



Annual Audit Compliance Report Form

Environmental Protection Act 1986, Part V Division 3

Section A – Licence details

Licence number:	L4612/1989/11	Licence file number:	2012/006877-1
Licence holder name:	BHP Nickel West Pty Ltd		
Trading as:	BHP Nickel West		
ACN:	004 184 598		
Registered business address:	125 St Georges Terrace, PERTH WA 6000		
Reporting period:	01/08/2022 to 31/07/2023		

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 in 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
Category 5: Processing or beneficiation of metallic or non-metallic ore	1,924,615 t
Category 6: Mine dewatering	774,615 t
Category 12: Screening, etc. of material	232,322 t

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
Category 57: Used tyre storage (general)	<500 used tyres stored at any time
Category 64: Class II putrescible landfill site	1,206 t
Category 85: Sewage facility	32.08 m ³ average daily

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	Date(s) of non-compliance:	18.06.2023
Details of non-compliance:			
<p>Condition 15 – The licence holder shall install and maintain seepage collection infrastructure downstream of the TSFs, evaporation ponds and concentrate storage ponds to effectively manage groundwater mounding due to seepage from the containment infrastructure.</p> <p>Seepage of water from the southern evaporation ponds has resulted in groundwater mounding. Groundwater mounding in localized areas has been identified within the disturbance footprint.</p>			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>No impacts have been identified to date but there is potential for vegetation to be impacted due to high groundwater levels and soil saturation.</p>			
Cause (or suspected cause) of non-compliance:			
<p>Increase in mine dewatering volumes has resulted in a larger volume of water being discharged via the evaporation ponds.</p>			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>Recovery bore EPRB02-B is being closely managed to ensure it is constantly operational. Works are planned to infill areas of the evaporation ponds with material to 'plug' the area of the pond suspected to be seeping. Once this work has been completed, the success will be assessed by Geotechnical engineers and hydrologists who will determine the best course of action to reduce groundwater mounding in localized areas in the future.</p>			
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:	17	Date(s) of non-compliance:	Throughout reporting period
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Details of non-compliance:

Condition 17 – The licence holder shall undertake the monitoring in Table 3 according to the specifications in that table.

The following monitoring parameters required by Table 3 of the Licence were not obtained during the reporting period:

Standing water level data:

- MB70 (March quarterly)
- MB71 (March quarterly)
- MB72 (March quarterly)
- MB73 (March quarterly)
- MB74 (December, March and June quarterly)
- MB75 (March quarterly)
- MB76 (December and March quarterly)
- EPMB02A (December and March quarterly)
- ST03 (March quarterly)
- ST07 (March quarterly)

Nickel and TDS analytical data:

- MB74 (annual sample)
- MB76 (annual sample)
- EPMB02A (annual sample)
- EPRB02 (annual sample)

Field TDS data:

- ST01 (September quarterly)
- ST03 (September and March quarterly)
- ST07 (September and March quarterly)
- ST10 ST07 (September quarterly)

Field pH data:

- ST03 (March quarterly)
- ST07 (March quarterly)

Electrical conductivity profile data:

- MB60 (September and March quarterly)
- MB61 (March quarterly)
- MB62 (December and March quarterly)
- MB63 (March quarterly)
- MB64 (March quarterly)
- MB65 (March quarterly)
- MB66 (March quarterly)

Section E – Details of non-compliance with licence condition

Incomplete EC profiles for all EC profile monitoring requirements.

Recovery bore flow meters were generally read on a monthly basis however bore status and date of meter reading was often not recorded.

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.

No actual or suspected environmental impacts from this non-compliance. This non-compliance is deemed administrative in nature.

Cause (or suspected cause) of non-compliance:

Throughout the reporting period groundwater monitoring parameters were not able to be obtained due to various reasons from access constraints, bore casing integrity issues, administrative error and field device malfunctions.

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

A review of bore casing condition and access is being undertaken and remediation works will be determined to allow for future samples.

A thorough review of sampling requirements has been undertaken and administrative processes updated to ensure all samples are being taken in the future.

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:	24	Date(s) of non-compliance:	28.02.2023 & 20.09.2022
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Details of non-compliance:

Condition 24 – The licence holder shall ensure wastes from ancillary facilities such as maintenance workshops, vehicle wash-down bays, refueling depots and laboratories are managed in a manner which minimises their detrimental effect on the surrounding environment. Practical measures such as protective bunding, skimmers, silt traps, neutralization pits and petrol// oil traps are to be provided and maintained as appropriate.

28 February 2023: Following a heavy rainfall event, an oil water separator overflowed into a hardstand. It is estimated that approximately 5,000L of water containing hydrocarbons overtopped the sump onto a bitumised area which drains back into the sump.

20 September 2022: The capacity of an oil water separator at a workshop was exceeded resulting in water containing hydrocarbons overtopping the sump. It is estimated that an area of 5m² of disturbed area was impacted by the discharge.

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.

28 February 2023: No actual or suspected environmental impact from this non-compliance as the spill was contained to a hardstand area.

20 September 2022: No actual or suspected environmental impact from this non-compliance as the small area impacted was disturbed.

Cause (or suspected cause) of non-compliance:

28 February 2023: Heavy rainfall overloading the oily water separator. System not designed to cope with influx of water.

20 September 2022: Failure to effectively maintain the oily water separator lead to this discharge.

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

28 February 2023: Water drained back into the oil water separator and was processed through the system as required. Any remaining hydrocarbons in the surrounding hardstand area were cleaned up using absorbent matting and disposed of appropriately.

20 September 2022: A review will take place of the maintenance schedules and designs for both oil water separators to ensure that they are adequately maintained.

