

KALTAILS TAILINGS DAM — SEEPAGE OF HYPERSALINE WATER

5967. Hon Paul Llewellyn to the Parliamentary Secretary representing the Minister for the Environment

I refer to the answers for questions on notice No.s 2889 of 10 November 2005, 2563 of 30 August 2005, and 3640 of 13 June 2006, the proposal by Kalgoorlie Consolidated Gold Mines Pty Ltd (KCGM) on behalf of Newmont Australia and Barrick Gold to restart the Kaltails tailings dam and to minutes of a meeting held 19 December 1991 at the offices of State Development titled 'Kaltails Tailings Dam- Seepage of Hypersaline Water' in which Mr Harvey Johnstone from the Environmental Protection Authority (EPA) attended along with others from the Mines Department, Water Authority of Western Australia (WAWA) and the Department of Conservation and Land Management(CALM), and I ask -

- (1) Does the Minister support the recommissioning of the Kaltails tailings dam given that this -
 - (a) dam with toxic seepage emissions was deficient in its siting and construction; and
 - (b) dam built over fresh water drainage lines and on the edge of a major fresh water watercourse which provides porous seepage paths to the external environment including fresh water dams downstream, a paleochannel system and a lake in total disregard for the *Mining and Mineral Processing Tailings facilities Guidelines 2000*, advocated by various Government regulatory agencies, one of which has stated in answer to question on notice No. 3640 of 13 June 2006 'These guidelines were developed to establish actions required by operators to meet their obligations under all of the Acts administered by those Departments and to also guide operators into areas of best practice that may be over and above legislative requirements'?
- (2) If no to (1), why not?
- (3) If yes to (1), why?
- (4) Can the Minister explain why is it unreasonable for any member of the public to expect the proponents of all projects to adhere firstly to works approval conditions and licence conditions set and imposed previously by the EPA and the Department of Environmental Protection given -
 - (a) it is my understanding that the Kaltails dam originally had a works approval condition imposed which required the operator/proponent to sign a compliance certificate under the *Environmental Protection Act 1986* to indicate that tailings dam had been constructed and designed to meet works approvals conditions, one of which stated that 'All saline, alkaline and cyanide constituents shall be retained within impervious holding facilities' with impervious, meaning a permeability of 10⁻⁹ metres per second, seepage of three centimetres per year; and
 - (b) the Minister has stated in answer to question on notice No. 2563 of 30 August 2005 'The Department continues to recommend that mining waste containment structures are constructed to limit seepage rates under normal conditions to 10⁻⁹ metres per second. This equates to an equivalent water seepage rate of three centimetres per year. This limit can be achieved by appropriate soils management and engineering compaction. This level of seepage is considered compatible with protection of surrounding values under most circumstances'?
- (5) If no to (4), why not?

Hon SALLY TALBOT replied:

- (1) (a)-(b) The Environmental Protection Authority's report on the proposed Fimiston Gold Mine Operations Extension (Stage 3) and Mine Closure Planning which includes recommissioning of the Kaltails tailings dam, is currently under appeal. The Minister is awaiting the Appeals Convenor's advice before making any decision on the environmental acceptability of the recommissioning of the Kaltails tailings dam.
- (2)-(3) Not applicable.
- (4) Members of the public can reasonably expect proponents to abide by works approval and licence conditions. The Department of Environment and Conservation (DEC) is committed to undertaking enforcement action consistent with its 'Enforcement and Prosecution Policy'.
 - (a)-(b) Notwithstanding the above, the Kaltails Tailings facility has not been active for some years. The records relating to this facility have been archived and stored off-site. I do not support the substantial amount of time and resources it would take DEC to locate this information. There is also no evidence to suggest that there are any current impacts as a result of this facility and there are no active investigations into Newmont Kaltails in regard to seepage and/or impacts relating to the facility.

(5) Not applicable.