Decision Report

Application for Works Approval

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

Works Approval Number	W6706/2022/1
Applicant	BHP Nickel West Pty Ltd
ACN	004 184 598
File number	DER2022/000311
Premises	Mt Keith Operations Legal description Part mining tenements M53/165 and M53/56 as defined by the coordinates in Schedule 2 of W6706/2022/1
Date of report	16 November 2022
Decision	Works approval granted

Christine Pustkuchen
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A/MANAGER, RESOURCE INDUSTRIES

Officer delegated under section 20 of the Environmental Protection Act 1986

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1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and commissioning of the premises. As a result of this assessment, works approval W6706/2022/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) has considered and given due regard to its regulatory framework and relevant policy documents which are available at https://dwer.wa.gov.au/regulatory-documents.

2.2 Application summary and overview of premises

On 4 July 2022, BHP Nickel West Pty Ltd (the Applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The Applicant currently holds an existing licence L6453/1990/12 for the Mt. Keith Operations within the Shire of Wiluna for Category 5: Processing or beneficiation of metallic or non-metallic ore, Category 12: screening etc. of material, Category 54: sewage facility, Category 57: Used tyre storage, Category 64: Class II putrescible landfill, and Category 73: Bulk storage of chemicals.

The application is to undertake construction works relating to Category 5: Processing or beneficiation of metallic or non-metallic ore at the Mt Keith Operations. The premises is approximately 72 km north-north-west of Wiluna.

The premises relates to the category and assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6706/2022/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER, 2020) are outlined in the works approval.

The open pit mine supporting Mt Keith Nickel West processing plant is nearing the end of its economic life and volumes extracted from this pit are reducing. The majority of ore required to continue to support Nickel West processing plant production in the future will be drawn from the Mt Keith Satellite operation deposits, licenced under L6453/1990/12, located approximately 15 km south of Mt Keith Nickel Mine. Mt Keith Satellite ore comprises of finer particles than those mined at Mt Keith Nickel resulting in lower overall nickel recovery from the blended ore. To maximise nickel recovery, the Applicant is proposing to implement the Mount Keith Nickel Improvement Recovery Program – 1 to upgrade the technology within the Mt Keith Nickel West processing plant.

This Works Approval application is to allow the construction and commissioning of:

- A Concorde Cell Circuit – A new system comprising two Rougher Concorde cells and one Cleaner Concorde Cell. This will use high shear technology to recover finer particles. This will be installed within the module 2 Slimes Circuit that will replace the existing cleaner circuit; and
- Flash Flotation Circuits (module 1 and 2) – New flotation technology designed to recover higher grades of nickel. This is composed of two identical modules designed to replace the existing cyclone clusters.

Works will consist of:

- Removal of three existing Conditioning Tanks;
- Repairs to concrete flooring following removal and demolition of existing infrastructure;
- Relocation of existing Ball Bunker;
- Removal of existing Process Air Compressors and relocation of Instrument Air Dryers;
- Change of Backup Ball Mill Cyclone Feed Pump to same specification as Duty Pump;
- Removal and disposal of existing four cyclone cluster and associated feed pipes; and
- Infill of steel flooring and repair of concrete bunds following structural support removal associated with demolition.

The infrastructure will be constructed in three stages with each stage being commissioned and placed into operation at different intervals.

2.3 Disseminated Nickel Sulphide Ore

The new circuits will not change the Category 5 annual throughput or water balance required. There are no proposed changes in the volume of material reporting to the tailings storage facility (TSF), therefore there are no changes proposed to the throughput of licence L6453/1990/12. There will be a minor reduction in the sulphide content and increase in the sulphate content within the tailings material and as a result improvement in nickel recovery with both new circuits. The ore mined is a disseminated nickel sulphide ore with in-situ sulphur contents generally ranging between 0.01-1% Sulphur (MP Reg ID 71655, 84527).

