



## Annual Audit Compliance Report Form

*Environmental Protection Act 1986, Part V*

Once completed, please submit this form either via email to [info-der@dwer.wa.gov.au](mailto:info-der@dwer.wa.gov.au), or to the below postal address:

Department of Water and Environmental Regulation  
Locked Bag 33 Cloisters Square  
PERTH WA 6850

### Section A – Licence Details

Licence number:	L4432/1989/14	Licence file number:	DER2014/000636
Licence holder:	Pilbara Ports Authority		
Trading as:	Pilbara Ports Authority		
ACN:	ABN 94987 448 870		
Registered address:	The Esplanade, Port Hedland WA 6721		
Reporting period:	01/ 07 / 2019 to 30 / 06 / 2020		

### Section B – Statement of Compliance with Licence Conditions

Did you comply with all of your licence conditions during the reporting period?  
(please tick the appropriate box)

☐ Yes – please complete:

- section C;
- section D if required; and
- sign the declaration in Section F.

☒ No – please complete:

- section C;
- section D if required;
- section E; and
- sign the declaration at Section F.

### Section C – Statement of Actual Production

Provide the actual production quantity for this reporting period. Supporting documentation is to be attached.

Prescribed Premises Category	Actual Production Quantity
58	659,268 tonnes

### Section D – Statement of Actual Part 2 Waste Discharge Quantity

Provide the actual Part 2 waste discharge quantity for this reporting period. Supporting documentation is to be attached.

Prescribed Premises Category	Actual Part 2 Waste Discharge Quantity
N/A	N/A



## Section E – Details of Non-Compliance with Licence Condition

Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.

Condition no:	12b	Date(s) of non-compliance:	4 -18 November 2019 and 2-23 December 2019
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### Details of non-compliance:

Product moisture data was not received from one copper concentrate proponent on a weekly basis for two weeks in November and for three weeks in December 2019 while product haulage to site was occurring. Internal process for product moisture licence condition non-compliance commenced and on 30 December 2019 PPA ceased accepting bulk material until the material was verified as being above DEM on the 31 December.

### What was the actual (or suspected) environmental impact of the non-compliance?

**NOTE** – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.

The copper concentrate hauled by the proponent was transported to PPA Eastern Operations in lidded rotaboxes, therefore the risk of dust production was considered negligible. Once received, the weekly product moisture data was reviewed, and 20 x copper concentrate samples sampled between 4 - 7 December 2019 had product moisture contents below Product DEM. A further 7 x copper concentrate samples sampled on 25 December 2019 had product moisture contents below DEM. By the time the containers were identified as having a moisture content below DEM, a number had already been loaded onto a vessel, however the representative shipping moisture value for that product was above the corresponding DEM. The remaining containers were retested, resulting in all moisture values above DEM, therefore the risk of dust generation when loading this Product did not increase.

### Cause (or suspected cause) of non-compliance:

The proponent advised the cause of the non-compliance was an internal administrative error (whereby the weekly moisture data was being emailed to PPA by a contractor on behalf of the copper concentrate proponent) which resulted in the weekly moisture results not being supplied to PPA. This issue has been rectified by a change in process, where the proponent (Port User) now directly provides PPA with the weekly moisture data. The missing product moisture data was submitted to PPA and the weekly submission of product moisture data recommenced.

### Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:

A change in process has been implemented, where the proponent/ Port user now directly provides PPA with the weekly moisture data. This reduces the likelihood of future delays in submission of moisture data to PPA. PPA continues to conduct weekly checks of product moisture data to pick up missing data early.

### Was this non-compliance previously reported to DWER?

☐ Yes, and

☐ Reported to DWER verbally

Date:

**Section E – Details of Non-Compliance with Licence Condition**

<input type="checkbox"/> Reported to DWER in writing	Date: _____
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### Section E – Details of Non-Compliance with Licence Condition

Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.

