



## Yara Pilbara Nitrates Compliance Assessment Plan Ministerial Statement 870

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Process Domain: Environmental Approvals and Compliance

HESQ-YPN-PRO-035-01

### Introduction

Yara Pilbara Nitrates Pty Ltd (YPN) manages and is the Proponent for the Technical Ammonium Nitrate (TAN) Plant on the Burrup Peninsula, Western Australia. The TAN Plant is approved under Part IV of the Environmental Protection Act 1986 through Ministerial Statement 870 (MS 870) which was issued on 11 July 2011.

A Compliance Assessment Plan (CAP) was prepared in August 2012 to meet the requirements of Condition 4.1 of MS 870. The CAP (Revision 01) was endorsed by the Office of the Environmental Protection Authority (OEPA) in August 2012 and has been implemented through the construction and commissioning phases of the Project.

A revision of the CAP (Rev 02) was prepared and provided in January 2019 to reflect the change in the status of the TAN Plant to operations.

Revision 03 of the CAP (this document) was prepared to include new Ministerial Conditions. Note Condition 5 of Ministerial Statement 870 is removed and replaced with new conditions.

### 1. Purpose and Scope

This CAP has been prepared in order to fulfil Ministerial Conditions 4.1 and 4.2 of Ministerial Statement 870 and with consideration of the OEPA's Post-Assessment Guideline 2 (PAG2).

#### Ministerial Condition 4.1

"The PROPONENT shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO".

#### Ministerial Condition 4.2

"The PROPONENT shall submit to the CEO the compliance assessment plan required by condition 4-1 at least 6 months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner".

Therefore, the purpose of this CAP is to comply with both conditions referred to above about preparing and maintaining a Compliance Assessment Plan (CAP) to the satisfaction of the Chief Executive Officer (CEO) of the Office of the Environmental Protection Authority (OEPA). The Condition 4-2 gives further details about the CAP performance, to indicate:

1. the frequency of compliance reporting;
2. the approach and timing of compliance assessments;
3. the retention of compliance assessment;
4. the method of reporting of potential non-compliances and corrective action taken;
5. the table of contents of compliance assessment report; and;
6. public availability of compliance assessment report.

This CAP applies to YPN's TAN Plant as defined in Schedule 1 of MS870 (as updated from time to time in accordance with provisions of the Environmental Protection Act 1986).

### 2. Compliance Assessments and Reporting

#### 2.1. Approach to Compliance Assessment

YPN shall on an annual basis assess compliance with all conditions of Statement 870 as outlined in the Audit Table (Appendix A). This assessment shall be documented within an annual Compliance Assessment Report (CAR).

The compliance status of each element of the Audit Table shall be assigned in accordance with the definitions provided in Table 1, which are consistent with the OEPA's Post-Assessment Guideline 1 (PAG1).

The CAR shall be prepared to meet the requirements of Condition 4.6 and to be consistent with the OEPA's Post-Assessment Guideline 3 (PAG3).

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Table 1: Definitions and Compliance Status Terms

Compliance Status Terms	Abbrev	Definition
Compliant	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.
Completed	CLD	A requirement with a finite period of application has been satisfactorily completed.
Not required at this stage	NR	The requirements of the audit element were not triggered during the reporting period.
Potentially non-compliant	PNC	Possible or likely failure to meet the requirements of the audit element.
Non-compliant	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.
In process	IP	Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending.

## 2.2. Frequency and Timing of Compliance Assessments

In accordance with Condition 4.6, CAR’s shall be undertaken annually for a twelve month period from the anniversary of the date of issue of MS 870 (which was issued on 11 July 2011). For practical considerations YPN proposes the annual reporting period for CAR’s shall be 1 July through until 30 June the following year.

Condition 4.6 requires that the CARs are to be submitted “annually from the date of the submission of the first compliance report”. The first TAN Plant CAR was submitted on 10 October 2012, and future CAR’s will be submitted by this date each year.

## 2.3. Reporting of any Non-Compliance or Potential Non-Compliance

The CEO of DWER will be advised, via letter, within seven days of any non-compliance, or potential non-compliance being known, as required by Condition 4.5 of Statement 870.

