwealth Department of Environment and Energy Directory of Important Wetlands in Australia. Drainage channels in the Nimingarra Mine hub area collect and direct overland flow to the various tributary creeks of the De Grey River including Egg Creek, Eel Creek and Coonjeena Creek.

Table 5 below lists the relevant sensitive land uses in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 5: Receptors and distance from activity boundary

Residential and sensitive premises	Distance from Prescribed Premises
Yarrie Homestead	30 km southeast
Port Hedland	150 km west of premises

Table 6 below lists the relevant environmental receptors in the vicinity of the Prescribed Premises which may be receptors relevant to the proposed amendment.

Table 6: Environmental receptors and distance from activity boundary

Environmental receptors	Distance from Prescribed Premises
De Grey River – listed in the Directory of Important Wetlands in Australia (Environment Australia, 2001)	20 kilometres south
Egg Creek, minor tributary of the De Grey River	2 kilometres east
Ghost bat (<i>Macroderma gigas</i>) – Vulnerable under the EPBC; Schedule 3 of the WC Act	Considered to potentially occur within Project Area based on habitat types recorded.
Northern Quoll (<i>Dasyurus hallucatus</i>) – Endangered under EPBC Act; Schedule 2 of WC Act	
Pilbara Leaf-nosed Bat (<i>Rhinonictis aurantius</i>) – Vulnerable EPBC Act; Schedule 3 WC Act	
Marsh Sandpiper (<i>Tringa stagnatilis</i>) – Migratory EPBC Act; Schedule 5 WC Act	
Priority listed fauna: Long-tailed Dunnart (<i>Sminthopsis longicaudata</i>) Priority 4 DBCA; Brush-tailed Mulgara (<i>Dasyurus blythi</i>) Priority 4 DBCA; Pilbara Flat-headed Blind snake (<i>Anilius ganei</i>) Priority 1 DBCA; and Spectacled Hare-wallaby (<i>Lagorchestes conspicillatus leichhardti</i>) Priority 3 DBCA.	
Pilbara Groundwater Area, proclaimed under the RIWI Act	Proposed inert landfill located in proclaimed groundwater area.

Risk assessment

Table 7 below describes the Risk Events associated with the amendment consistent with the *Guidance Statement: Risk Assessments* and identifies whether the emissions present a material risk to public health or the environment, requiring regulatory controls.

Table 7: Risk assessment for proposed amendments during operation

Risk Event						Consequence rating	Likelihood rating	Risk	Reasoning
Source/Activities		Potential emissions	Potential receptors	Potential pathway	Potential adverse impacts				
Category 63 Class I inert landfill site	Inert waste deposited into the existing Nimingarra Deposit DE10/10/2018 shallow pit	Inert waste into mine void	Fauna	Inert waste deposited into mine void	Creation of artificial Northern Quoll denning habitat	Minor	Rare	Low	<p>The Licence Holder has committed to covering waste as soon as practicable in order to prevent the creation of quoll denning habitat, or on at least a weekly basis.</p> <p>This measure is considered adequate to prevent Northern Quolls entering the landfill and denning in inert waste.</p>
		Leaching of contaminants (if hazardous substances are accepted for burial)	Groundwater with beneficial use, livestock drinking water source (Groundwater Dependent Ecosystem), surface water (Eel Creek, tributary of De Grey River)	Infiltration of leachate through the soil profile, runoff to surface water drainage systems.	Adverse impacts to the health and survival of vegetation dependent upon groundwater, and livestock health. Impacts to water quality of surface water.	Slight	Rare	Low	<p>Hazardous substances including ozone depleting substances, synthetic minerals fibres, lead containing paint, polychlorinated biphenyls and diesel/waste oil have been identified within the Nimingarra Mine hub, however will be removed from site by a licensed controlled waste contractor.</p> <p>The Licence Holder will only be disposing of inert waste into the mine void.</p> <p>The Licence has been updated to include a condition restricting the types of waste to be disposed of at the landfill. The Delegated Officer considers this control to be sufficient to prevent the generation of leachate, and to prevent potential impacts to groundwater and surface water in the area.</p>
		Windblown waste	Terrestrial environment, including fauna habitat	Direct discharge to land	Visual amenity, impacts to flora and fauna	Slight	Rare	Low	<p>The Licence Holder has committed to covering waste as soon as practicable, or on at least a weekly basis.</p> <p>The Licence has been update to require</p>

