



Works approval number	W6588/2021/1	
Works approval holder	BHP Nickel West Pty Ltd	
ACN	004 184 598	
Registered business address	125 St Georges Terrace Perth, Western Australia 60000	
DWER file number	2012/003930-4	
Duration	5/11/2021 to	04/11/2026
Date of issue	8/11/2021	
Premises details	Kalgoorlie Nickel Smelter Lot 100 on Deposited Plan 212288, Celebration Road Legal description - Certificate of Title Volume 1670 Folio 313	

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i>)	Design capacity
Category 44: Metal smelting or refining: premises on which metal ore, metal ore concentrate or metal waste is smelted, fused, roasted, refined or processed.	67,525 tonnes per year (Oxygen plant only)

This works approval is granted to the works approval holder, subject to the attached conditions, on 8 November 2021, by:

MANAGER PROCESS INDUSTRIES

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

Works approval history

Date	Reference number	Summary of changes
8/11/2021	W6588/2021/1	Works approval granted.

Interpretation

In this works approval:

- (a) the words 'including', 'includes' and 'include' in conditions mean "including but not limited to", and similar, as appropriate;
- (b) where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (c) where tables are used in a condition, each row in a table constitutes a separate condition;
- (d) any reference to an Australian or other standard, guideline, or code of practice in this works approval:
 - (i) if dated, refers to that particular version; and
 - (ii) if not dated, refers to the latest version and therefore may be subject to change over time;
- (e) unless specified otherwise, any reference to a section of an Act refers to that section of the EP Act; and
- (f) unless specified otherwise, all definitions are in accordance with the EP Act.

NOTE: This works approval requires specific conditions to be met but does not provide any implied authorisation for other emissions, discharges, or activities not specified in this works approval.

Works approval conditions

The works approval holder must ensure that the following conditions are complied with:

Construction phase

Infrastructure and equipment

1. The works approval holder must install the infrastructure as set out in Table 1:
 - (a) in accordance with the corresponding infrastructure requirements; and
 - (b) at the corresponding infrastructure location.

Table 1: infrastructure requirements

	Infrastructure	Requirements	Infrastructure location
1.	VPSA Oxygen Plant with a capacity of not more than 67,525 tonnes per year	Drainage installed that directs all wastewater generated by the operation of the VPSA Oxygen Plant to the existing wastewater system. Vent installed (A1) for the purpose of directing all exhaust gases from the VPSA Oxygen Plant to the atmosphere	As shown in Schedule 1: Oxygen plant

Compliance reporting

2. The works approval holder must within 20 calendar days of the infrastructure required by condition 1 being installed:
 - (a) undertake an audit of compliance with the requirements of condition 1; and
 - (b) prepare and submit to the CEO an Environmental Compliance Report on that compliance.
3. The Environmental Compliance Report required by condition 2, must include as a minimum the following:
 - (a) certification by a suitably qualified engineer that the items of infrastructure or component(s) thereof, as specified in condition 1, have been installed in accordance with the relevant requirements specified in condition 1; and
 - (b) be signed by a person authorised to represent the works approval holder and contains the printed name and position of that person.

Time limited operations phase

Commencement and duration

4. The works approval holder may only commence time limited operations of the VPSA Oxygen Plant and infrastructure identified in condition 1 where the Environmental Compliance Report as required by condition 2 has been submitted by the works approval holder for that stage of infrastructure;
5. The works approval holder may conduct time limited operations of the VPSA Oxygen Plant and infrastructure identified in condition 1 Table 1 (as applicable):
 - (a) for a period not exceeding 180 calendar days from the day the works approval holder meets the requirements of condition 4; or

- (b) until such time as a licence for the VPSA Oxygen Plant and infrastructure identified in condition 1 is granted in accordance with Part V of the *Environmental Protection Act 1986* whichever occurs first.

Emissions

6. During time limited operations, the works approval holder must ensure that the emissions specified in Table 2, are emitted only from the corresponding emission points and only at the corresponding emission point locations.

Table 2: Authorised discharge points during time limited operations

Emission point	Emission	Emission point location (as shown in Schedule 1: Maps)
A1: VPSA Oxygen plant exhaust gas vent	Exhaust gases from O ₂ process consisting of mainly N ₂ and O ₂ and minor concentrations of other gases	A1

Time limited operations reporting

7. The works approval holder must submit to the CEO a report on the time limited operations within 60 calendar days of the completion date of time limited operations or 60 calendar days before the expiration date of the works approval, whichever is the sooner.
8. The works approval holder must ensure the report required by condition 7 includes the following:
- (a) a summary of the time limited operations, including timeframes and oxygen produced;
 - (b) a summary of the environmental performance of all infrastructure as constructed or installed (as applicable); and
 - (c) where the manufacturer's design specifications and the conditions of this works approval have not been met, what measures will the works approval holder take to meet them, and what timeframes will be required to implement those measures.

Records and reporting (general)

9. The works approval holder must record the following information in relation to complaints received by the works approval holder (whether received directly from a complainant or forwarded to them by the Department or another party) about any alleged emissions from the premises:
- (a) the name and contact details of the complainant, (if provided);
 - (b) the time and date of the complaint;
 - (c) the complete details of the complaint and any other concerns or other issues raised; and
 - (d) the complete details and dates of any action taken by the works approval holder to investigate or respond to any complaint.
10. The works approval holder must maintain accurate and auditable books including the following records, information, reports, and data required by this works approval:
- (a) the works conducted in accordance with condition 1;

- (b) any maintenance of infrastructure that is performed in the course of complying with condition 1;and
- (c) complaints received under condition 9.