This advice will include:

- A description of the event resulting in non-compliance, or potential non-compliance;
- The date(s) the event occurred;
- The location of the event; and
- A description of either the remedial and/or corrective actions taken to address the non-compliance and prevent its future re-occurrence; or



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- An outline of the process and timing of any investigation being undertaken into the causes of the non-compliance, and will include a commitment to advise the CEO of the corrective actions being implemented as a result of the investigation.

Condition 5.5 also requires that any non-compliances with Condition 5.2 must have:

- An investigation undertaken to determine the cause of the non-compliance; and
- A report must be provided to the CEO within ninety (90) days of the non-compliance being reported as required by condition 5-5(1). The report shall include:
  - a) the cause of the non-compliance;
  - b) the findings of the investigation required by condition 5-5(2);
  - c) details of revised and/or additional management actions to be implemented to prevent non-compliance; and
  - d) relevant changes to proposal activities.

Non-compliances, and the corrective and preventative actions taken, will also be described in the CAR's and include the information required by the OEPA's PAG3.

## 2.4. Retention of Compliance Assessments

CARs and supporting documents shall be retained for the life of the TAN Plant, plus an additional seven years (as required by Condition 4.4 and PAG2). These records are available upon request, to the CEO of DWER.

The termination of the life of the TAN Plant is considered to be the time at which DWER is satisfied that the decommissioning criteria as defined within the TAN Plant Decommissioning Plan (as required by Condition 10.2) have been met.

Table 2: Table of Contents of CARs

Heading	Description
Declaration	Declaration by the authorised representative of Yara Pilbara Nitrates Pty Ltd that the contained in the CAR is true and not misleading .
Introduction	Describes the purpose and scope of the CAR. Provides an overview of the TAN Plant, details on the public availability of CAR's and indicates if any changes are proposed to the CAP.
Audit Methodology	A brief discussion of the audit process implemented to determine compliance with MS870 for reporting in the CAR.
Compliance	Includes of a statement as to compliance with the conditions of the Ministerial Statement, over the reporting period. Contains the outcomes of the compliance assessment against each element of the MS 870 Audit Table and Schedule 1. Details all non-compliances and potential non-compliances and describes the corrective and preventative actions taken.



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Conclusion	A summary of the results of the audit and the compliance status of the conditions of MS870.
Attachments	Supporting documents and evidence that demonstrate compliance.

### 2.5. Public Availability

The DWER approved CAP and the annual CAR's shall be made publicly available and placed on the yara.com.au website, or an equivalent website, for the life of the Project. Within 7 days of submission of the annual CAR to DWER it shall be publicly available at:

<https://www.yara.com.au/about-yara/about-yara-australia/pilbara/yara-pilbara-nitrates/>

A URL link to the report uploaded will be sent to the Compliance Branch through the compliance@dwer.wa.gov.au email address.

### 3. Audit Table

The current audit table for MS870 is provided in Appendix A.

#### 3.1. Schedule 1 of MS870

Schedule 1 of MS870 describes the key proposal characteristics of the approved TANPF, outlines the authorised extent of production and delineates the authorised development envelope and disturbance footprint associated with construction of the plant. The Schedule has been amended via a Section 45C change to the proposal on 7 June 2017. Modifications made to the Compliance Assessment of Key Characteristics Table (as shown in Table 5) were:

- decrease the development envelope (area of project lease) from 79 to 48.77 hectares (ha);
- decrease the disturbance footprint from 35 to 33.11 ha;
- remove bagged and bulk TAN storage capacity; and
- update figures 1 and 2 and delineation coordinates.

Condition M1-1 of MS870 requires that the TAN Plant shall be implemented as documented and described in Schedule 1 of MS870. An audit table for Schedule 1 of MS870 is provided in Appendix B.

### 4. References

MS870	Ministerial Statement 870 issued under Environmental Protection Act 1986 (11/07/2011)
TAN PER	Technical Ammonium Nitrate Production Facility Public Environmental Review for Burrup Nitrates Pty Ltd (January 2010)
MS870 Attachment 2	Attachment 2 to Ministerial Statement 870 (7 June 2017)
PAG1	Post Assessment Guideline for Preparing an Audit Table (PAG1) (August 2012)
PAG2	Post Assessment Guideline for Preparing a Compliance Assessment Plan (PAG2) (August 2012)
PAG3	Post Assessment Guideline for Preparing a Compliance Assessment Report (PAG3) (August 2012)

