

Compliance inspections toolkit

Compliance inspections (Levels A, B and C)

Checklist, on-site record & inspection report

This toolkit is for internal use to assist Environmental Services officers when conducting Level A, B and C site inspections to record general details of the site being inspected, pre-inspection considerations and planning, on-site observations and to document recommendations and obtain approval for compliance/enforcement action. For Levels B and C, refer to addendum sheets also. This document can be used in hard copy and taken with the officer to be completed on site. The soft copy document can be completed upon return to the office.

Part A. General Information

Company name: Ostojic Group Pty Ltd	Date of inspection: 14 & 23 Dec 2011	Time: 1300H ~ 1430H (14 Dec 2011); 1000H ~ 1100H (23 Dec 2011)
Trading as: As above	EA/DA number (if applicable): SPDE01054010	
Description of business activity/ERAs: ERA50 (1B) Bulk Mineral Handling, 100t ~ 50,000t per day	File number: ISA2944; NOR/086766	
Street address: Sir Hudson Fysh Drive, Cloncurry	Real property description (lot on plan): Lot 138 on Plan RP905659	
Site representative/s: David Peet; Michael Mortimore	Position/s: HSE Manager; Site Superintendent	Contact telephone: s.49
Department's representatives: Hamish Butler/Alex Apostol/Wing Leung		
Registered business address: PO Box 38915 Northern Territory 0821		
Inspection level (check box): Level A ☐ Level B ☐ Level C ☐ Pre-Wet Season ☐ Other ☒		

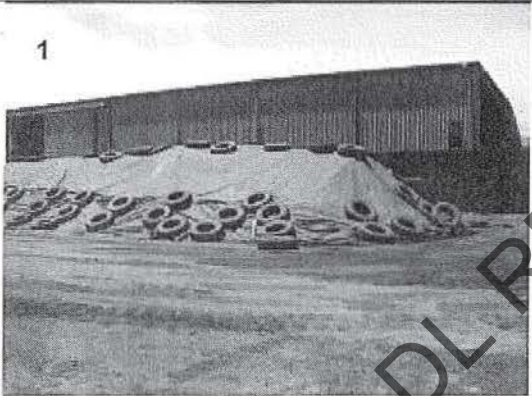
Part B. Pre-inspection considerations (add or delete lines as necessary)

Environmental risk	Low- Medium
Last inspection date	28 October 2011
General description of location	The Ostojic Group Bulk Handling Facility is located on Sir Hudson Fysh Drive, Cloncurry and is on the northern tip of the Cloncurry town centre. The facility is about 13.1 hectares and is bound by Golf Club road to the

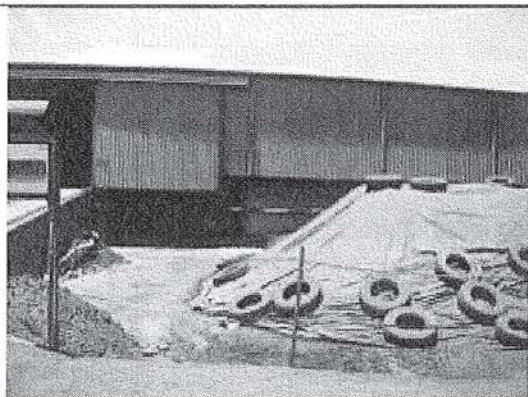
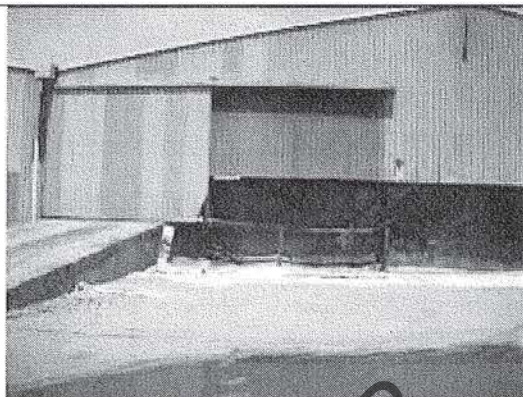
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	north and an unnamed road to the south.
Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	Environmental Protection Order STAT657
Sampling Plan	N/A
Access to Site & Sampling Locations	N/A
Work Place Health & Safety – consider what appropriate PPE is required for the Industry being inspected	
Safety helmet	Yes ☒ No ☐
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☒ No ☐
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☐ No ☒ If yes, describe PPE:
Arrange safety induction training with occupier of site before any work is done	Yes ☐ No ☒ No safety inductions were conducted as the DERM officers were guided by the host throughout the duration of the inspection.
Vehicle & Equipment Check completed	Yes ☒ No ☐ NOTE: Vehicle safety checklists and call in schedules are still required to be completed separately