Sulphate increase

The anticipated change from the improved technology is that Magnesium Sulphate will increase 0.32% W/W from 3.06 to 3.38% as the Sulphuric Acid added in the process reacts with Magnesite (the carbonate mineral). Sulphate ion is expected to increase 0.25% W/W from 2.45 to 2.70% as a component of Magnesium Sulphate.

Sulphide decrease

Pentlandite (the dominant Sulphide-bearing mineral) in the tailings (waste) stream is expected to decrease 0.037 % W/W from 0.57% to 0.53%. Sulphide ion is expected to decrease 0.012 % W/W from 0.60 % to 0.59% as a component of the Pentlandite.

It should be noted, the density, particle size distribution and other mineral content will remain unchanged. The Applicant has stated that changes to the waste stream are considered minor and the operation is not anticipated to negatively impact acid-buffering or the acid neutralising capacity of the tailings stream.

2.4 Part IV of the EP Act

Ministerial Statement (MS) 415 was issued on 7 May 1996 and approves the design and operation of the Mt Keith Nickel Mine central discharge tailings storage facility. A section 45c under the EP Act was approved on 14 October 2019 to increase tailings storage capacity, delineate the development envelope, and amend the proposed description and elements.

MS1087 was published on 28 December 2018 for the Mt Keith Satellite project which involves the development of a nickel mine as a satellite to the existing Mt Keith Mine.

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.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and commissioning which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Construction and Operation			
Dust	Demolition and removal of old infrastructure, vehicle use, and earthworks associated with the installation of new Concorde Cell circuit, Flash Flotation circuit and associated infrastructure.	Air/windborne pathway	General • Vehicle speed limits in place; • Water carts to suppress visual dust emissions; • Managed in accordance with BHP Nickel West Topsoil Stripping and Handling Procedure (NIW-HSEC-PRO-0035); and • Implementation of BHP Nickel West Air Emissions Management Procedure (NIW-ENV-PRO-003).
Sediment laden Stormwater	Installation of new Concorde Cell circuit and Flash Flotation circuit and associated infrastructure.	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality.	Concorde Cell Circuit & Flash Flotation Circuit • Bunds installed around Concorde Cell Circuit and Flash Flotation Circuit; and • All bunds overflow into the nearby SAG Mill bunded area. General Plant Area • Existing drainage structures.
Reagent spills or leaks (Xanthate, Guar)	New Concorde Cell circuit and Flash Flotation circuit and associated infrastructure.	Overland runoff caused from spills/leaks/overflows from tanks or pipes Seepage into ground Surface runoff and infiltration	• Immediate removal of spilled material; • contaminated material disposed of at bioremediation area or an approved location in accordance existing Mt Keith Nickel West site procedures, and conditions of Licence L6453; and • Stored and managed in accordance with Dangerous Goods Site Licence 012675
Hydrocarbons	Hydrocarbon storage	Direct discharge to soils Surface water runoff	• Bulk hydrocarbons stored outside the Proposed premises boundary;

Emission	Sources	Potential pathways	Proposed controls
		Infiltration to groundwater	• Storage, use and transport of hydrocarbons managed under the existing BHP Nickel West Environmental Management Plan (NMK NiW-HSECPLN-001); • Immediate removal of spilled material; and • Contaminated material disposed of at bioremediation area or an approved location.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's employees, visitors, and contractors from its assessment. Protection of these parties often involves different exposure risks and prevention strategies and is provided for under other state legislation.

Table 2 below provides a summary of potential environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises *(Guideline: Environmental Siting* (DWER 2020)).

The closest human receptors are the Wanjarri Nature Reserve camping area located approximately 22.5 km southeast of the proposed activities and Albion Downs Pastoral Station located 17.5 km from the proposed activities. Due to the distance between these receptors and the proposed activities the risk is determined to be non-existent and will not be considered further in this risk assessment.