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Appendix A: MS870 Audit Table

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
870:M1.1	Proposal Implementation	The proponent shall implement the proposal as documented and described in schedule 1 of this statement subject to the conditions and procedures of this statement.	Proposal to be implemented in accordance with Schedule 1 of Statement No. 870 (updated as Attachment 2 of MS870), including the key proposal characteristics	Annual CAR.	Overall	Ongoing		
870:M2.1	Proponent Nomination and Contact Details	The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the <i>Environmental Protection Act 1986</i> is responsible for the implementation of the proposal.	Provide written notification including the details of the name and address of the new proponent	Ministerial Statement 870, or letter of advice from Minister of the Environment.	Overall	Ongoing		
870:M2.2	Proponent Nomination and Contact Details	The proponent shall notify the Chief Executive Officer of the Office of the Environmental Protection Authority (CEO) of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.	Provide written notification to the CEO of DWER of any change in proponent details.	Letter to the CEO of DWER.	Overall	Within 30 days of such change		
870:M3.1	Time Limit of Authorisation	The authorisation to implement the proposal provided for in this statement shall lapse and be void five years after the date of this statement if the proposal to which this statement relates is not substantially commenced.	Provide written notification to the CEO of DWER that the proposal has been substantially commenced within 5 years of the date of MS870	Nil	Overall	Before 11 July 2016		
870:M3.2	Time Limit of Authorisation	The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.	Notify in writing the CEO of DWER that the project has substantially commenced.	Letter of notification.	Overall	Before 11 July 2016		
870:M4.1	Compliance Reporting	The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO.	Prepare and maintain a Compliance Assessment Plan (CAP) and an audit table in accordance with the 'Post Assessment Guideline for Preparing an Audit Table'. Written correspondence to/from CEO of DWER.	Submitted CAP. Correspondence from CEO of DWER that submitted CAP is satisfactory.	Overall	Ongoing		
870:M4.2	Compliance Reporting	The proponent shall submit to the CEO the compliance assessment plan required by condition 4-1 at least 6 months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner. The compliance assessment plan shall indicate: 1. the frequency of compliance reporting; 2. the approach and timing of compliance assessments; 3. the retention of compliance assessments; 4. the method of reporting of potential non-compliances and corrective actions taken; 5. the table of contents of compliance assessment reports; and 6. public availability of compliance assessment reports.	Submit the CAP to CEO of DWER. The CAP includes: 1. frequency of CAR, 2. approach and timing of compliance assessments, 3. retention of compliance assessments, 4. methods of reporting non-compliances and corrective actions reporting, 5. Table of contents of CAR and 6. Public availability of CAR	Submitted CAP. Correspondence from YPN submitting CAP to CEO of DWER.	Pre-construction	Six months prior to the first CAR or prior to implementation, whichever is sooner		
870:M4.3	Compliance Reporting	The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by condition 4-1.	Undertake compliance assessment according to the approved CAP.	Annual CAR.	Overall	CAR annually by 10 October		
870:M4.4	Compliance Reporting	The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by condition 4-1 and shall make those reports available when requested by the CEO.	Retain electronic and hardcopies of Compliance Assessment Reports for the life of the Project, maintained as per PROPOSAL's Document Control	Annual CARs. Correspondence providing CAR	Overall	When required by CEO		

