

Section 48(4)(a)

**STOP ORDER**

No 1 of 2010

**PERSON TO WHOM THIS ORDER IS GIVEN:**

(Being the Proponent of the proposal described below)

Magellan Metals Pty Ltd  
96 Welshpool Rd  
WELSHPOOL in the state of Western Australia

(' The Proponent')

**PROPOSAL TO WHICH THIS ORDER RELATES:**

Statement 559 and 783 published on 2 February 2009.

The proposal includes an open-cut lead carbonate mine and processing facilities 30 kilometres west of the Wiluna townsite. The lead carbonate concentrate produced at the mine is transported in sealed bags within locked shipping containers by road from the mine site to Leonora and then by rail to the Port of Fremantle where it is exported.. ("the Proposal")

**REASON FOR WHICH THIS ORDER IS SERVED:**

I have received a report dated 31 December 2010 from the delegate of the Chief Executive Officer of the Department of Environment and Conservation, under section 48(1a)(b) of the *Environmental Protection Act 1986* (the Act), that implementation condition 9-2 of the implementation conditions has not been complied with, in that the proponent has failed to implement the Health Hygiene and Environmental Monitoring Program required by condition 9-1 in that the air quality in locked shipping containers has been recorded as exceeding the baseline level of lead of 0.02µg per cubic metre, and isotopic testing of the lead has confirmed the lead to be from the Magellan mine but the proponent has failed to cease transport of lead concentrate as required by Table 9 of the Program. After making reasonable endeavours, through the Office of the EPA, to consult with the proponent I consider that this notice should be served.

**REQUIREMENTS OF THIS ORDER:**

The Proponent is required immediately to cease transporting lead carbonate from the Wiluna minesite until it has designed an investigation, in consultation with the Department of Environment and Conservation and the Department of Health, to determine the source and extent of the lead as per the Contaminated Sites Guidelines and initiated a review of the packaging and transport procedures.



Hon Peter Collier MLC  
**MINISTER FOR ENVIRONMENT**

31/12/10

**IMPORTANT NOTE: A PERSON WHO IS BOUND BY THIS ORDER AND WHO DOES NOT COMPLY WITH THIS ORDER COMMITS AN OFFENCE.**

*Environmental Protection Act 1986*

**Section 48(4)(b)**

**ORDER**

**No 1 of 2011**

**PERSON TO WHOM THIS ORDER IS GIVEN:**

(Being the Proponent of the proposal described below)

Managing Director  
Magellan Metals Pty Ltd  
96 Welshpool Rd  
WELSHPOOL in the state of Western Australia

(' The Proponent')

**PROPOSAL TO WHICH THIS ORDER RELATES:**

Statement 559 and 783 published on 2 February 2009.

The proposal includes an open lead carbonate open cut mine and processing facilities located 30 Kilometres west of Wiluna town site. The lead carbonate concentrate produced at the mine is transported in sealed bags within locked shipping containers by road from the mine site to Leonora and then by rail to Port of Fremantle where it is exported. ("the Proposal")

**REASON FOR WHICH THIS ORDER IS SERVED:**

I have received a report dated 31 December 2010 from the Chief Executive Officer of the Office of the Environmental Protection Authority, under section 48(1a)(b) of the *Environmental Protection Act 1986* (the Act), that implementation condition 9-2 of Statement 783 has not been complied with, in that the proponent has failed to implement the Health Hygiene and Environmental Monitoring Program required by condition 9-1 in that the air quality in locked shipping containers has been recorded as exceeding the baseline level of lead, and isotopic testing of the lead has confirmed the lead to be from the Magellan mine but the proponent has failed to:

1. Report results to the Department of Environment and Conservation (including the relevant DEC Regional Office and PIMS Branch), Department of Health (DoH) and the relevant local authority within 12 hours of receiving the result

2. Cease transport of lead concentrate and design an investigation, in consultation with DEC and DoH, to determine the source and extent of the lead as per the Contaminated Sites Guidelines

as required by Table 9 of the Program.

After making reasonable endeavours, through the Office of the EPA, to consult with the proponent I consider that this notice should be served.

**REQUIREMENTS OF THIS ORDER:**

- A1. By 17 January 2011 the Proponent shall provide an explanation of when Magellan was advised of the results of analysis of air quality samples taken within sealed shipping containers and in particular those results that indicated the presence of lead carbonate from the Magellan mine.
- A2. By 17 January 2011 the Proponent shall provide information detailing the integrity of each air quality sample taken and the reasons for analysis not being undertaken for all samples.
- A3. By 17 January 2011 the Proponent shall provide details of the process for conducting ambient lead carbonate concentrate monitoring within shipping containers from mine site to port and laboratory, including who is responsible for each step of the process.
- A4. By 17 January 2011 the Proponent shall confirm and advise whether exceedances of baseline lead trigger levels were reported pursuant to the HHEMP.
- A5. By 17 January 2011 the Proponent shall provide details of the measures Magellan has taken to implement the HHEMP since receiving any result that indicates that Magellan lead carbonate concentrate has been determined as the source of exceedances of baseline trigger levels, including details of any cessation of transport or investigations undertake.
- A6. The information, details and advice shall be provided in writing to the General Manager of the Office of the Environmental Protection Authority.
- A7. The Proponent shall cease transporting of lead carbonate from the Wiluna Mine until it has designed an investigation, in consultation with the Department of Environment and Conservation and the Department of Health, to determine the source and extent of the lead as per the Contaminated Sites Guidelines and initiated a review of the packaging and transport procedures, and has

- A8. Reported on that investigation and that review to the satisfaction of the General Manager of the Office of the Environmental Protection Authority.



Hon W R Marmion MLA  
**MINISTER FOR ENVIRONMENT; WATER**

3/1/2011

**IMPORTANT NOTE: A PERSON WHO IS BOUND BY THIS ORDER AND WHO DOES NOT COMPLY WITH THIS ORDER COMMITS AN OFFENCE.**