Part C. Conditions for assessment

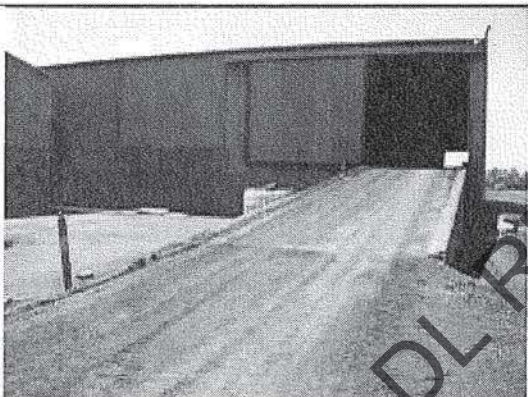
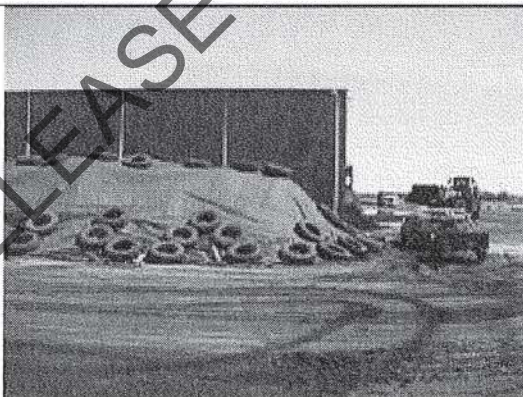
Condition number: EPO STAT657 Requirement 1	Compliant: Yes ☒ No ☐	Photos taken Y/N
Condition:		
By 19 December 2011 and from that day forward, all mineral concentrate stockpiles that are not stored in fully enclosed sheds must be covered to prevent the release of fugitive emissions to the receiving environment.		
Observations (include name and relevant comments made by any on-site staff)		
<p>14 Dec 2011: During site inspection, the remaining concentrate stockpiles onsite include the one located beside existing Storage Shed A, which was covered by tarpaulin as shown in Figure 1 and another stockpile within the hardstand area, which was provided with an "igloo shelter" as shown in Figure 2. David Peet said that magnetite concentrate will remain at Ernest Henry Mine until such time that a covered storage area is made available at Ostoic Handling Facility.</p>		Y
<div style="display: flex; justify-content: space-around;">   </div> <p>Mineral stockpiles remaining onsite during the 14 December 2011 site inspection include (1) stockpile beside the storage shed covered with tarpaulin, and (2) stockpile within the hardstand area under an igloo shelter.</p>		

Condition number: EPO STAT657 Requirement 2	Compliant: Yes ☒ No ☐	Photos taken Y/N
Condition:		
By 19 December 2011 and from that day forward, replace and/or repair all damaged cladding on the existing storage sheds to prevent the release of mineral concentrate to the environment.		
Observations (include name and relevant comments made by any on-site staff)		
<p>14 December 2011: Damaged claddings on the existing storage sheds were partially repaired. David Peet said that Ostoic will not be able to complete the repair/replacement of all damaged claddings by 19 Dec 2011 due to the delayed arrival of materials on Friday, 16 Dec 2011. He said that the cladding repair will be done by 23 Dec 2011. DERM officers advised Ostoic that a follow up inspection will be undertaken on 23 Dec 2011 to ensure compliance with this EPO Requirement.</p>		Y