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Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
			Management System requirements being retrieved if required	records at any request by CEO of DWER.				
870:M4.5	Compliance Reporting	The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known.	Notify CEO of DWER in writing.	Correspondence to CEO of DWER.	Overall	Within 7 days of non-compliance being known		
870:M4.6	Compliance Reporting	The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this Statement addressing the twelve month period from the date of issue of this Statement and then annually from the date of submission of the first compliance report. The compliance assessment report shall: 1. be endorsed by the proponent's Managing Director or a person delegated to sign on the Managing Director's behalf; 2. include a statement as to whether the proponent has complied with the conditions; 3. identify all potential non-compliances and describe corrective and preventative actions taken; 4. be made publicly available in accordance with the approved compliance assessment plan; and 5. indicate any proposed changes to the compliance assessment plan required by condition 4-1.	Submit the CAR to CEO of DWER in accordance with CAP.  The CAR shall: 1. be endorsed by the proponent's Managing Director or a person delegated; 2. include a statement of compliance with conditions; 3. identify all potential non-compliances and describe corrective measures; 4. Be made publicly available; and 5. Proposed changes.	Annual CAR's. Correspondence to CEO of DWER submitting CAR. CAR's publicly available on website.	Overall	Annually by 10 October		
870:M5.1	Air Quality	The proponent shall manage the implementation of the proposal to meet the following objectives: 1. minimise air emissions from the proposal to assist in the maintenance of regional air quality in accordance with applicable air quality standards including, but not limited to, the National Environment Protection (Ambient Air Quality) Measure (NEPM) so that the environmental values of human health and amenity are protected; and 2. minimise air emissions from the proposal as far as practicable to assist in minimising the risk of adverse impacts to rock art on Murujuga.	Adopt and implement EFMA - Best Available Techniques for Pollution Prevention and Control in the European Fertilizer Industry, Booklet No. 6 of 8: Production of Ammonium Nitrate and Calcium Ammonium Nitrate, 2000 (EFMA, 2000b) from the Common Stack (other sources) for the AN Plant.  DWER incorporated stack emission concentration figures in the Licence that are commensurate with the use of best practice pollution control technology.  Air Dispersion Modelling Study Air Quality Management Plan (AQMP) for CEO approval. Written correspondence.	CAR. Correspondence from DWER that the submitted AQMP is satisfactory. Operational Environmental Management Plan.	Overall	Ongoing		
870:M5.2	Air Quality	Within twelve (12) months of the date of this Statement, unless otherwise agreed by the CEO, the proponent shall prepare and submit to the CEO a revised Air Quality Management Plan that describes how the proponent will meet the following objectives: 1. minimise air emissions from the proposal to assist in the maintenance of regional air quality in accordance with applicable air quality standards including, but not limited to, the NEPM so that the environmental values of human health and amenity are protected; and	Submit Air Quality Management Plan (AQMP) for CEO approval in accordance to CAP.  The AQMP shall: 1. address approaches to minimise air emissions from the proposal to help maintain regional air quality standards; and 2. address approaches to minimise air emissions from the proposal to	Correspondence of AQMP submission, 23 <sup>rd</sup> of December 2020.	Overall	24 <sup>th</sup> of December 2020		



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		2. minimise air emissions from the proposal as far as practicable to assist in minimising the risk of adverse impacts to rock art on Murujuga	minimise the risk of adverse impacts to rock art in Murujuga.					
870:M5.3	Air Quality	The revised Air Quality Management Plan must: 1. specify the expected air emissions for the proposal based on the current air pollution control technology selection and plant design for the proposal; 2. include a comparison of the expected air emissions for the proposal against international industry best practice for technical ammonia nitrate production facilities; 3. include a comparison of the current air pollution control technology selection and plant design for the proposal against international industry best practice for technical ammonia nitrate production facilities; 4. include provisions for monitoring of on-site meteorological conditions including wind speed/ direction, temperature, and rainfall rate to enable the data that are collected to be available for use in the forthcoming investigations associated with the Murujuga Rock Art Monitoring Program, with annual reporting to the CEO; and 5. identify and describe the measure that the proponent will implement to minimise air emissions, including the adoption of advances in air pollution control technology and process management, and specify: a) the timeframe within which each measure will be implemented; and b) the means to determine the effectiveness of each measure in minimising air emissions.	The AQMP shall: 1. specify the expected air emissions for the proposal based on the current air pollution control technology selection and plant design; 2. compare the expected air emissions for the proposal against international industry best practice; 3. compare the current air pollution control technology selection and plant design for the proposal against international industry best practice; 4. explain provisions for monitoring of on-site meteorological conditions including wind speed/ direction, temperature, and rainfall rate. Report annually to CEO; and 5. describe the measure that the proponent will implement to minimise air emissions, including the adoption of advances in air pollution control technology and process management, and specify: timeframes which each measure will be implemented; and the means to determine the effectiveness of each measure in minimising air emissions.	AQMP	Overall	24 <sup>th</sup> of December 2020		
870:M5.4	Air Quality	After receiving notice in writing from the CEO that the revised Air Quality Management Plan, or any subsequent revision of that plan, satisfies the requirements of condition 5-2 and condition 5-3, the proponent shall: 1. commence implementation of the approved revised Air Quality Management Plan; and 2. continue to implement the approved revised Air Quality Management Plan, or any subsequent revision, including the measures identified under condition 5-3(5), for the remainder of the life of the proposal.	Approval of AQMP received from the Department.  The AQMP shall then: 1. commence implementation of the revised AQMP; and 2. continue to implement approved revised AQMP or any subsequent revisions for the remainder of the life of the approval.	Correspondence of AQMP approval CAR	Overall	After approval of revised AQMP		
870:M5.5	Air Quality	Should monitoring of air emissions from the proposal indicate that the objectives of condition 5-2 are not being met, the proponent shall: 1. report the non-compliance in writing to the CEO within seven (7) days of the non-compliance being identified; 2. investigate to determine the cause of the non-compliance 3. provide a report to the CEO within ninety (90) days of the non-compliance being reported as required by condition 5-5(1). The report shall include: a) the cause of the non-compliance; b) the findings of the investigation required by condition 5-5(2); c) details of revised and/or additional management actions to be implemented to prevent non-compliance; and d) relevant changes to proposal activities.	Notify CEO of DWER in writing of non-compliance.  Provide a report on non-compliance within ninety (90) days.	Correspondence to CEO of DWER.	Overall	After approval of revised AQMP notify within 7 days of non-compliance being known and provide a report within 90 days		