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:	26	Date(s) of non-compliance:	24.02.2023
Details of non-compliance:			
<p>Condition 26 – The licence holder shall maintain a minimum top of embankment freeboard of 300 millimeters within all storage facilities, other than the facilities listed in conditions 37 and 38, containing saline or alkaline constituents to accommodate extreme rainfall events and prevent overtopping. This condition includes, but is not limited to TSFs, return water dams, saline water dams and evaporation ponds.</p> <p>It was identified that the decant pond lost freeboard and overtopped, however the water in the pond did not leave the decant pond compound due to the bunding within the fenceline of the compound.</p>			
What was the actual (or suspected) environmental impact of the non-compliance?			
<p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
No actual or suspected environmental impact from this non-compliance.			
Cause (or suspected cause) of non-compliance:			
Heavy rainfall (40.4mm in <24hrs), resulted in increased inflows to the decant pond.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>Inflow to the decant pond from Cell F was ceased and a bypass to Harmony pit was opened to reduce inflows to the pond and prevent overtopping.</p> <p>An additional pump was installed at the decant ponds and changes made to the pipework to allow for increased removal of water in the event of significant rainfall events to prevent overtopping.</p> <p>As water level subsided the water naturally drained back into the decant pond.</p>			
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:	30	Date(s) of non-compliance:	24.07.2023
Details of non-compliance:			
<p>Condition 30 - The Licence holder shall ensure the operation and discharge from the wastewater treatment plant comply with the Water Quality Protection Note 22, "Irrigation with nutrient-rich waste water" (Department of Water, July 2008).</p> <p>During an audit it was identified that Nickel West is unable to meet compliance with Water Quality Protection Note 22 as the scope excludes the treatment of sewerage waste and is intended for pasture or crop irrigation and fertigation, which is not the disposal mechanism for treated wastewater from this wastewater treatment plant.</p>			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
No actual or suspected environmental impact from this non-compliance. This is an administrative non-compliance.			
Cause (or suspected cause) of non-compliance:			
Misapplication of the WQPN caused this non-compliance.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
The non-compliance will be added to our improvement register to prompt removal from the licence when next amendment is completed.			
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:	31	Date(s) of non-compliance:	27.07.2023
Details of non-compliance:			
<p>Condition 31 – The licence holder shall discharge the treated effluent so that ponding and pooling of the treated effluent do not occur.</p> <p>Pooling of treated wastewater was evident at the irrigation area. The pooling water was all contained within the irrigation area facility.</p>			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
No actual or suspected environmental impact from this non-compliance.			
Cause (or suspected cause) of non-compliance:			
Blockages of sprinkler head due to carry over material from the treatment process.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>When maintenance occurs, sprinklers are rotated and blockages cleared.</p> <p>Weekly inspections are scheduled in maintenance system. Where ponding, pooling or blocked sprinklers are identified the irrigation area is changed to allow time for ground to dry out and a maintenance work order is generated to resolve the issue and ensure even distribution of wastewater.</p> <p>A project is in place to upgrade the wastewater treatment plant (Works Approval application is currently being prepared) and the project will evaluate enhancements to the irrigation area.</p>			
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:	36	Date(s) of non-compliance:	05.04.2023
Details of non-compliance:			
<p>Condition 36 – The licence holder shall ensure wastewater treatment plant systems be maintained such that extreme rainfall events do not cause overtopping.</p> <p>During a daily inspection it was identified that the wastewater treatment plant was overtopping. Approximately 10,000L of wastewater was released. The wastewater did not leave the wastewater treatment compound.</p>			
<p>What was the actual (or suspected) environmental impact of the non-compliance?</p> <p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
<p>The impacted area was in the existing disturbance footprint therefore there was no actual or suspected impact of the overtopping.</p>			
Cause (or suspected cause) of non-compliance:			
<p>A blocked filter preventing effective conveyance of treated wastewater to the irrigation area, which caused water levels in the wastewater treatment plant to rise and overtop the storage capacity of the system.</p>			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
<p>The plant was isolated and the filter cleaned. In order to reduce the water levels the decant pump rate was adjusted to temporarily increase the volume of treated wastewater sent to the irrigation area.</p>			
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:	41 (b)	Date(s) of non-compliance:	28.07.2023
Details of non-compliance:			
<p>Condition 41 – Where the licence holder is notified or is aware of the disposal of contaminated solid wastes, the licence holder shall ensure the following procedures are in place for managing asbestos wastes:</p> <p>(b) The disposal areas(s) for more than one cubic meter of asbestos material shall be identified in the site Emergency Response Manual.</p> <p>During an audit it was identified that following a recent revision of the Leinster Emergency Response Plan, the asbestos disposal locations had been omitted.</p>			
What was the actual (or suspected) environmental impact of the non-compliance?			
<p>NOTE – please attach maps or diagrams to provide insight into the precise location of where the non-compliance took place.</p>			
No actual or suspected environmental impact from this non-compliance. This is an administrative non-compliance.			
Cause (or suspected cause) of non-compliance:			
This is due to an administrative oversight.			
Action taken to mitigate any adverse effects of non-compliance and prevent recurrence of the non-compliance:			
The Emergency Response Plan will be reviewed and a map with the asbestos disposal location will be incorporated.			
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 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 ¹ .			
I / We consent to the Annual Audit Compliance Report being published on the Department of Water and Environmental Regulation's (DWER) website.			
Signature ² :		Signature:	
Name: (printed)		Name: (printed)	
Position:	General Manager Concentrators BHP Nickel West	Position:	General Manager Northern Operations BHP Nickel West
Date:	21/09/2023	Date:	21/09/2023
Seal (if signing under seal):			

¹ 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.

² 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.