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Environmental receptors	Distance from prescribed activity
Groundwater	The Premises is located within the East Murchison Groundwater Area proclaimed under *Rights in Water and Irrigation Act 1914.* Groundwater at the premises is considered 'marginal to brackish' and at depth of 20 meters below ground level (mbgl) (SWS 2020). The ground which the equipment will be constructed on is fractured and deeply weathered rocks - local aquifers, minor groundwater resources, locally large supplies from fracture zones and permeable horizons in weathering profile.
Surface Water Lines	One seasonal surface water line intersects the works approval boundary. Another seasonal waterline is located 330 m east of the works approval boundary. The area's natural catchments drain to the east into the Lake Maitland catchment. Apart from a limited period after significant storm events, the majority of surface water runoff from the Premises is unlikely to reach Lake Maitland (50km east). The catchment drains to the north of the Wanjarri Nature Reserve and does not enter the reserve.

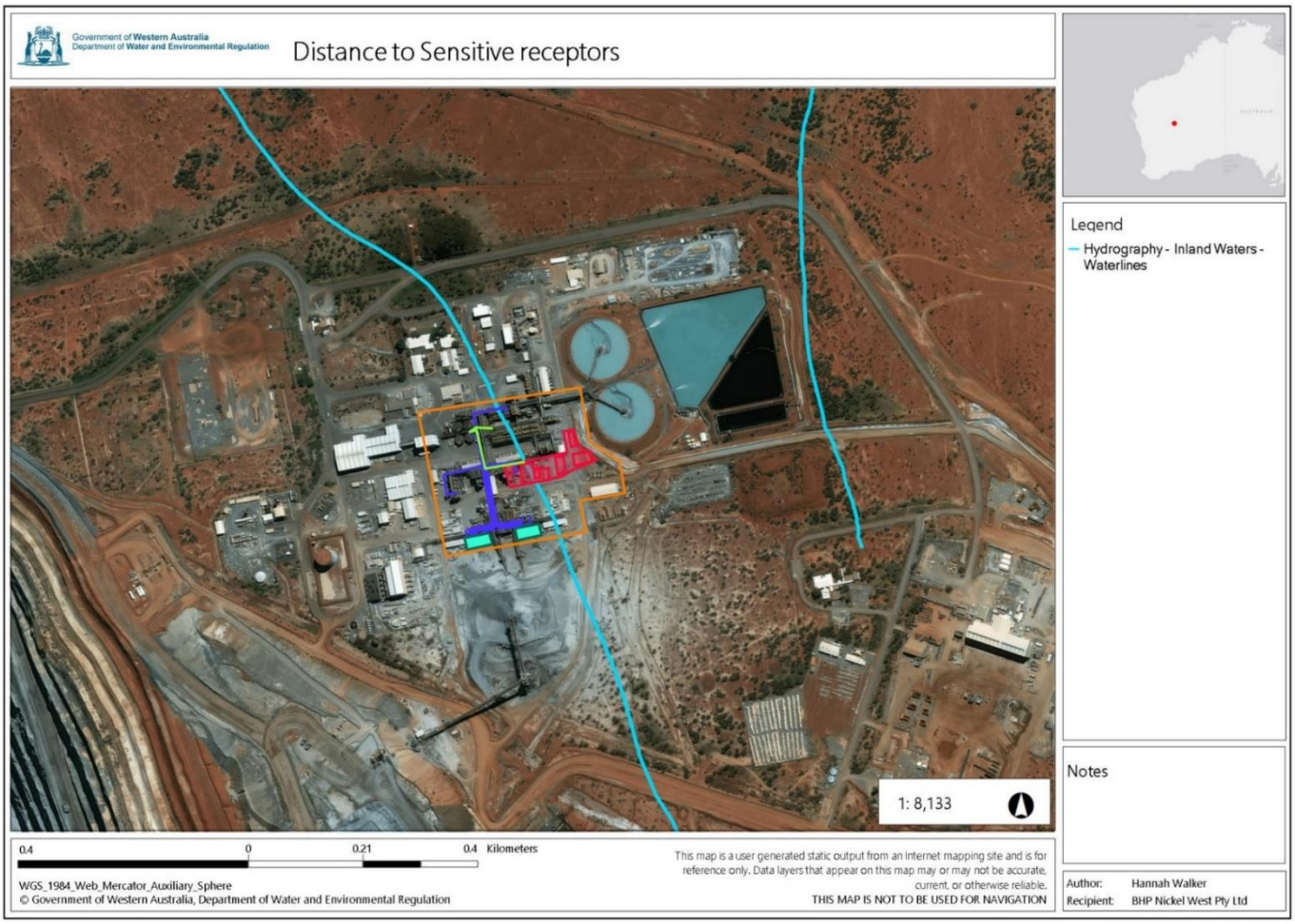

Figure 1: Distance to sensitive receptors

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the delegated officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Works approval W6706/2022/1 that accompanies this decision report authorises construction and time limited operations. The conditions in the issued works approval, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3: Risk assessment of potential emissions and discharges from the premises during construction and commissioning

Risk events					Risk rating [1] C = consequence L = likelihood	Applicant controls sufficient?	Conditions [2] of works approval	Justification for additional regulatory controls
Sources / activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Applicant controls**				
Construction								
Installation of new Concorde Cell circuit and Flash Flotation circuit and associated infrastructure	Dust Noise	Air / windborne pathway causing impacts to health and amenity Deposition of dust on soil / vegetation	No human receptors Minimal native vegetation near by	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	No residences or sensitive land uses within 15 km of the proposed activity. The Delegated Officer considers that the provisions of the *Environmental Protection (Noise) Regulations 1997* are sufficient to regulate noise emissions during construction
Operation (and Commissioning)								