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870:M5.6	Air Quality	The proponent shall, for information only, provide the CEO with copies of all reports and data relating to ambient air quality monitoring and rock art condition/integrity monitoring required under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 within one (1) month of their provision to the Commonwealth Government.	Upload all ambient air monitoring and rock art monitoring reports to the Yara Pilbara web site within one (1) month of submission to the Commonwealth Government.	<a href="https://www.yara.com.au/about-yara/about-yara-australia/pilbara/yara-pilbara-nitrates/">https://www.yara.com.au/about-yara/about-yara-australia/pilbara/yara-pilbara-nitrates/</a>	Overall	Ongoing		
870:M5.7	Air Quality	The proponent may review and revise the Air Quality Management Plan or any subsequent approved revisions.	Revise AQMP's.	AQMP revisions	Overall	Ongoing		
870:M5.8	Air Quality	The proponent shall review and revise the Air Quality Management Plan or any subsequent approved revisions every four (4) years, or as and when directed by the CEO.	Review AQMP every four years or when directed by CEO.	AQMP revisions	Overall	Ongoing		
870:M5.9	Air Quality	Any proposed revision of the Air Quality Management Pan must be submitted to the CEO for approval.	Submit proposed revisions of AQMP to CEO for approval.	Correspondence with CEO of DWER approving revised AQMP	Overall	Ongoing		
870:M5.10	Air Quality	The proponent shall implement the latest version of the Air Quality Management Plan which the CEO has confirmed by notice in writing satisfies the requirements of condition 5-2 and condition 5-3.	Implement revised AQMP	CAR	Overall	After approval of revised AQMP		
870:M5.11	Air Quality	The proponent shall make publicly available for the remainder of the life of the proposal in a manner approved by the CEO: 1. the approved Air Quality Management Plan, or any subsequently approved revision, within one (1) month of the relevant plan being approved by the CEO; and 2. the reports referred to in condition 5-3(4) and condition 5-6 and associated data, within one (1) month of the relevant report being submitted to the CEO.	Publish on YPN web page: 1. approved AQMP and any revisions within one (1) month of approval; and 2. on-site meteorological conditions, ambient air quality monitoring and rock art monitoring reports within one (1) month of relevant report being submitted to the CEO.	<a href="https://www.yara.com.au/about-yara/about-yara-australia/pilbara/yara-pilbara-nitrates/">https://www.yara.com.au/about-yara/about-yara-australia/pilbara/yara-pilbara-nitrates/</a>	Overall	Ongoing		
870:M5.12	Air Quality	The proponent shall continue to implement the current approved version of the Air quality Management Plan (Doc Ref: 0086269, February 2013) until notified by the CEO under condition 5-4 that the revised Air Quality Management Plan meets the requirements of condition 5-2 and condition 5-3.	Implement Air Quality Management Plan (AQMP) Doc. No. 0086269 until correspondence is received that revised AQMP has been approved.	CAR. Air Quality Management Plan (AQMP) Doc. No. 0086269 February 2013. Correspondence of revised AQMP approval.	Overall	Interim until approval of revised AQMP		
870:M6.1	Rehabilitation	The proponent shall undertake rehabilitation to achieve the following outcomes: 1. The project area shall be non-polluting and shall be constructed so that its final shape, stability, surface drainage, resistance to erosion and ability to support local native vegetation are comparable to natural landforms within the local area, as demonstrated by a methodology acceptable to the CEO; 2. Native vegetation areas disturbed through implementation of the proposal, shall be progressively rehabilitated with vegetation composed of plant species native to the Burrup Peninsula from propagating material of local provenance (as agreed by the CEO in consultation with the DEC);	Prepare an Operations Terrestrial Vegetation and Flora Management (OTVFM) Plan for MINISTER approval. Implement the OTVFM Plan. Prepare an Operations Weed Management (OWM) Plan for MINISTER approval. Implement the OWM Plan. Written correspondence	Rehabilitation Plan. Correspondence from CEO of DWER that submitted Rehabilitation Plan is satisfactory. Rehabilitation performance report(s). Correspondence from CEO of DWER that rehabilitation	Post-Decommissioning	At least 6 months prior to decommissioning.		