									<p>windblown waste to remain within the premises boundary, and to be returned to the tipping face on a monthly basis. A condition regarding the covering of waste, as per the Licence Holder commitment, has also been included on the updated Licence.</p> <p>The inclusion of this conditions is adequate to manage the risks associated with windblown waste from the landfill.</p>
		Asbestos fibres into the environment	Yarrie Homestead, located 30 km from landfill	Air dispersion	Health impact – exposure to airborne asbestos fibres can enter lungs and lead to asbestos-related diseases such as pleural disease, asbestosis, lung cancer and mesothelioma.	Severe	Rare	Medium	<p>The consequence of human exposure to asbestos is considered severe as the adverse health effects related to asbestos exposure and inhalation could require high level or ongoing medical treatment. The Delegated Officer notes that the nearest sensitive receptor (Yarrie Homestead) is located 30 km from the landfill, and will not be impacted by asbestos fibres.</p> <p>The Licence Holder will appropriately handle asbestos to ensure adherence to the Code of Practice for the Management and Control of Asbestos in Workplaces, Code of Practice for the Safe Removal of Asbestos, Australian Standard 2601 – The Demolition of Structures and the <i>Environmental Protection (Controlled Waste) Regulations 2004</i>. Waste containing asbestos will be disposed of separately, in accordance with the above documents.</p> <p>The Delegated Officer considers the management measures, and the distance to the nearest sensitive receptor adequate to manage the risks associated with asbestos waste disposal at the proposed landfill.</p>

		Dust and noise generated from vehicles during deposition and covering of waste	Yarrie Homestead, located 30 km from landfill	Air dispersion	Amenity	Slight	Rare	Low	<p>The Delegated Officer notes that the nearest sensitive receptor (Yarrie Homestead) is located 30 km from the landfill, and will not be impacted by dust or noise emissions generated during operation.</p> <p>No regulatory controls are required.</p>
		Dust	Vegetation (potential habitat for threatened, vulnerable and priority listed fauna).	Air dispersion	Deterioration of fauna habitat, and food source	Slight	Rare	Low	<p>Potential impacts to vegetation from dust and noise will be localized, and restricted to the immediate landfill area. The Delegated Officer notes that the proposed landfill is located within a mining void, which has been previously disturbed and cleared. The landfill will be operated for three years; a relatively short timeframe, during which vegetation impacts are unlikely.</p> <p>No regulatory controls are required.</p>

Decision

The Delegated Officer has determined to grant the amended Licence to allow for the operation of the proposed Category 63 inert landfill in an existing mine void at the Nimingarra Iron Ore Mine. The Licence has been amended to include conditions relating to the operation of the inert landfill, as detailed below.

The prescribed premises category table on Page 1 of Licence L4412/1987/8 has been updated to include Category 63.

Condition 1.1.2 has been amended to include landfill definitions.

Condition 1.3.1 has been amended to include the inert landfill as an authorised activity undertaken at the premises, and to set a process limit for the landfill.

Conditions 1.3.2 (waste acceptance), 1.3.3 (waste acceptance), 1.3.4 (waste processing), 1.3.5 (landfill management), 1.3.6 (landfill cover) and 1.3.7 (wind-blown waste) have been included in the Licence to ensure appropriate waste types are accepted for disposal of the landfill, the landfill is managed adequately, waste is covered at least weekly and windblown waste is returned to the tipping face at least monthly. These controls are deemed appropriate to manage the risk to sensitive receptors from operation of the landfill.

Condition 1.4.1 has been included to require the Licence Holder to monitor the volume of waste inputs and outputs for the premises, to ensure that the facility is operating within the approved capacity. The reporting requirements specified under Condition 2.2.1 have been updated to require the waste input and output monitoring data to be reported in the Annual Environmental Report.

Licence Holder's comments

The Licence Holder was provided with the draft Amendment Notice on 27 August 2018. Comments received from the Licence Holder have been considered by the Delegated Officer as shown in Appendix 2.