Operation of Concorde Cell circuit and Flash Flotation Circuits	Noise	Air / windborne pathway causing impacts to health and amenity	No Receptor	Refer to Section 3.1	N/A	Y	N/A	No residences or sensitive land uses within 15 km of the proposed activity. The Delegated Officer considers that the provisions of the *Environmental Protection (Noise) Regulations 1997* are sufficient to regulate noise emissions during construction

Risk events					Risk rating [1] C = consequence L = likelihood	Applicant controls sufficient?	Conditions [2] of works approval	Justification for additional regulatory controls
Sources / activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Applicant controls**				
	Reagents Xanthate / Hydrocarbons	• Leaks/spills could cause impacts to health and amenity • Surface infiltration causing contamination of soil and water	Groundwater Ephemeral creek lines	Refer to section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 1 – construction requirements Condition 6– hazardous material recovery	Applicant's controls have been conditioned within the works approval.
	Contaminated stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Groundwater Two seasonal surface water lines	Refer to Section 3.1	C = Slight L = Unlikely Low Risk	Y	N/A	The new infrastructure will be constructed within an area with existing drainage infrastructure. No additional regulatory controls required.
	Change in tailings geochemical composition	Discharge to TSF – changes in tailings leachate composition	Groundwater	N/A	C = Minor L = Unlikely Medium Risk	N	**Condition 7, 8, 9 – tailings analysis**	No additional controls have been proposed by the Applicant to manage the impact (if any) of changes to the tailings geochemical composition as a result of the change in ore type and operation of the two new processing circuits. It is expected there will be a minor reduction in the sulphide content and an increase in the sulphate content within the tailings material. It is noted that the density,

Risk events					Risk rating [1] C = consequence L = likelihood	Applicant controls sufficient?	Conditions [2] of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
								particle size distribution and other mineral content is expected to remain unchanged. To confirm this the Delegated Officer has determined to add a condition to the works approval requesting tailings geochemical analysis to be undertaken during TLO of stage 3 infrastructure and for the results to be submitted to the department.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk Assessments* (DWER 2020).