Condition no:	13	Date(s) of non-compliance:	October and November 2019
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#### Details of non-compliance:

PPA received an updated DEM report from a copper concentrate proponent, with a DEM test date 17 October 2018, on 15 January 2020. On review of this updated DEM (which was higher than the previous DEM report) and checking back through submitted moisture results, PPA identified that haulage moistures from this copper concentrate proponent were below DEM on a number of occasions in October and December 2019. The weekly product moisture data was checked and 5 x copper concentrate samples sampled between 15 - 30 October 2019 had product moisture contents below Product DEM. A further 4 x copper concentrate samples sampled between 22 - 24 November 2019 had product moisture contents below DEM.

#### What was the actual (or suspected) environmental impact of the non-compliance?

**NOTE** – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.

PPA considers the environmental impact of the non-compliance to be negligible. The average moisture content of the shipped copper concentrate product was 8.88 % for the MV Uni Wealth and 6.63% for the MV Merwedegracht, both above their respective DEMs.

#### Cause (or suspected cause) of non-compliance:

PPA received an updated DEM report on 15 January 2020 after the proponent went into care and maintenance on 8 December 2019. PPA were not aware of the updated DEM report dated 17 October 2018 and had been reviewing against the previous Product DEM. All product moistures were above the original DEM. After reviewing the backdated data against the new DEM it was noted 9 x product moistures were below the new DEM.

#### Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:

There were no identified adverse effects from this non-compliance. No action was undertaken specifically with the copper concentrate proponent. The Proponent went into care and maintenance on 8 December 2019 before the non-compliance was discovered. PPA requests updated DEM from all discrete products from Port Users on annual basis.

#### Was this non-compliance previously reported to DWER?

☐ Yes, and

☐ Reported to DWER verbally

Date: / /

☐ Reported to DWER in writing

Date:



Section E – Details of Non-Compliance with Licence Condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	13	Date(s) of non-compliance:	4-7 December 2019 and 25 December 2019
Details of non-compliance:			
In December 2019, 27 lidded rotaboxes received from one proponent containing copper concentrate were identified as being below Product DEM. Internal PPA process for product moisture licence condition non-compliance commenced on 7 January 2020. The proponent was contacted and PPA undertook an investigation.			
What was the actual (or suspected) environmental impact of the non-compliance?			
NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
<p>The copper concentrate hauled by the proponent was transported to PPA Eastern Operations in lidded rotaboxes, therefore the risk of dust production was negligible.</p> <p>Once received, the weekly product moisture data was checked and 20 x copper concentrate samples sampled between 4 - 7 December 2019 had product moisture contents below Product DEM. A further 7 x copper concentrate samples sampled on 25 December 2019 had product moisture contents below DEM. By the time the containers were identified, a number had already been loaded onto a vessel, which had representative shipping moisture value above DEM. The remaining containers were retested, resulting in all moisture values above DEM, therefore the risk of dust generation when loading this Product did not increase.</p>			
Cause (or suspected cause) of non-compliance:			
The proponent engaged an external auditor to investigate the non-compliance, who reported that a change to sample handling practices had led to samples drying out before moisture analysis and therefore the non-compliant results were unlikely to be representative of the full product portion.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
The proponent implemented alternative moisture sampling procedures on advice from the external auditor and increased the moisture generated by the minesite concentrate filters, particularly leading into the warmer ambient temperature months.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:	
<input type="checkbox"/> Reported to DWER in writing		Date:	

Section E – Details of Non-Compliance with Licence Condition			
Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.			
Condition no:	15 b	Date(s) of non-compliance:	8 August 2019
Details of non-compliance:			
The product moisture report for one spodumene vessel <i>Danziggergracht</i> was received 12 days after the completion of the shipment, not within the licence required 10 calendar days of the completion of the shipment.			
What was the actual (or suspected) environmental impact of the non-compliance?			
<b>NOTE</b> – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.			
PPA considers the environmental impact of the non-compliance to be negligible and administrative in nature. The product moisture results for this shipment were above the DEM and lithium concentrations from dust samples collected from HVAS during ship-loading were less than the laboratory level of reporting ( $<0.001\mu\text{g}/\text{m}^3$ ).			
Cause (or suspected cause) of non-compliance:			
The cause of the non-compliance was administrative where the Port user failed to provide the moisture report to PPA within the required timeframe. There have been no further non-compliances of this nature.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
This was the first and final spodumene concentrate shipment from the Proponent. No further action required.			
Was this non-compliance previously reported to DWER?			
<input type="checkbox"/> Yes, and			
<input type="checkbox"/> Reported to DWER verbally		Date:    /    /	
<input type="checkbox"/> Reported to DWER in writing		Date:	



## Section E – Details of Non-Compliance with Licence Condition

Please use a separate page for each condition with which the licence holder was non-compliant at a time during the reporting period.