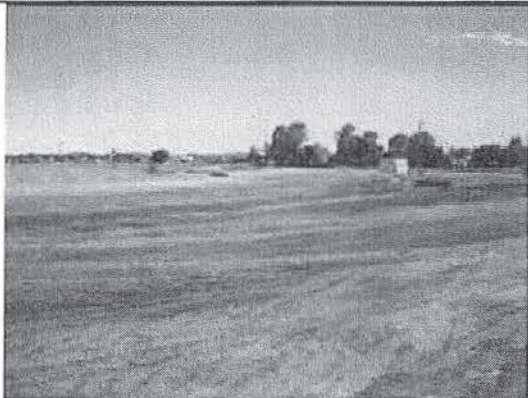
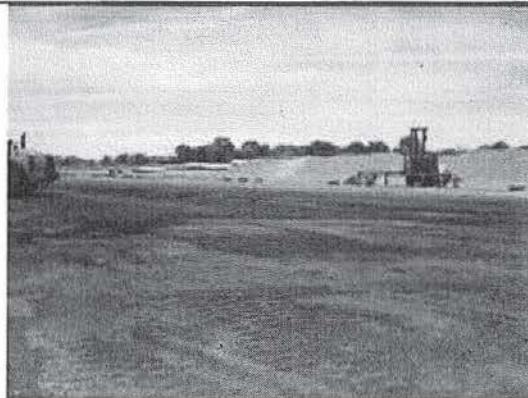
14 December 2011 site inspection showed claddings on the walls of the concentrate storage sheds.

23 December 2011: A follow up inspection revealed that all damaged claddings were completely replaced/repared as shown in the below photos.



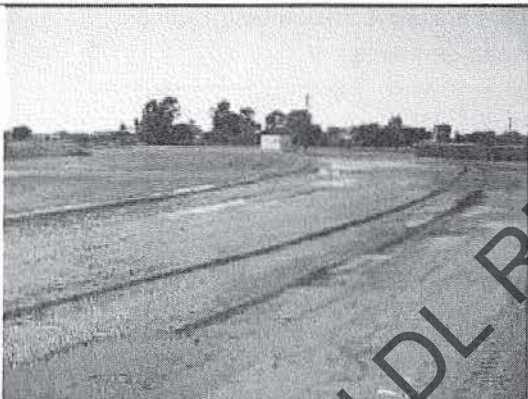
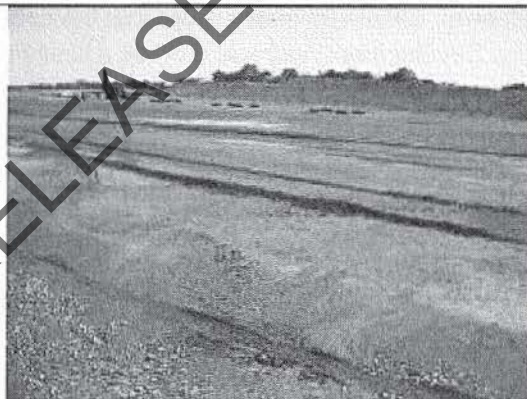
23 December 2011 site inspection showed concentrate storage shed claddings fully repaired and enclosed (except for the truck access/exit points).

Condition number: EPO STAT657 Requirement 3	Compliant: Yes ☒ No ☐	Photos taken Y/N
Condition:		
By 19 December 2011, clean and remove mineral concentrate spillage from areas affected during the loading and unloading of material, including but not limited to areas between the mineral concentrate storage shed, the outdoor mineral concentrate stockpiling area and the railway line.		
Observations (include name and relevant comments made by any on-site staff)		
14 December 2011: Mineral concentrate spillage from the areas between the outdoor mineral concentrate stockpiling area and the railway line and other areas affected by the loading/unloading of materials were partially scraped and removed to Ernest Henry Mine site. Michael Mortimore		Y



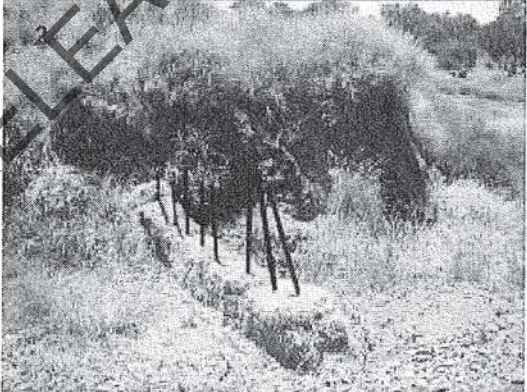
14 December 2011 site inspection revealed partially cleaned/scraped areas affected by mineral concentrate spillage.

