



Application for Licence Amendment

Part V Division 3 of the *Environmental Protection Act 1986*

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| Licence Number | L4557/1986/19 |
| Licence Holder | Iluka Resources Limited |
| ACN | 008 675 018 |
| File Number | DER2014/000051-1 |
| Premises | North Capel Operations Yearly Road CAPEL WA 6271 Legal description – all of mining tenements M70/257, M70/651, M70/959, M70/962, M70/970, M70/978, M70/990, M70/1083 and M70/1128, and part of mining tenements M70/279, M70/386 & M70/1082. As defined by the Premises map attached to the Revised Licence |
| Date of Report | 13 March 2024 |
| Decision | Revised licence granted |

1. Decision summary

The Delegated Officer has determined to make amendments to Licence L4557/1986/19. The amendments are not considered to alter the risk profile of the premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This amendment report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing licence will remain on the department's website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In amending the licence, the Department of Water and Environmental Regulation (DWER, department) has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at [DWER Regulatory documents | Western Australian Government \(www.wa.gov.au\)](http://www.wa.gov.au).

2.2 Application summary and background

Licence L4557/1986/19 is held by Iluka Resources Limited (licence holder) for the North Capel Operations (the premises), located at Yearly Road, Capel.

The premises relates to the categories and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing licence L4557/1986/19.

On 3 November 2023, the Licence Holder submitted an application to the department to amend licence L4557/1986/19 under section 59B of the EP Act. The amendment is limited only to renaming of containment infrastructure locations in Table 1.3.1 of L4557/1986/19 identified with the prefix NAE# or IO# and allow for the storage of either iron oxide solids (IO) or neutralised acid effluent liquids and solids (NAE) processing by-products dependent on the licence holder's storage needs.

The IO and NAE are residual by-products from mineral sands processing, stored within containment dams on the premises and are routinely harvested for sale. At present IO storage is predominantly undertaken within IO4 and IO5. The effect of the amendment will be to allow for co-product storage of either NAE or IO within the any of the containment facilities identified as IO#1 to IO#5 and NAE#1 to NAE#4 in the existing licence to allow Iluka to have flexibility in their storage capabilities. Containment infrastructure would be used for the deposition of either IO or NAE until the dam is at capacity. Following harvest and assessment of dam liner integrity, deposition will recommence with the either IO or NAE as per operational demands.

Iluka propose to rename the containment infrastructure as Co-product Storage Dams (CPS Dams).

3. Risk Assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

The environmental risk of storing mineral sand processing by-products, being IO and NAE in the lined containment ponds located on the premises has been previously assessed and the co-product storage of these products is not expected to change any determined risk. Based on this no further risk assessment has been undertaken to inform the amendment.

4. Consultation

Table 1 provides a summary of the consultation undertaken by the department.

Table 1: Consultation

| Consultation method | Comments received | Department response |
|--|--|--|
| Department of Energy, Mines, Industry Regulation and Safety advised of the application and comment sought (19/12/2023) | Response received on 23 February 2024, they advised no comments or objections | N/A |
| Draft amended licence and draft amendment report provided to licence holder for comment on 7/03/2024 | Response received on 12 March 2024. Provided an updated map of storage locations and requested administrative error on existing licence in Table 4.2.1 be corrected. Requested to waive the remaining consultation period. | Updated map included in the amended licence and administrative correction to Table made. |

5. Decision

The Delegated Officer determined that the proposal for co-product storage of IO or NAE in the premises lined containment ponds does not change the risk of emissions and discharges associated with storage of these processing by-products. In making this determination it was noted that:

- There is no proposed change to the activity, being the storage of residual by-products from mineral sands refining. No new information suggests a change to the emissions profile of the premises.
- Co-product storage of these residual by-products from mineral sand refining, does not introduce any additional risk and the existing controls on the licence, being containment constructed so it is lined to achieve a permeability of 10^{-9} m/s or less, is considered to suitably mitigate the risk of soil and groundwater contamination resulting from the storage.

Based on the assessment in this amendment report, the Delegated Officer has determined that an amended licence will be granted subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the revised licence as part of the amendment process.

Table 2: Summary of licence amendments

| Condition no. | Proposed amendments |
|--------------------------------|---|
| Condition 1.3.1 Table 1.3.1 | Renaming of storage locations in Table identified with the prefix NAE# or IO# for the storage of either IO or NAE by-products. Iluka propose to rename this containment infrastructure as Co-product Storage Dams (CPS Dams). |
| Schedule 1 | Updating map of storage locations to reflect change in naming |

References

1. Department of Environment Regulation (DER) 2015, Guidance Statement: Setting Conditions, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, Guideline: Environmental Siting, Perth, Western Australia.
3. DWER 2020, Guideline: Risk Assessments, Perth, Western Australia.
4. Iluka Resources Limited 2023, Licence amendment application form: North Capel Operations