

ANNUAL RETURN

Information on this form is required in accordance with the conditions of your licence or approval issued under part 5 of the *Waste Management and Pollution Control Act* or part 7 of the *Water Act*.

Failure to provide the information requested on this form and/or the provision of false or misleading information is an offence under the legislation and you may be liable to heavy penalties.

LICENCE/APPROVAL NO.	WDL 171-08
REPORTING PERIOD	17 July 2019 - 17 July 2020

Section 1. Licence/Approval Holder Details

Please check your business details and contact details including 24 hour emergency response in NT EPA online and/or on page one of your licence.

Are these details correct?

☒ Yes Go to Section 2

☐ No Please correct your details by updating in NT EPA Online or complete the table below.

Licence holder	
Legal Entity Name:	RTA Gove Pty Ltd
ABN:	76 000 453 663
Registered Business Address:	123 Albert Street, Brisbane, QLD
Postal Address:	PO Box 21, Nhulunbuy, NT 0881
Contact Person:	Andrea Kittel
Position Title:	HSE Business Partner
Contact Details:	
b/h:	08 8987 5422
mobile:	0400 378 401
email:	andrea.kittel@riotinto.com
Location of premises	
Address:	1 Melville Bay Road, Nhulunbuy, NT 0880
24 hour emergency response	
Position Title:	Control Room Operator
phone:	08 8987 5222
mobile:	N/A

Section 2. Statement of Compliance

Were all conditions of the licence/approval complied with during the reporting period?

☐ Yes Proceed to Section 4.

☒ No Complete details below (add more rows if required)

Details of Non-compliance				
Condition number	Date of non-compliance (dd/mm/yy)	Was NT EPA notified? (Yes / No)	If yes, date NT EPA notified (dd/mm/yy)	If yes, how was NT EPA notified? (e.g. phone, email, Pollution Hotline)
		If no, complete Section 3		
3, 8, 9 & 26	27/09/19	No		
26	21/02/20	Yes	21/02/20	Phone and Email
23	29/06/20	Yes	30/06/20	Email

Section 3. Report of Non-compliance

Please supply the following details for each non-compliance not reported to the NT EPA identified in Section 2. Use a separate page for each non-compliance.

The date and time of the non-compliance.
27/09/2019
When the non-compliance was detected and by whom.
<p>This incident arose when the Department of Environment and Natural Resources (DENR) became aware that two surface water sampling sites S1095 and S1100 within the Residue Disposal Area (RDA) had been removed following the installation of seepage interception systems. DENR alleged that RTA Gove had not complied with conditions 3, 8 and 9 of the Waste Discharge Licence (WDL171-08).</p> <p>RTA Gove provided correspondence disputing the alleged non-compliances. No further correspondence was received by RTA Gove.</p>
The actual and potential causes and contributing factors to the non-compliance.
<p>In undertaking the works an assumption was made that because the seepage interception systems are environmental control measures that would improve environmental performance of the removal of these sites would be understood by DENR and a formal notification would not be required. This assumption was heightened as RTA Gove had mentioned in monitoring reports that the bores had been removed and no comment was received from DENR.</p> <p>While it was reported in the 2017-18 and 2018-19 Annual Water Monitoring Reports, Gove Operations acknowledges there should have been formal notification and to ensure that no further administrative incidents occur any removal of sampling sites will require a formal internal management of change process to ensure all requirements under the WDL 171-08 are met.</p> <p>The programme to install seepage interception systems across the RDA is actively monitored and reported through the Operational Performance Report (now Environmental Mining Report) to the Department of Primary Industry and Resources (DPIR) and through the Annual Water Monitoring Report to the Department of Environment and Natural Resources (DENR). This existing reporting arrangement may have contributed to confusion on notification requirements. Further, the works undertaken were also to improve environmental performance and remove the potential for environmental harm.</p>
The risk of environmental harm arising from the non-compliance.
There was no environmental harm arising from this incident. The incident is administrative due to the failure to notify the DENR of the removal of these surface water sampling sites as a result of the installation of seepage interception systems to protect the receiving environment.
The action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance.

There was no environmental harm arising from this incident. A non-compliance incident was entered into the Rio Tinto Business Solution (RTBS Ref#1000531199), to trigger review of processes and procedures for compliance with the WDL and notification processes. The site Water Monitoring Plan was amended with the removal of these sites and the surface water Conceptual Site Model (CSM) was developed and both documents were submitted to DENR by 14 October 2019.

Corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur.

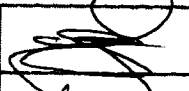

To avoid this incident from reoccurring, the followings actions were initiated:

- Ensure that change management processes identify a review of WDL171-08, where relevant;
- Refresh education and awareness on the requirements of WDL171-08 with key personnel;
- Undertake annual review of monitoring against WDL171-08 monitoring sites;
- Update the surface water sampling sites as part of the renewal of the WDL in 2020; and
- Preparation of a new suite of water management plans to address the impacts of the refinery closure in 2017.

If no action was taken, why no action was taken.

There are no longer seepage surface water flows at these locations due to the construction of the seepage interception systems.

Section 4. Signature and Certification

This declaration must only be signed by a person(s) with the legal authority to sign it. The ways in which the application may be signed, and the people who may sign the application, are set out in the categories below.			
If the licence holder is:	Tick	The application must be signed and certified by one of the following:	
An individual	<input type="checkbox"/>	The individual.	
A partnership	<input type="checkbox"/>	A partner.	
A company	<input type="checkbox"/>	The common seal being affixed in accordance with the <i>Corporations Act</i> , or	
	<input type="checkbox"/>	Two directors, or	
	<input checked="" type="checkbox"/>	A director and a company secretary, or	
	<input type="checkbox"/>	If a proprietary company that has a sole director who is also the sole company secretary – by that director.	
A public authority	<input type="checkbox"/>	The Chief Executive Officer (CEO) of the public authority, or	
	<input type="checkbox"/>	By a person delegated to sign on the public authority's behalf in accordance with its legislation (Please note: a copy of the relevant instrument of delegation must be attached to this application).	
I/We hereby declare that the information provided in this Annual Return and accompanying documents is to the best of my/our knowledge, true and correct.			
Signature		Signature	
Name (printed)	Alfred Ongg	Name (printed)	ANGELA CLARK
Position	Director	Position	COMPANY SECRETARY
Date	30/7/2020	Date	30/07/2020
Seal (if signing under seal):			