Condition no:	20	Date(s) of non-compliance:	19 October 2019, 26 and 30 November 2019, 8 December 2019, 5 January 2020, 18 and 28 May 2020
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Details of non-compliance:

Samples not collected from HVAS:

### Copper and spodumene ship loading events –

- 26 November 2019 due to an unplanned relocation of the monitor – monitor was unable to be run due to no connection to power supply.
- 8 December 2019 as power to the monitor was impacted by electrical isolations undertaken by the Maintenance Department to rectify a facility fault - no power to the unit to run a full 24hr sample collection.
- 18 May 2020 due to a miscommunication resulting in HVAS not activated.

### 1 in 6 events –

- 19 October 2019 due to damage to the filter paper sustained during in-field collection – causing the sample to be unable to be analysed.
- 30 November 2019 as power to the monitor was impacted by electrical isolations undertaken as part of a port project – no power to the unit to run a 24hr sample collection
- 5 January 2020 due to an error at the laboratory.
- 28 May 2020 did not meet the full 24-hour sample duration required by AS 3580.9.6 (sample period was only 23 hours) due to the end time being incorrectly set 1 hour shorter than required (human error). The sample was sent to the laboratory for analysis as usual.

What was the actual (or suspected) environmental impact of the non-compliance?

**NOTE** – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.

There was no actual or suspected environmental impact of this non-compliance as the non-compliance relates to environmental monitoring events which does not increase the risk of emissions or discharges.

Cause (or suspected cause) of non-compliance:

The causes of these non-compliances were identified as:

- Unplanned relocation of the monitor (26 November 2019)
- Electrical isolations (30 November 2019 and 8 December 2019)
- Human error (19 October 2019, 5 January 2020, 18 May 2020 and 28 May 2020 events)

Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:

**19 October 2019 event** – Filter collection is halted when the helipad is in use as damage was sustained to the filter paper during in-field collection by strong winds from the helicopter taking off.  
**26 November 2019 event** - Communications improved between PPA maintenance and environment personnel to ensure the monitor is not relocated without prior approval.  
**30 November and 8 December 2019 events** – No mitigation available for rectifying faults.  
**5 January 2020 event** – Laboratory made aware of non-compliance of licence conditions due to an error at the facility.  
**18 and 28 May 2020 events** – Closer monitoring of shipping movements and communication with PPA Operations on to ensure change in vessel berthing times are captured by environment team.


Section E – Details of Non-Compliance with Licence Condition	
Was this non-compliance previously reported to DWER?	
<input checked="" type="checkbox"/> Yes, and	
<input type="checkbox"/> Reported to DWER verbally	Date:    /    /
<input checked="" type="checkbox"/> Reported to DWER in writing	Date: 2019/20 Q2 Dust Report 30.01.2020 2019/20 Q3 Dust Report 21.04.2020 2019/20 Q4 Dust Report 30.07.2020



**Section F – Declaration**

I / We declare that the information in this Annual Audit Compliance Report is true and correct and is not false or misleading in a material particular<sup>1</sup>.

I / We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation's (DWER) website.

Signature <sup>2</sup> :		Signature:	
Name: (printed)	Roger Johnston	Name: (printed)	
Position:	Chief Executive Officer	Position:	
Date:	25/9/2020	Date:	
Seal (if signing under seal):			

<sup>1</sup> 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.

<sup>2</sup> AACRs can only be signed by the licence holder or an authorised person with the legal authority to sign on behalf of the licence holder.