

MINING OPERATIONS - SALINE WATER SPILLAGES

4988. Hon Giz Watson to the Parliamentary Secretary representing the Minister for the Environment

I refer to questions on notice numbers 2888 of 10 November 2005 and 3544 of 25 May 2006, in relation to the gold mine operated by Kalgoorlie Consolidated Gold Mines (KCGM) on behalf of the owners Newmont Mining and Barrick Gold, and a saline water spill which occurred on or about 22 May 2007 at the Mt Percy area which impacted upon an old Aboriginal Reserve in the area, and I ask -

- (1) Is it correct that the saline water spill went outside of the bunding and flowed onto the old Aboriginal Reserve?
- (2) If no to (1), why not?
- (3) Can the Minister state how far in metres did the saline water spill travel from the pipeline bunding and the amount of area in square metres that the saline water spill impacted upon?
- (4) If no to (3), why not?
- (5) Did KCGM breach section 50 of the *Environmental Protection Act 1986* by discharging waste water in which it was likely to cause pollution?
- (6) If no to (8), why not?
- (7) Will KCGM be prosecuted for breaching any section of the *Environmental Protection Act 1986* in causing the saline water spill at the Mount Percy operation?
- (8) If no to (7), why not?
- (9) Can the Minister explain why does the Department of Environment and Conservation continue to tolerate KCGM having saline water spillages that clearly are causing pollution or are likely to be causing pollution without facing prosecution?
- (10) If no to (9), why not?
- (11) Will the history of the offender, including frequency of all offences including with regard to saline water spillages be taken into consideration for any decision to prosecute KCGM in this matter?
- (12) If no to (11), why not?

Hon SALLY TALBOT replied:

- (1) Yes.
- (2) Not applicable.
- (3) The exact distance and area are difficult to determine as the spill did not leave any apparent impact on the surface. The spill is considered to have travelled at least 62 metres into the reserve. The area has not been estimated.
- (4) Not applicable.
- (5) The matter is still being investigated by the Department of Environment and Conservation. An officer from the Kalgoorlie office of the Department of Environment and Conservation attended the incident scene and conducted an examination of the site.
- (6) Not applicable.
- (7) This will be determined at the conclusion of the investigation.
- (8) Not applicable.
- (9) The Department of Environment and Conservation is required to objectively and impartially investigate incidents and potential breaches of the Environmental Protection Act 1986. A recent investigation by the Department's Environmental Enforcement Unit and the Kalgoorlie office resulted in a \$25,000 penalty being issued to and paid by KCGM earlier this year.
- (10) Not applicable.
- (11) The major focus of investigations into environmental incidents is the objective and impartial collection of evidence. Each case is assessed on its own merits and the strength of the evidence obtained. Should a prima facie case be established as a result of an investigation, then the decision to administer a sanction, which may include prosecution, is based on the Department's Enforcement and Prosecution Policy. The Policy states that the alleged offender's previous history is a factor when considering a prosecution.
- (12) Not applicable.