11. The books specified under condition 10 must:

- (a) be legible;
- (b) if amended, be amended in such a way that the original version(s) and any subsequent amendments remain legible and are capable of retrieval;
- (c) be retained by the works approval holder for the duration of the works approval; and
- (d) be available to be produced to an inspector or the CEO as required.

Definitions

In this works approval, the terms in Table 3 have the meanings defined.

Table 3: Definitions

Term	Definition
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 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
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.
Environmental Compliance Report	means a report to satisfy the CEO that the conditioned infrastructure and/or equipment has been constructed and/or installed in accordance with the works approval.
prescribed premises	has the same meaning given to that term under the EP Act.
time limited operations	refers to the operation of the infrastructure and equipment identified under this works approval that is authorised for that purpose, subject to the relevant conditions.
works approval	refers to this document, which evidences the grant of the works approval by the CEO under section 54 of the EP Act, subject to the conditions.
works approval holder	refers to the occupier of the premises being the person to whom this works approval has been granted, as specified at the front of this works approval.

END OF CONDITIONS

Schedule 1: Maps

Premises map

The boundary of the prescribed premises is shown in the map below (Figure 1).

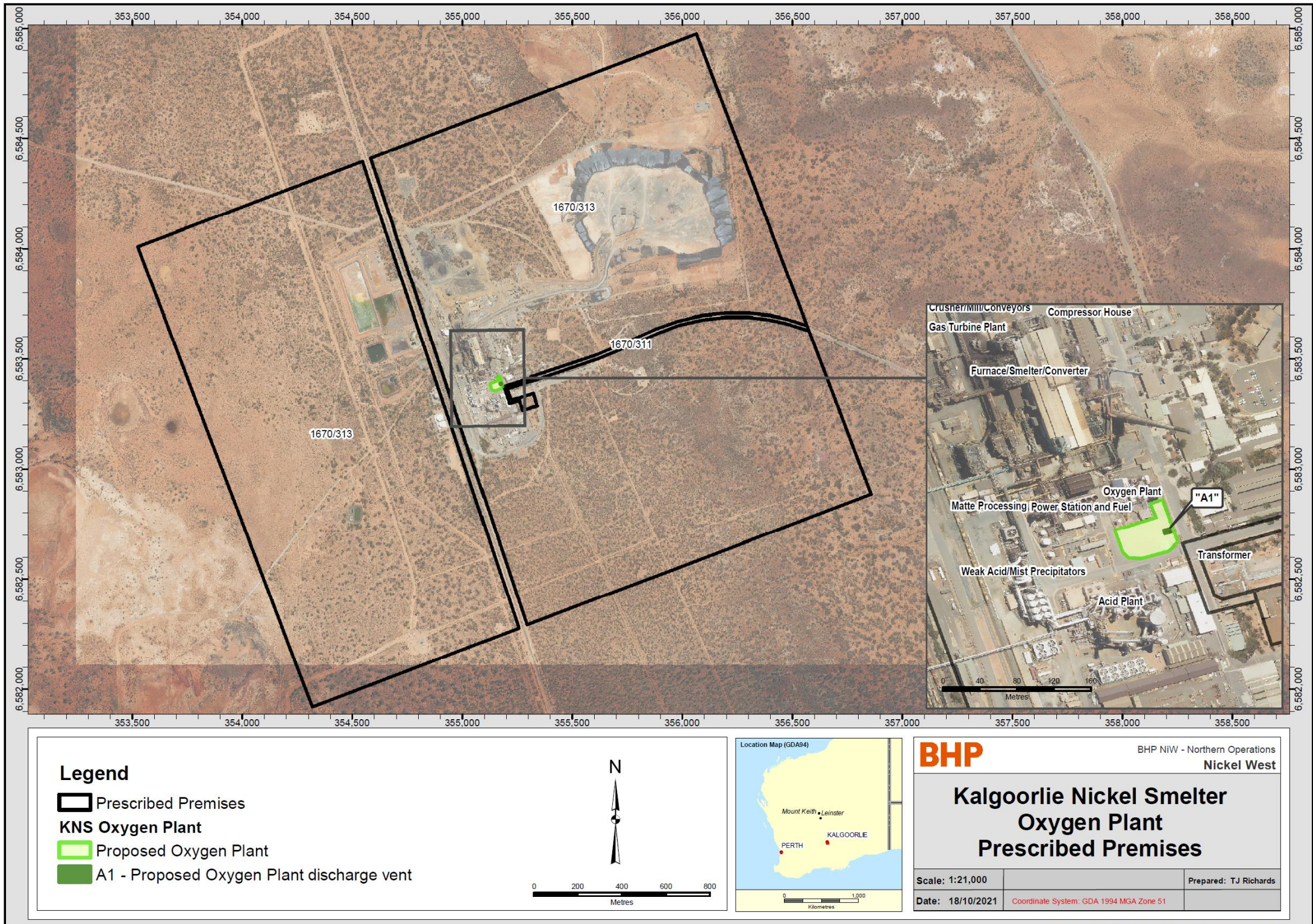


Figure 1: Map of the boundary of the prescribed premises