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		<p>3. Areas not currently supporting native vegetation shall be rehabilitated to the original land use or a use approved by the CEO;</p> <p>4. The percentage cover of living vegetation in all rehabilitation areas shall be comparable with that of nearby undisturbed land as demonstrated by a methodology acceptable to the CEO;</p> <p>5. No new species of weeds (including both declared weeds and environmental weeds) shall be introduced into the area as a result of the implementation of the proposal; and</p> <p>6. The coverage of weeds (including both declared weeds and environmental weeds) within the rehabilitation areas shall not exceed that identified in baseline monitoring undertaken prior to the commencement of operations, or exceed that existent on comparable, nearby land which has not been disturbed during implementation of the proposal.</p>		outcomes are satisfactory.				
870:M6.2	Rehabilitation	Rehabilitation activities shall continue until such time as the requirements of condition 6-1 are demonstrated by inspections and reports to have been met for a minimum of five years, to the satisfaction of the CEO on advice of the DEC.	<p>Prepare an Operations Terrestrial Vegetation and Flora Management (OTVFM) Plan for MINISTER approval.</p> <p>Implement the OCTVFM Plan.</p> <p>Prepare an Operations Weed Management (OWMP) Plan for MINISTER approval.</p> <p>Implement the OWM Plan.</p> <p>Written Correspondence.</p>	<p>Rehabilitation performance reports.</p> <p>Correspondence from CEO of DWER that rehabilitation outcomes are satisfactory.</p>	Post-decommissioning	Until such time as the requirements of condition 6-1 are demonstrated by inspections and reports to have been met for a minimum of five years.		
870:M7.1	Fauna	The proponent shall employ such structures and apparatus as are necessary and agreed by the DEC to deter birds from entering the contaminated water pond, clean water pond, and sewage wastewater treatment station evaporation pond	<p>Employ structures and apparatus to deter birds from entering the contaminated and clean ponds.</p> <p>Seek advice from Department of Biodiversity Conservation and Attractions (DBCA) (formally a part of DEC)</p>	<p>CAR.</p> <p>Correspondence from DBCA on agreed bird deterrent methodology.</p> <p>Bird deterrent system in place.</p>	Overall	Ongoing		
870:M7.2	Fauna	<p>During construction of the TAN Plant the proponent shall ensure that the following requirements are met:</p> <p>1. Fauna refuges are to be placed in the trenches and other construction related voids at intervals not exceeding 50 metres;</p> <p>2. The proponent shall employ at least two "fauna-clearing people" that are appropriately licensed by the DEC to remove fauna from the trenches and other construction related voids;</p> <p>3. Inspection and clearing of fauna from trenches and other construction related voids by fauna clearing people shall occur at least twice daily and not more than half an hour prior to backfilling of trenches and other construction related voids, with the first daily inspection and clearing to be completed no later than 3.5 hours after sunrise, and the second inspection and clearing to undertaken daily between the hours of 3:00 pm and 6:00 pm;</p> <p>4. In the event of rainfall, the proponent shall, following the clearing of fauna from the trenches and other construction related voids, pump out any pooled water in the open trenches and other construction related voids (with the exception of groundwater) and discharge it via</p>	<p>Implement the Construction Terrestrial Fauna Management Plan.</p> <p>Report on Fauna Found.</p>	<p>CAR.</p> <p>Construction Fauna Found report.</p>	Pre-construction Construction	No Longer Applicable – Construction Complete		

