

OROYA TAILINGS DAM - RESIDUAL SEEPAGE MOUND, RETENTION OF MATTER ON KCGM'S
LEASES

2761. Hon Nigel Hallett to the Minister for Education and Training representing the Minister for the Environment

In relation to the Oroya tailings dam which was operated by Kalgoorlie Consolidated Gold Mines (KCGM) and the residual seepage mound identified in the Thompson and Brett Report dated October 12 2004 -

- (1) Did the Director, Pollution Control Division write to KCGM on or about August 19 1993, in relation to requiring that all hypersaline, cyanide or alkaline matter from the dam, be it surface or subsurface contamination, be retained on KCGM's leases?
- (2) If yes to (1), -
 - (a) on what date was this requirement first imposed;
 - (b) what was the precise nature of the requirement;
 - (c) in what document(s) is the requirement contained; and
 - (d) will the Minister table the document(s)?
- (3) Can the Minister explain for what environmental reasons under the *Environmental Protection Act 1986* the EPA was requiring that all hypersaline, cyanide or alkaline matter arising from KCGM's operations was to be retained on their lease, be it surface or subsurface contamination?
- (4) If no to (3), why not?
- (5) Can the Minister explain for what environmental reasons under the *Environmental Protection Act 1986* the EPA expected that all contaminated surface water or leakage be retained on KCGM's lease?
- (6) If no to (5), why not?
- (7) Since the Oroya dam was first licensed under the *Environmental Protection Act 1986* has all the hypersaline, cyanide or alkaline matter been retained within KCGM owned or occupied leases?
- (8) If no to (7) -
 - (a) what specific matter or substance has escaped the KCGM owned or occupied leases;
 - (b) by what means and when has this escape occurred;
 - (c) what have been the affects of the escape on the surrounding environment; and
 - (d) what action has the Department of Environment taken to ensure that this escape is retained within the lease in compliance with the requirement on or about August 19 1993?

Hon LJILJANNA RAVLICH replied:

The Minister for the Environment; Science has provided the following response:

- (1) The Department of Environment (DoE) no longer has ready access to the files relating to the Oroya tailings dam as the facility was decommissioned in 1995. The DoE has obtained a copy of the letter and can confirm that the letter stated in part that "I take this opportunity to point out the EPA's requirement that all hypersaline, cyanide or alkaline matter arising from your operation be retained on your lease be it surface or subsurface contamination".
- (2)
 - (a) There is no evidence to suggest that this requirement was contained anywhere except in the letter of 19 August 1993.
 - (b) Early licences relating to KCGM's Fimiston operations contain the following condition, "All matter containing saline, alkaline or cyanide constituents shall be retained within impervious holding facilities, such that there is no discernible impairment of surface or underground waters". KCGM's most recent licence states that, "The licensee shall manage the storage of all matter containing cyanide, saline or alkaline constituents within holding facilities in a manner, which prevents pollution."
 - (c) The DoE cannot find any documents that contain this requirement outside of the letter quoted above.
 - (d) Not applicable.

- (3) Many premises produce solid, liquid and gaseous emissions which leave their premises. It is the DoE's responsibility to ensure that licence conditions minimise the likelihood of these emissions causing pollution or environmental harm (serious or material) as defined under the Environmental Protection Act 1986.
- (4) Not applicable.
- (5) Refer to answer to (3).
- (6) Not applicable.
- (7) The DoE cannot find any documents that contain this requirement outside of the letter quoted above.
- (8)
 - (a) That question could only be answered if monitoring were undertaken outside of KCGM's leases. The DoE cannot require KCGM to undertake monitoring on leases to which it doesn't have legal access. The Thompson and Brett Report however states that, "there is evidence that contaminated water has travelled at least 1km and that seepage during the life of the TSF has influenced groundwater levels at least 2km from the source". The report also states, however, that, " Some existing trees in the area appear noticeably stressed or recovering from previous stress" but that, "This impact has now been controlled by reducing high groundwater levels". In addition the report also states that, "The current level of contamination does not appear to affect the Beneficial Use of the groundwater for mining process water".
 - (b) Not applicable.
 - (c) The DoE is not carrying out investigations into pollution occurring either on or off KCGM's leases.
 - (d) As answered in (2b) there is no evidence of this being a requirement outside of the letter dated 19 August 1993. The earliest licences for the Fimiston operation do not have a requirement of preventing seepage crossing the premise or lease boundaries.