

FINUCANE ISLAND — BUND LEAK

968. Hon Robin Chapple to the Minister for Environment

My question relates to the Port Hedland harbour upgrade and an incident that took place on Saturday, 30 May 2009, and answers to question without notice No. 605 answered on 4 June 2009, and I ask —

- (1) When did an officer from the Department of Environment and Conservation (DEC) first attend the Finucane Island site and inspect personally the sea wall breaches?
- (2) How did the DEC consider that BHP Billiton was taking appropriate action, given the complexity of the unexpected breach of the seawall in two locations and the difficulty in accessing the site?
- (3) On what date did the DEC consider that BHP Billiton was taking appropriate action?
- (4) Were the considerations above in (3), undertaken at the site of the incident?
- (5) If no to (4), why not?
- (6) Upon reviewing all evidence, has the DEC deemed this incident to be in breach of the Ministerial conditions imposed?
- (7) If yes to (6), what action will be taken in respect of the breach of the Ministerial conditions?
- (8) Has the second leakage point been successfully sealed (due to be sealed by 5 June 2009)?
- (9) If yes to (8), on what date was this completed?
- (10) Has the DEC received the requested report from BHP Billiton outlining the incident, remedial actions taken and corrective measures that have since been put in place?
- (11) If yes to (10), will the Minister provide a copy of that report?
- (12) What monitoring methods were employed by BHP Billiton or the DEC to determine whether any impact had taken place to the marine environment as a result of the sea wall breaches?
- (13) If no to (10), to either BHP Billiton or the DEC, why not?
- (14) Will the Minister provide a copy of the above mentioned report requested by the DEC to be produced by BHP Billiton?
- (15) What impact to the surrounding environment was detected from the monitoring BHP Billiton undertook to determine the impact from the sea wall breaches?
- (16) What structural engineering, process or methodologies have been employed by BHP Billiton to ensure that no further bund leaks occur?

Hon DONNA FARAGHER replied:

- (1) The DEC inspected the site on the 17 July 2009.
- (2) The Department of Environment and Conservation (DEC) assessed BHP Billiton's management response based on its discussions with BHP Billiton between 26 May and 12 June 2009, and a subsequent meeting with BHP Billiton in Perth on 22 June 2009.
- (3) 26 May 2009.
- (4)-(5) The information provided by BHP Billiton in relation to its management actions was sufficient for DEC to assess BHP Billiton's response to the sea wall breaches.
- (6) DEC does not consider this to be a breach of the ministerial conditions.
- (7) Not applicable.
- (8)-(9) The second leakage point was sealed on the 17 June 2009.
- (10)-(11) DEC has received the report. Under DEC's information statement access to incident reports are subject to the Freedom of Information Act 1992.
- (12) BHP Billiton undertook monitoring in accordance with the approved Dredge Management Plan required by Condition 6.3 of Ministerial Statement 781.
- (13) Not applicable.
- (14) See the answer to (11).

- (15) Water quality monitoring indicated increased turbidity levels in the Port Hedland inner harbour, which declined as management actions initiated by BHP Billiton to seal the containment wall were implemented. Coral monitoring in June and July 2009 did not identify any measurable impacts on coral health at the Finucane Island coral monitoring site or the coral reference site. Sediment monitoring at these sites was within baseline levels. Water quality and coral monitoring are continuing.
- (16) Key outcomes of BHP Billiton's investigation are that a review of the design, construction process and commissioning procedures for containment walls at Finucane Island are required for the construction of future sea walls. BHP Billiton is continuing to monitor containment walls to verify the effectiveness of the corrective actions.