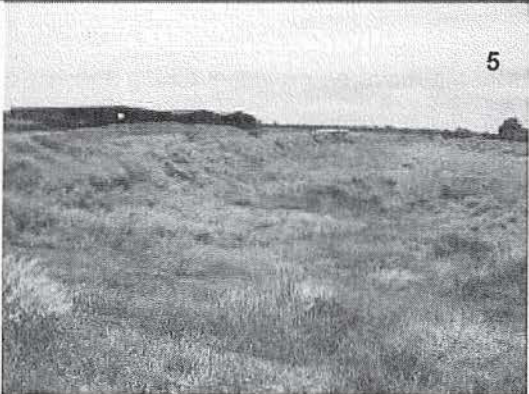
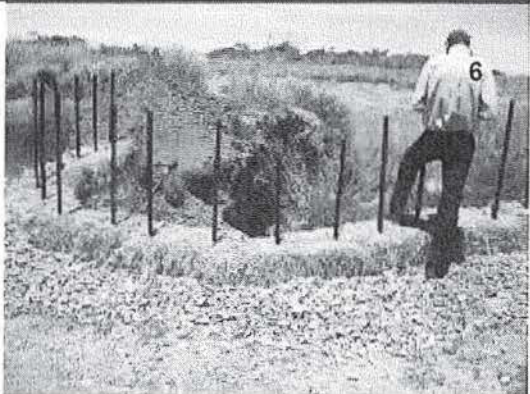
23 December 2011: A substantial amount of mineral spillage from the areas affected by the loading/unloading of materials were scraped and removed to Ernest Henry Mine. Michael Mortimore has indicated that it will be a continuous housekeeping/clean up work for Ostojic to maintain the area free from concentrate spill as possible.



23 December 2011 site inspection showed evidence that mineral concentrate spillage from the areas have been scraped and removed in compliance with EPO Requirement No. 3. As the site received approx. 30mm of rain the night before the site inspection, the area was muddy but showed evidence of spillage removal.

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Condition number: EPO STAT657 Requirement 4	Compliant: Yes ☒ No ☐	Photos taken Y/N
Condition:		
By 19 December 2011, install temporary bunding and sedimentation and erosion control measures to redirect clean stormwater away from areas potentially contaminated with mineral concentrate.		
Observations (include name and relevant comments made by any on-site staff)		
<p>14 December 2011: The Ostojic storage facility has been provided with earth bund on the east and northern part of the property to direct the stormwater runoff. A detention basin is situated north of the property while a large grassed channel is on the eastern part of the property. Inlets to the detention basin and channel are provided with straw bales as temporary erosion control measure. The detention basin is provided with spillway where the stormwater overflows. Overflows, both from the detention basin and large grassed channel, finally discharged to an unnamed creek situated north of the property.</p> <p>David Peet provided DERM a copy of the Site Based Stormwater Management Plan for the Ostojic storage facility. DERM advised Ostojic that the constructed spillways should be included in the new Ostojic Development Approval (DA) as a licensed discharge points.</p>		Y
		
		
<p>(1) Existing detention basin situated north of the Ostojic storage site; (2) inlet to the detention basin provided with straw bale as erosion control measure; (3) outlet or spillway of the detention basin; (4) Discharge through the spillway will flow through a pipe culvert underneath the gravel-filled road.</p>		

 <p>5</p>	 <p>6</p>	
 <p>7</p>	 <p>8</p>	
<p>(5) The large grassed channel situated east of the storage facility; (6) inlet to the channel provided with gravel/straw bale as erosion control measures; (7) Flow from the large channel will flow through a concrete culvert; (8) Both discharges from the detention basin and channel will finally discharge to unnamed creek, situated north of the property.</p>		

Part D. On-site observations – Areas of Concern

Detail any other areas of concerns identified on site that are not conditioned by the environmental authority / development approval

N/A

Part E. Pre-Wet Inspections

Did you run through the pre-wet inspection checklist?	Yes ☐ No ☒
Were there any areas of concern?	Yes ☐ No ☒
If yes to above, describe the issue/s identified.	

