

MAGELLAN METALS PTY LTD - LEAD MINE NEAR WILUNA

4846. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

I refer to Magellan Metals Lead mine near Wiluna, and I ask -

- (1) Will the Minister with urgency mobilise the environmental enforcement unit to investigate and prosecute Magellan Metals for breaching Ministerial condition 6-2 for not implementing the 'health, hygiene and environmental management program' required by Ministerial condition 6-1? This is given that the mines record book entry dated 7 December 2005 completed by Mr Stephen Turner, Special Inspector of Mines, states the following, 'I also reviewed the health, hygiene and environmental management program and the hazardous substances management system as part of an assessment of the management of occupational health at this lead mine... implementation of the Magellan lead health, hygiene and environmental management program (HHEMP) is inadequate. This plan clearly lists procedures and plans for biological monitoring and atmospheric contaminant monitoring that have not been implemented. It is noted that the frequency of blood lead monitoring has been increased from that stated in the HHEMP. However this is not a substitute for a proper occupational atmospheric contaminant monitoring program. The absence of a personal atmospheric contaminant monitoring program, e.g. no personal sampling between April and November at a site with the hazard of airborne dust containing lead is unacceptable.'
- (2) If no to (1), why not?
- (3) Can the Minister quote the full text of Ministerial Condition 6-2 for the Magellan Metals Pty Ltd lead mine?
- (4) If no to (3), why not?
- (5) What is the maximum monetary penalty for breaching any ministerial condition?
- (6) Will the Minister ensure that the Department of Environment and Conservation (DEC) contacts Mr Stephen Turner to obtain any further evidence that Magellan Metals have clearly not implemented the health, hygiene and environmental management program required by ministerial conditions 6-1 and 6-2?
- (7) If no to (6), why not?
- (8) Will the Minister ensure that its investigation requested in question (1), has been finalised before the statute of limitations of two years has lapsed?
- (9) If no to (8), why not?

Hon SALLY TALBOT replied:

- (1) The Minister has requested the Department of Environment and Conservation to liaise with the Department of Consumer and Employment Protection to examine this issue, as Mr Turner's comments relate to personal monitoring which is an occupational health matter. The health, hygiene and environmental management plan required that the then Department of Minerals and Energy advised on the adequacy of the management plan for occupational health purposes. This function is now the responsibility of the Department of Consumer and Employment Protection.
- (2) Not applicable.
- (3) The full text of Ministerial Condition 6-2 for the Magellan Metals Pty Ltd lead mines is
"6-2 The proponent shall implement the Health, Hygiene and Environmental Management program required by condition 6-1 until such time as the Minister for the Environment, on advice of the Environmental Protection Authority, determines that decommissioning and rehabilitation are complete."
- (4) Not applicable.
- (5) A proponent may commit an offence by either not implementing a proposal in accordance with the Ministerial Conditions, or by not complying with an order of the Minister served in relation to non-compliance with a Ministerial Condition. These are offences under Sections 47(1) and 48(6) of the Environmental Protection Act 1986 respectively. The maximum monetary penalty for an offence under Section 47(1) is \$250 000 with a daily penalty of \$50 000, and for an offence under Section 48(6) is \$325 000 with a daily penalty of \$65 000.
- (6) The Department of Environment and Conservation will contact Mr Turner in examining this matter.
- (7) Not applicable.

- (8) The Department of Environment and Conservation has been asked to examine this issue as a matter of urgency.
- (9) Not applicable.