Note 2: Proposed applicant controls are depicted by standard text. Bold and underline text depicts additional regulatory controls imposed by department.

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 29/08/2022	None received.	N/A
Local Government Authority advised of proposal on 22/08/2022		
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal 22/08/2022		
Applicant was provided with draft documents on 25/10/2022	See Appendix 1	See Appendix 1
Applicant was provided with draft documents on 16/11/2022	Applicant has no further comments and waives the rest of the comment period.	Noted.

5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

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. Surface Water Solutions (SWS 2020), *MKD-1-PREP-000000-0001/0 Mt Keith Operation Debottlenecking General Hydrological Project Report*, Kelmscott WA

Appendix 1: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of applicant's comment	Department's response
Term	Request for expiry date of November 26	Accepted
Condition 4	Project to be developed and commissioned in three stages; hence the request for longer term of Works Approval	Conditions 1-4 have been updated to reflect staged construction. Conditions updated and second draft to be sent.
Condition 7	For the purpose of clarity, we request that a nominated sampling point for tailings be identified. We request this is at the discharge of the tailings thickener pump	Accepted
Table 1	Flash float design now has two flotation air blowers: one for the rougher flash flotation cell and one for the cleaner tank cells.	Accepted

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY					
Application type					
Works approval	☒				
Licence	☐	Relevant works approval number:		None	☐
		Has the works approval been complied with?		Yes ☐ No ☐	
		Has time limited operations under the works approval demonstrated acceptable operations?		Yes ☐ No ☐ N/A ☐	
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?		Yes ☐ No ☐	
		Date Report received:			
Renewal	☐	Current licence number:			
Amendment to works approval	☐	Current works approval number:			
Amendment to licence	☐	Current licence number:			
		Relevant works approval number:		N/A	☐
Registration	☐	Current works approval number:		None	☐
Date application received		4 July 2022			
Applicant and Premises details					
Applicant name/s (full legal name/s)		BHP Nickel West Pty Ltd			
Premises name		Mt. Keith Operations			
Premises location		Part of mining tenements M53/165 and M53/56.			
Local Government Authority		Shire of Wiluna			
Application documents					
HPCM file reference number:		DER2018/001042-7~70			
Key application documents (additional to application form):		• Application as verified (A2111699) – Application as verified • BHP Nickel West Mt Keith Nickel Recovery Improvement Program – 1. Works Approval Supplementary information (A2111565) • Spatial Data (DWERDT638321) All dated July 4, 2022.			
Scope of application/assessment					
Summary of proposed activities or changes to existing operations.		New works approval <u>Construction</u> Category 5 Processing or beneficiation of metallic or			

	non-metallic ore: 1. Construction/Installation of a new concorde cell circuit (induced air cell using high shear technology to recover fine particles), comprising of: • Two rougher concord cells; • One cleaner concord cell; • Conditioning tanks; • Slurry transfer hoppers, pumps and pipelines; • Reagent storage (xanthate, frother, guar & soda ash and sulphuric acid), *(A) For noting:* ○ *The new infrastructure is proposed to be installed to improve the nickel recovery from the module 2 slimes circuit at the nickel concentration plant. This new infrastructure replaces the existing cleaner circuit.* ○ *The applicant has advised that the:* – *noise levels within the existing process plant (managed under licence L6453/1990/12) are compliant with the Environmental Protection (Noise Regulations) 1997;* – *noise levels for the proposed concorde cell circuit are expected to be similar to that of the existing cleaner circuit and therefore no additional noise management controls are proposed to be implemented; and* – *new concorde cell circuit water balance will remain the same as the existing module 2 slimes circuit.* 2. Construction/Installation of a new flash flotation circuit on grinding modules 1 and 2 (to support the recovery of a higher grade of nickel), comprising of: • Two mirror flotation circuits (module 1 and module 2), each comprising of: ○ One rougher cell; ○ Two cleaner cells; ○ Slurry transfer hoppers, pumps and pipelines; and ○ Reagent storage (xanthate, frother and guar). *(B) For noting:* ○ *New infrastructure proposed to be installed to improve the nickel recovery at the nickel concentration plant. This new infrastructure replaces the existing four cyclone clusters.* ○ *The applicant has advised that the:* – *noise levels within the existing process plant (managed under licence L6453/1990/12) are compliant with the Environmental Protection (Noise Regulations) 1997; and*