Part F. Closing meeting

Discuss preliminary findings, non-compliances, observations, further items to be provided, timing and any other matters (list names of all persons present).

The following persons were present at the close out meeting:

14 December 2011:

Ostojic Group Pty Ltd: David Peet, Gerard Timbs and Michael Mortimore

DERM: Hamish Butler and Alex Apostol

23 December 2011:

Ostojic Group Pty Ltd: Michael Mortimore

DERM: Alex Apostol and Wing Leung

During the 23 December 2011 close out meeting, DERM officers advised Ostojic Group Pty Ltd that all requirements of EPO STAT657 have been complied with as at 23 December 2011. A letter advising Ostojic of the result of EPO inspection will be issued by DERM in January 2012.

Part G. Recommendation (NB: Refer to parts C – E where relevant)

It is recommended that a letter be sent out to Ostojic Group Pty Ltd closing out the EPO STAT657.

Part H. Natural justice

☒ Did the client provide information relating to any extenuating circumstances that prevented compliance?
Yes ☒ No ☐

If Yes, describe what information was provided:

David Peet has indicated that Ostojic Group Pty Ltd will not be able to meet the 19 December 2011 deadline of the EPO STAT657 Requirement No. 2 (Repair of cladding) due to the delayed delivery of materials. Materials are expected to arrive on Friday, 16 December 2011, and the repair works are expected to be completed on 23 December 2011. He provided DERM a copy of estimation/proposal from the contractor as a proof that the work has already been contracted pending delivery of materials.

☒ If the client provided information, have you taken this information into consideration when making your recommendation? Yes ☒ No ☐

If Yes, describe the consideration given and what conclusions have been formed by the department.

In consideration of the above, DERM decided to conduct a follow up inspection on 23 December 2011 to provide ample time for Ostojic to comply with EPO STAT657 Requirement No. 2.

Checklist, on-site record & inspection report

Part I. Ecotrack

Ecotrack case number	CA23909
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Activity	Time (hours)	Comments
Planning	4	
Inspection	6.5	Include travel time from/to Mount Isa/Cloncurry
Reporting	8	Include EPO assessment and site inspection report preparation.
Total	18.5	

Part J. Approval

Environmental officer	Reviewing Officer
s.49 - Signature	
Name: Alex Apostol	Name: Hamish Butler
Date: 13 January 2012	Date: 13 January 2012

Delegated decision-maker	Approve / Reject Recommendation (circle one)
Reasons for decision	
☐ I approve this recommendation based upon the information set out in this report.	
☐ I reject the above recommendation as I consider it more appropriate for the department to take an alternative approach to this breach.	
The alternative option/s that should be considered in this case are:	
My reasons for this are:	

Name:
Date:

RTI DL RELEASE - EHP

Enquiries Alex Apostol
Telephone (07) 4744 7814
Your reference
Our reference CA23909, NOR/086766

11 January 2012

David Peet
Environmental Manager
Ostojic Group Pty Ltd
P.O. Box 38915
Northern Territory 0821

C/C Gerard Timbs
Principal Lawyer
Level 14 Central Plaza One
345 Queen Street
Brisbane Qld 4000

Dear Sir,

Ostojic Facility Cloncurry - Environmental Protection Order (STAT657)

I refer to the Environmental Protection Order (EPO) issued to Ostojic Group Pty Ltd on 29 November 2011 for the Ostojic Bulk Handling Facility located on Sir Hudson Fysh Drive in Cloncurry.