Amendment

1. The prescribed premises category table on Page 1 of the Licence is amended by the insertion of the bold text in underline below:

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
5	Processing or beneficiation of metallic or non-metallic ore: premises on which – (a) Metallic or non-metallic ore is crushed, ground, milled or otherwise processed; (b) Tailings from metallic or non-metallic ore are reprocessed; or Tailings or residue from metallic or non-metallic ore are discharged into a containment cell or dam.	50, 000 tonnes or more per year	5,000,000 tonnes or more per year
63	<u>Class I inert landfill site: premises on which waste (as determined by reference to the waste type set out in the document entitled "Landfill Waste Classification and Waste Definitions 1996" published by the Chief Executive Officer and as amended from time to time) is accepted for burial.</u>	<u>500 tonnes or more per year</u>	<u>7,000 tonnes per year</u>

2. Condition 1.1.2 of the Licence is amended by the insertion of the definitions in bold and underline below:

‘asbestos’ means the asbestiform variety of mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals and includes actinolite, amosite, anthophyllite, chrysolite, crocidolite, tremolite and any mixture containing two or more of those;

‘asbestos fibres’ has the meaning defined in the Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Soils, Western Australia (Department of Health, 2009);

‘Clean Fill’ has the meaning defined in Landfill Definitions;

‘controlled waste’ has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

‘Inert Waste Type 1’ has the meaning defined in Landfill Definitions;

‘Inert Waste Type 2’ has the meaning defined in Landfill Definitions;

‘Landfill Definitions’ means the document titled “Landfill Waste Classification and Waste Definitions 1996” published by the Chief Executive Officer of the Department of Environment as amended from time to time;

‘Special Waste Type 1’ has the meaning defined in the Landfill Definitions;

3. Condition 1.3.1 of the Licence is amended by the insertion of the bold text in underline below:

The Licensee must carry out the Authorised Activities within the Premises in accordance with the requirements set out in Table 1.3.1.

Table 1.3.1 Authorised Activities	
Authorised activity	Process limits
Category 5	Processing of material at the premises shall not exceed 5,000,000 tonnes per annual period.
<u>Category 63</u>	<u>Up to 7,000 tonnes per annum of waste accepted for burial at the landfill.</u>

4. The Licence is amended by the insertion of the following Condition 1.3.2 in bold and underline below:

1.3.2 The Licensee shall only accept waste onto the inert landfill, shown on the map in Schedule 1, if:

- (a) it is of a type listed in Table 1.3.2;**
- (b) the quantity accepted is below any quantity limit listed in Table 1.3.2; and**
- (c) it meets any specification listed in Table 1.3.2.**

Table 1.3.2: Waste acceptance		
Waste type	Quantity limit	Specification ¹
Inert Waste Type 1	7,000 tonnes/year	None specified
Inert Waste Type 2		Tyres, rubber and plastic only
Type 1 Special Waste		Waste which includes asbestos and asbestos cement products

Note 1: Additional requirements for the acceptance of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

5. The Licence is amended by the insertion of the following Condition 1.3.3 in bold and underline below:

1.3.3 The Licensee shall ensure that where waste does not meet the waste acceptance criteria set out in condition 1.3.2 it is removed from the Premises, where that is not possible, stored in a segregated storage area or container and removed to an appropriately authorised facility as soon as practicable.

6. The Licence is amended by the insertion of the following Condition 1.3.4 in bold and underline below:

1.3.4 The Licensee shall ensure that wastes accepted onto the inert landfill are only subjected to the process(es) set out in Table 1.3.3 and in accordance with any process limits described in that Table.

Table 1.3.3: Waste processing		
Waste type(s)	Process	Process limits ^{1,2}
All	Disposal of waste by landfilling	<u>Shall only take place within the areas shown in Schedule 1.</u> <u>No waste shall be temporarily stored or landfilled within 35 metres from the boundary of the premises.</u> <u>The separation distance between the base of the landfill and the highest groundwater level shall not be less than 2m.</u>
Clean Fill	Receipt, handling and disposal by landfilling	None specified
Inert Waste Type1		
Inert Waste Type 2 – Tyres¹	Receipt, handling, storage prior to disposal by landfilling	<u>To be stored in piles of up to 100 units with a 6m separation distance between piles.</u>
Special Waste Type 1	Receipt, handling and disposal by landfilling	<u>Shall only be disposed of into the area shown in Schedule 1.</u> <u>Not to be deposited within 2 metres of the final tipping surface of the landfill.</u> <u>No works shall be carried out on the landfill that could lead to a release of asbestos fibres.</u>

Note 1: Requirements for landfilling tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

Note 2: Additional requirements for the acceptance and landfilling of controlled waste (including asbestos and tyres) are set out in the *Environmental Protection (Controlled Waste) Regulations 2004*.

7. The Licence is amended by the insertion of the following Condition 1.3.5 in bold and underline below:

1.3.5 The Licensee shall manage the landfilling activities to ensure:

- (a) **waste is levelled and compacted as soon as practicable after it is discharged;**
- (b) **waste is placed and compacted to ensure all faces are stable and capable of retaining rehabilitation material; and**
- (c) **restoration of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed.**

8. The Licence is amended by the insertion of the following Condition 1.3.6 in bold and underline below:

1.3.6 The Licensee shall ensure that cover is applied and maintained on landfilled wastes in accordance with Table 1.3.4 and that sufficient stockpiles of cover are maintained on site at all times.