	– *noise levels for the proposed flash flotation circuit are expected to be less that of the existing semi-autogenous grinding (SAG) mill and therefore no additional noise management controls are proposed to be implemented.* <u>Commissioning:</u> Category 5 Processing or beneficiation of metallic or non-metallic ore: 3. Commissioning of the new concorde cell circuit. 4. Commissioning of the new flash flotation circuits. The applicant has not applied for time limited operations.

Category number/s (activities that cause the premises to become prescribed premises)

Table 1: Prescribed premises categories

Prescribed premises category and description	Proposed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 5: Processing or beneficiation of metallic or non-metallic ore	13,500,000 tonnes per annual period	N/A

Legislative context and other approvals

Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes ☐ No ☒	Referral decision No: N/A Managed under Part V ☒ Assessed under Part IV ☐
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes ☒ No ☐	Ministerial statement No: <u>MS 415</u> Mt Keith Nickel Mine central discharge tailings storage facility. Not relevant to this Works Approval <u>MS 1087</u> Published 28 December 2018 for the Mt Keith Satellite project for the development of a nickel mine as a satellite to the existing Mt Keith Mine. Section 45c of the EP Act approved 16 September 2020 to revise the development area and increase the clearing area.
Has the proposal been referred and/or assessed under the EPBC Act?	Yes ☐ No ☒	Reference No: N/A
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes ☒ No ☐	Certificate of title ☐ General lease ☐ Expiry: Mining tenements ☒:

		• M53/165 – expiry: 18/11/2032 • M53/56 – expiry: 26/07/2029 Other evidence ☐ Expiry:
Has the applicant obtained all relevant planning approvals?	Yes ☐ No ☐ N/A ☐	Approval: N/A Expiry date: N/A If N/A explain why? Premises is on mining tenement. <u>Mining Proposal</u> Mining Proposal being drafted June 2022. The installation and operation of the pipeline infrastructure is approved under Mining Proposals REG ID 76846, REG ID 84527 and REG ID 94015 (22 March 2021).
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes ☒ No ☐	CPS No: CPS 8877/2 No clearing is proposed. The applicant has advised that proposed construction activities will be undertaken in previously cleared areas.
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes ☐ No ☒	Application reference No: N/A Licence/permit No: N/A No clearing is proposed. The applicant has advised that proposed construction activities will be undertaken in previously cleared areas.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes ☒ No ☐	Licence/permit No: GWL69507 GWL69507 used to provide raw water for the Mt Keith Operations processing plant.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes ☐ No ☒	Name: East Murchison Groundwater area Type: Proclaimed Groundwater Has Regulatory Services (Water) been consulted? Yes ☐ No ☒ N/A ☐

Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes ☐ No ☒	Name: N/A Priority: N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes ☐ No ☐ N/A ☒
Is the Premises subject to any other Acts or subsidiary regulations (e.g. *Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx*)	Yes ☒ No ☐	• *Environmental Protection (Noise) Regulations 1997* • *Environmental Protection (Unauthorised Discharge) Regulations 2004* • *Mining Act 1978* • *Rights in Water and Irrigation Act 1914*
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes ☐ No ☒	N/A
Is the Premises subject to any EPP requirements?	Yes ☐ No ☒	N/A
Is the Premises a known or suspected contaminated site under the *Contaminated Sites Act 2003*?	Yes ☒ No ☐	Classification: Possibly contaminated – investigation required (PC–IR) CASS ID: 2429 Date of classification: 20 May 2011 DEC Reference: DEC5625