The Department of Environment and Resource Management (the department) has undertaken compliance inspections on 14 & 23 December 2011 and is satisfied that Ostojic Group Pty Ltd has achieved compliance with all requirements of the EPO. The EPO is now considered finalised by the department.

If you have any queries in relation to this matter please contact Alex Apostol on (07) 4744 7814.

Yours faithfully,

Gus GONZO
**Manager, Mining and Heavy industry
Environmental Services
Department of Environment and Resource Management**

Suite 30 Level 1 Mt Isa House
Cnr Camooweal & Mary Streets
Mt Isa Queensland 4825 Australia
P.O. Box 2316 Mt Isa QLD
Queensland 4825 Australia
Telephone (07) 4744 7888
Facsimile (07) 4744 7800
Website www.derm.qld.gov.au
ABN 46 640 294 485

From: Gonzo Gus [Gus.Gonzo@ehp.qld.gov.au]
Sent: Monday, 30 January 2012 3:46 PM
To: Butler Hamish
Subject: RE: EIA for Ostoic Release_27 Jan 2012
Attachments: Environmental Incident Alert_Ostoic_120130 (2).doc

Hamish,
some comments attached and as follows. Please also add a map and check the template. We need to communicate the likely level of env risk. also what about down stream landholders, do we have any idea of the volume of the release?
Gus

From: Butler Hamish
Sent: Monday, 30 January 2012 3:32 PM
To: Gonzo Gus
Subject: FW: EIA for Ostoic Release_27 Jan 2012

Gus,

Ostoic EIA for your review.

Cheers.

Hamish Butler
Team Leader- Mount Isa
North Region
Mining & Heavy Industry
Department of Environment and Resource Management

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Fairweather Karen
Sent: Monday, 30 January 2012 2:52 PM
To: Butler Hamish
Subject: RE: EIA for Ostoic Release_27 Jan 2012

Attached EIA for Ostoic release.
cheers,
Karen

From: Butler Hamish
Sent: Monday, 30 January 2012 2:29 PM
To: Fairweather Karen
Subject: RE: Storm Water

Just what he has provided in fine.

You can add in there staff will be on site tomorrow and we are awaiting sample results.

Cheers.

Hamish Butler
Team Leader- Mount Isa
North Region
Mining & Heavy Industry
Department of Environment and Resource Management

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Fairweather Karen
Sent: Monday, 30 January 2012 2:24 PM
To: Butler Hamish
Subject: RE: Storm Water

Can I call Michael Mortimer to get more details, or do you just want me to use what he has provided?

From: Butler Hamish
Sent: Monday, 30 January 2012 2:14 PM
To: Fairweather Karen
Subject: FW: Storm Water

Karen,

Can you please complete an EIA form for the release from Ostoic and send it back to me this afternoon I would appreciate it.

I have attached the latest one completed for Birla.

Cheers.

Hamish Butler
Team Leader- Mount Isa
North Region
Mining & Heavy Industry
Department of Environment and Resource Management

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Michael Mortimore [mailto:Michael.Mortimore@ostoic.com.au]
Sent: Saturday, 28 January 2012 12:24 PM
To: Butler Hamish
Cc: David Peet
Subject: Storm Water

Hi Hamish,

We had storm water leave the Ostoic Site on the night of 27/1/12.

Cloncurry received over 100 mil of rain on the night of the 27/1/12. Storm Water left the Bulk Handling Facility in two locations through silt barriers. Samples will be taken and sent to ALS Global, I will send the results to you as soon as I get them back.

Kind regards,

Michael Mortimore



Ostojic Group Pty Ltd

15 Alice Street Cloncurry QLD | Po Box 400 Cloncurry QLD 4824

P: 07 4742 1873 | F: 07 4742 1419 | M: s.49

W: www.ostojic.com.au E: michael.mortimore@ostojic.com.au



Please consider the environment before printing this email, or any digitised document.