Table 1.3.4: Cover requirements ¹			
<u>Waste Type</u>	<u>Material</u>	<u>Depth</u>	<u>Timescales</u>
<u>Inert Waste type 1 and Inert Waste Type 2¹</u>	<u>Clean fill</u>	<u>:</u>	<u>As soon as practicable and not later than weekly</u>

Note 1: Additional requirements for the covering of tyres are set out in Part 6 of the *Environmental Protection Regulations 1987*.

9. The Licence is amended by the insertion of the following Condition 1.3.7 in bold and underline below:

1.3.7 The Licensee shall ensure that wind-blown waste is contained within the boundary of the Premises and that wind-blown waste is returned to the tipping area on at least a monthly basis.

10. The Licence is amended by the insertion of the following Condition 1.4.1 in bold and underline below:

1.4.1 The Licensee shall undertake the monitoring in Table 1.4.1 according to the specifications in that table.

Table 1.4.1: Monitoring of inputs and outputs				
<u>Input/output</u>	<u>Parameter</u>	<u>Units</u>	<u>Averaging period</u>	<u>Frequency</u>
<u>Waste Inputs</u>	<u>Inert Waste Type 1 Inert Waste Type 2 Cleanfill</u>	<u>tonnes</u>	<u>N/A</u>	<u>Annual records of total waste arriving at the inert landfill depicted in Schedule 1</u>

11. Condition 2.2.1 of the Licence is amended by the insertion of the bold text in underline below:

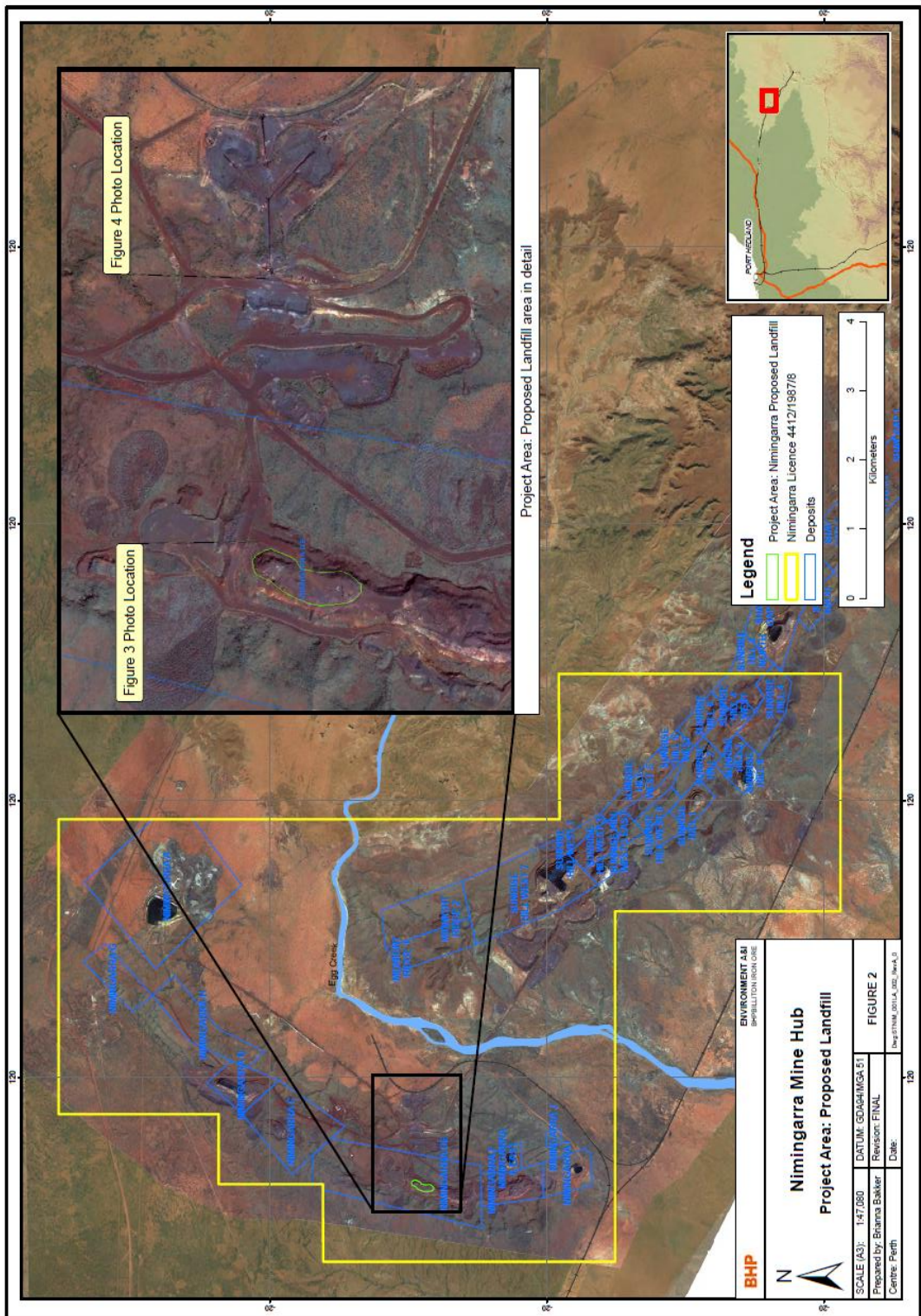
The Licensee shall submit to the CEO an Annual Environmental Report by 1 October each year. The report shall contain the information listed in Table 2.2.1 in the format or form specified in that table.