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		a mesh (to dissipate energy) to adjacent vegetated area, having regard for the DEC's draft guideline on the treatment and management of acid sulfate soils and water in acid sulfate soil landscapes (DEC, 2009) and any subsequent revisions; and 5. Within 14 days following completion of the construction activities requiring the use of open trenches and other construction related voids, the proponent shall provide a report on fauna found, both dead and alive, within the TAN Plant site boundary to the CEO.						
870:M8.1	Groundwater	The proponent shall undertake detailed hydrogeological studies commencing at least 12 months prior to the commencement of construction to quantify groundwater quality, groundwater flow directions, and the depth to groundwater beneath the TAN Plant site and in surrounding areas.	Undertake Hydrogeological Studies.	Hydrogeological studies Report.	Pre-construction	No Longer Applicable – Construction Complete		
870:M8.2	Groundwater	The proponent shall develop appropriate management measures for dewatering to the satisfaction of the CEO on advice of the DEC and the Department of Water in the event that the information gathered from the hydrogeological studies required by condition 8-1 indicates that dewatering would be required during construction	Prepare the Construction Water Quality Management Plan for MINISTER approval, including if required, dewatering management. Written correspondence.	Dewatering management measures. Correspondence from CEO of DWER.	Pre-construction	No Longer Applicable – Construction Complete		
870:M8.3	Groundwater	The proponent shall design, construct, and locate groundwater monitoring bores to the satisfaction of the CEO on advice of the DEC and the Department of Water, having regard for the outcomes of the hydrogeological studies required by condition 8-1 and the Department of Water's Water Quality Protection Note 30 on Groundwater Monitoring Bores.	Prepare and implement Water Quality Management Plan for MINISTER approval, including groundwater monitoring. Written correspondence.	Groundwater Investigation report. Correspondence from CEO of DWER.	Pre-construction	No Longer Applicable – Construction Complete		
870:M8.4	Groundwater	The proponent shall sample/monitor all groundwater bores required by Condition 8-3 every six months and shall set groundwater monitoring trigger values at a value of 10% above the baseline contaminant concentrations obtained from the hydrogeological studies required by condition 8-1.	Implement Water Quality Management Plan, including groundwater monitoring.	CAR. Groundwater monitoring records.	Overall	Every six months		
870:M8.5	Groundwater	In the event that monitoring required by condition 8-4 indicates an exceedance of trigger levels: 1. The proponent shall report such findings to the CEO within 7 days of the exceedance being identified; 2. The proponent shall provide evidence which allows determination of the cause of the exceedance; 3. If determined by the CEO to be project attributable, the proponent shall submit actions to be taken to address the exceedance within 7 days of the determination being made to the CEO; 4. The proponent shall implement actions to address the exceedance and shall continue until such time as the CEO determines that the remedial actions may cease; and 5. The proponent shall submit bi-annually, or at a frequency defined to the satisfaction of the CEO, the results of monitoring required by condition 8-4 to the CEO, until such time as the CEO determines that reporting may cease.	Implement Water Quality Management Plan, including groundwater monitoring. Written correspondence.	CAR. Groundwater monitoring records. Groundwater trigger exceedance investigation report Correspondence to CEO of DWER advising of any exceedance. Correspondence to CEO of DWER submitting remedial action taken.	Overall	Within 7 days of the exceedance. Monitoring results bi-annually, or a frequency defined by CEO		
870:M8.6	Groundwater	The proponent shall make the monitoring reports required by condition 8-5(5) publicly available in a manner approved by the CEO	Seek approval from CEO of DWER for the monitoring reports.	Monitoring reports publicly available on company website.	Overall	As required		

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Yara Pilbara Nitrates Compliance Assessment Plan Ministerial Statement 870