Table 2.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
1.3.1	Actual throughput for the annual period	None specified
2.1.3	Compliance	Annual Audit Compliance Report (AACR)
2.1.4	Complaints summary	None specified
1.4.1	<u>Inputs and outputs of waste at the premises</u>	<u>None specified</u>

Note 1: Forms are in Schedule 2

12. The Licence is amended by the insertion of the map below into Schedule 1 Maps of the Licence:

Map showing location of the inert landfill



13. The Licence is amended by the insertion of Schedule 1 Prescribed Premises Boundary Coordinates below for the inert landfill:

ID	EASTING	NORTHING
0	187951.452	7744058.471
1	191953.973	7744130.808
2	192084.555	7736923.948
3	194057.511	7736970.196
4	194131.941	7732918.101
5	190910.987	7732859.325
6	190851.659	7736100.611
7	186096.674	7736013.911
8	186019.532	7740216.86
9	187070.188	7740237.691
10	187042.764	7741738.628
11	187993.352	7741757.003

Appendix 1: Key documents

	Document title	In text ref	Availability
1	DER, July 2015. <i>Guidance Statement: Regulatory principles</i> . Department of Environment Regulation, Perth.	DER 2015a	accessed at www.dwer.wa.gov.au
2	DER, October 2015. <i>Guidance Statement: Setting conditions</i> . Department of Environment Regulation, Perth.	DER 2015b	
3	DER, August 2016. <i>Guidance Statement: Licence duration</i> . Department of Environment Regulation, Perth.	DER 2016a	
4	DER, November 2016. <i>Guidance Statement: Risk Assessments</i> . Department of Environment Regulation, Perth.	DER 2016b	
5	DER, November 2016. <i>Guidance Statement: Decision Making</i> . Department of Environment Regulation, Perth.	DER 2016c	
6	Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Soils, Western Australia	Department of Health, 2009	accessed at http://ww2.health.wa.gov.au/~/_media/Files/Corporate/general%20documents/Asbestos/PDF/Guidelines-Asbestos-Contaminated%20Sites-May2009.pdf
7	Licence L4412/1987/8 – Nimingarra Iron Ore Mine	L4412/1987/8	accessed at www.dwer.wa.gov.au
8	Directory of Important Wetlands in Australia, Department of Environment and Energy	Environment Australia, 2001	accessed at http://www.environment.gov.au/cgi-bin/wetlands/report.pl

Appendix 2: Summary of Licence Holder comments

The Licence Holder was provided with the draft Amendment Notice on 27 August 2018 for review and comment. The Licence Holder responded on 17 September 2018. The following comments were received on the draft Amendment Notice.

Condition	Summary of Licence Holder comment	DWER response
Condition 1.3.5 (c)	Revise the wording of the condition to read 'restoration of a cell or phase takes place within 6 months after disposal in that cell or phase has been completed'. The area in question is within a mine void that will be closed in accordance with the approved Yarrie Closure Plan. The facility will be covered to prevent exposure of waste, but it is not feasible for BHP to rehabilitate an area located within a mine void (particularly within 6 months).	The Delegated Officer has considered the comments, and deemed the request to change condition 1.3.5 (c) acceptable. Condition 1.3.5 (c) has been updated accordingly.