Process Domain: Environmental Approvals and Compliance

Knowledge grows

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Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
870:M9.1	Acid Sulphate Soils	The proponent shall undertake intrusive acid sulphate soils investigations prior to the commencement of construction	Undertake intrusive acid sulphate investigations.	Acid Sulphate Investigation Report.	Pre-construction	No Longer Applicable – Construction Complete		
870:M9.2	Acid Sulphate Soils	In the event that acid sulphate soils are disturbed during construction of the TAN Plant, the proponent shall treat and manage acid sulphate soils in accordance with the requirements of the DEC's draft guideline on the treatment and management of acid sulfate soils and water in acid sulfate soil landscapes (DEC, 2009) and any subsequent revisions.	Preparation of Acid Sulphate Soils (ASS) Management Plan, if required.	ASS Reports.	Construction	No Longer Applicable – Construction Complete		
870:M10.1	Decommissioning	Prior to undertaking ground-disturbing activities, the proponent shall: 1. describe the rationale for the siting and design of plant and infrastructure as relevant to environmental protection; 2. prepare a conceptual plan of the final landform at closure; 3. prepare a plan for a care and maintenance phase; and 4. prepare an initial plan for the management of noxious materials following closure.	Preparation of Decommissioning Plan.	Decommissioning Report.	Decommissioning	No Longer Applicable – Construction Complete		
870:M10.2	Decommissioning	At least six months prior to the anticipated date of closure, the proponent shall meet the following decommissioning criteria: 1. removal or, if agreed in writing by the appropriate regulatory authority, retention of plant and infrastructure agreed in consultation with relevant stakeholders; and 2. identification of contaminated areas, including provision of evidence of notification and proposed management measures to relevant statutory authorities. Note: Closure is defined as production has ceased and, plant and infrastructure removed, and contaminated areas remediated.	Implementation of Decommissioning Plan.	Decommissioning reports. A copy of correspondence.	Decommissioning	At least six months prior to date of closure		



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**Appendix B: Compliance Assessment of Schedule 1**

Requirement		Status	Further Information
The proponent shall implement the proposal as documented and described in Schedule 1 of this statement subject to the conditions and procedures of this statement.			
Element	Authorised Extent		
<u>General</u>			
Technical ammonium nitrate production facility (TANPF) capacity	350,000 tonnes of technical ammonium nitrate (TAN) per annum.		
Development Envelope	48.77 ha		
Disturbance Footprint	33.11 ha		
Main Process Units			
Nitric Acid Plant	Capacity – 760 tonnes per day.		
Ammonium nitrate solution Plant	Capacity – 965 tonnes per day.		
TAN Prilling Plant	Capacity – 915 tonnes per day.		
Storage, loading, and transport			
Liquid ammonia pipeline between the TAN Plant and the adjacent YARA Pilbara Fertilisers Pty Ltd (YPFPL)	710 meters long.		
Wastewater discharge pipeline	Connecting the TAN Plant to the Water Corporation’s Multi User Brine Return Line (MUBRL).		
<u>Outputs</u>			
Nitrogen oxides (NO <sub>x</sub> )	Up to 135 t/yr. Nitric acid Plant stack - up to 4.2 g/s. Nitric acid plant storage tanks - Vents A & B - up to 0.04 g/s each vent.		
Nitrous oxide (N <sub>2</sub> O)	Up to 163.7 t/yr, 5.5 g/s.		
Carbon monoxide (CO)	Up to 41 t/yr, 1.3 g/s.		
Methane (CH <sub>4</sub> )	Up to 17.8 t/yr, 0.6 g/s.		
Ammonia (NH <sub>3</sub> )	Ammonium nitrate prilling plant “common stack” - Refer to Condition 5. Nitric acid Plant stack - up to 0.02 g/s.		
Particulate matter [as total suspended particulates (TSP)]	Ammonium nitrate prilling plant “common stack” - Refer to Condition 5.		
Sulphur dioxide (SO <sub>2</sub> )	Trace.		
Carbon dioxide (CO <sub>2</sub> ) [produced]	Up to 532.6 t/yr, 17.8 g/s.		

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Requirement		Status	Further Information
Total greenhouse gas emissions	Approximately 84,451 tonnes of CO <sub>2</sub> -e per year.		
Greenhouse gas intensity	Approximately 0.241 tonnes of CO <sub>2</sub> -e per tonne of TAN.		
Solid waste	Up to 120 kilograms per day (organic matter from the off-specification prills).		