RTI DL RELEASE - EHP

ENVIRONMENTAL INCIDENT ALERT

REGIONAL SERVICE DELIVERY DIVISION

DATE OF INCIDENT: 27 January 2012

INCIDENT NOTIFIED BY: Michael Mortimore – Ostojeć Group Pty Ltd

TIME OF NOTIFICATION: 12:24 hours on 28 January 2012

LOCATION OF INCIDENT: Ostojeć Bulk Handling Facility, Cloncurry.

SUMMARY OF INCIDENT AS NOTIFIED:

- **Location and what Ostojeć is**

- Ostojeć Pty Ltd (Ostojeć) has reported that a release has occurred from its Bulk Handling Facility, via two (2) locations through silt barriers on the night of the 27 January 2012.
- Ostojeć advised that samples of the discharge will be taken and sent to ALS for analysis, and results provided when available. The runoff may contain concentrations of metals above receiving environment contaminant limits detailed in the Development Approval (DA).
- DERM officers will conduct a site inspection and collect in-situ water and sediment samples tomorrow, 31 January 2012.

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THE DEPARTMENT'S PLANNED ACTIONS:

- The department will conduct an inspection of the site tomorrow, 31 January 2012 and take samples from the release points and DA receiving environment sampling locations.
- The department has advised the client of their obligations to notify downstream landholders of any unauthorised release event.

Region: North Region		
Briefing Officer: Karen Fairweather	Telephone: 4744 7820	Date: 30/1/2012
Approving Officer: Hamish Butler	Telephone: 4222 5333	Date: 30/1/2012

From: Gonzo Gus [Gus.Gonzo@ehp.qld.gov.au]
Sent: Wednesday, 1 February 2012 10:11 AM
To: Butler Hamish
Subject: RE: Ostoic Inspection, 31 Jan 2012

Suggest we run them all,

From: Apostol Alex
Sent: Wednesday, 1 February 2012 10:03 AM
To: Butler Hamish
Cc: Leung Wing; Gonzo Gus
Subject: RE: Ostoic Inspection, 31 Jan 2012

Hamish,

Below is my calculation:

	Analyte	Unit Cost	No. of Samples	Total Cost
Water	W-3T (13 metals: As, Ba, Be, Cd, Cr, Co, Cu, Mn, Ni, Pb, V, Zn, Hg)	50.00	4	200.00
	ED041 Sulphate	10.00	4	40.00
Sediment	S-3 (13 metals: As, Ba, Be, Cd, Cr, Co, Cu, Mn, Ni, Pb, V, Zn, Hg)	42.00	3	126.00
	ED041 Sulphate	10.00	3	30.00
				\$396.00

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House 'PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814 'Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: Butler Hamish
Sent: Wednesday, 1 February 2012 9:23 AM
To: Apostol Alex
Cc: Leung Wing; Gonzo Gus
Subject: RE: Ostoic Inspection, 31 Jan 2012

Thanks Alex,

I am particularly concerned that no samples were taken of the discharge when the site was releasing.

Can you please calculate how much it will cost to analyse all the samples for basic metals and sulphate and let me know.

I think we should send them away to see if there are any impacts in the RE.

Cheers.

Hamish Butler
Team Leader- Mount Isa
North Region
Mining & Heavy Industry
Department of Environment and Resource Management

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Apostol Alex
Sent: Tuesday, 31 January 2012 3:57 PM
To: Butler Hamish
Cc: Leung Wing
Subject: Ostoic Inspection, 31 Jan 2012

Hi Hamish,

Below summarises our inspection at Ostoic Bulk Handling Facility:

1. Arrived in Ostoic office at 10:15 AM and met Michael Mortimore who guided us during the inspection and sampling. He told DERM officers that stormwater release occurred on Sunday night for about 4 hours, the site received approx. 200mm of rain. He later clarified through email (see below) that the stormwater release actually occurred on Friday night (27 Jan 2012);
2. We went around the site. Mike showed us the flooded area and where water accumulates and overflowed. There was no sign of overflow even the stormwater pond was back to a low level. The receiving creek was dry but small pool of water remains that enable us to get water samples.
3. We went further downstream of the unknown creek, approx. 500m from the discharge point and collected sediment and water samples. Small pool of water remains on the creek. This part of the creek, however, may have been influenced by other surrounding industries, e.g., the Western Diesel Repair Pty Ltd (truck repair/tipper).
4. We went further downstream to see Cloncurry River, about 2 km from the discharge point. The unknown creek meets Cloncurry River at 300~500m upstream of the river.
5. Collected water sample from the stormwater pond.
6. Collected water and sediment sample upstream of the creek just before the culvert crossing the existing railway line. It was noted however that this upstream part of the creek also receives discharges from the residential, roads and other industries, so water quality may have been impacted by these discharges.
7. As per info from Michael Mortimore, Ostoic has not collected any water/sediment sample since the overflow incident as they have not received the sampling bottles from ALS. He said that they already placed order from ALS and once they receive the sampling bottles, will collect water samples and send them to ALS lab for analysis.

8 . Left Ostoic site at 11:45 AM.

Below are the list of water and sediment samples.

ID	Time	In-situ Analysis	Sampling Location Description	Note
AA310112-01	10:35 AM		Just below the spillway/Discharge point	Sediment
AA310112-02	10:35 AM	pH = 7.81 T = 30.15 ^o C EC = 0.172 mS/cm DO = 58.8%/4.41 mg/L	About 30~40m downstream of spillway/discharge point	Water sample; A small pool of water remains onsite.
AA310112-03	10:50 AM		Unknown creek, approx. 500m downstream of spillway/discharge point	Sediment sample
AA310112-04	10:50 AM	pH = 8.06 T = 29.79 ^o C EC = 0.159 mS/cm DO = 76.5%/5.80 mg/L	Unknown creek, approx. 500m downstream of spillway/discharge point	Water sample; Other industry/ activities may have influenced water/sediment quality on this site.
AA310112-05	11:10 AM	pH = 8.67 T = 31.54 ^o C EC = 0.214 mS/cm DO = 98.0%/7.09 mg/L	Stormwater pond	Water sample
AA310112-06	11:20 AM	pH = 6.95 T = 30.49 ^o C EC = 0.205 mS/cm DO = 4.3%/0.30 mg/L	Upstream of the creek, just before the culvert crossing the railway.	Water sample; Other industry, residential and roads are discharging into this creek.
AA310112-7	11:20 AM		Upstream of the creek, just before the culvert crossing the railway.	Sediment sample

Let me know which samples will be sent to ALS for analysis.

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814 Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: Michael Mortimore [mailto:Michael.Mortimore@ostojic.com.au]
Sent: Tuesday, 31 January 2012 2:22 PM
To: Apostol Alex
Subject: RE: Stormwater Discharge

Sorry about that.

Just went back through the diary, stopped raining 0300 hrs on the 28 Jan 12 and emailed Hamish midday on the

28 Jan 12.

Michael

From: Apostol Alex [mailto:Alex.Apostol@derm.qld.gov.au]
Sent: Tuesday, 31 January 2012 2:13 PM
To: Michael Mortimorek
Subject: Stormwater Discharge

Hi Michael,

Based on our inspection/discussion this morning at Ostoic site, you have mentioned that stormwater discharge occurred last Sunday, 29 January 2012 (nighttime). However, on the email that you sent Hamish, you have stated that stormwater discharged on the night of 27 January 2012. Can you please clarify if the stormwater overflow/discharges occurred on two occasions - 27 January and 29 January 2012?

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services\North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House \PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
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Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

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From: Apostol Alex
Sent: Friday, 2 March 2012 2:40 PM
To: Butler Hamish
Subject: RE: Ostoic Draft Site Inspection Report

Attachments: Ostoic SI Report 31 Jan 2012.pdf
[Hi Hamish,](#)

[Attached is the signed inspection report for Ostoic 31 Jan 2012 site inspection.](#)

[I will start drafting the letter, PIN alert and AR on Monday.](#)

[Rgrds,](#)
[alex](#)

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House 'PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814 'Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: Butler Hamish
Sent: Tuesday, 28 February 2012 4:32 PM
To: Apostol Alex
Subject: FW: Ostoic Draft Site Inspection Report

[Alex,](#)

[Can you please finalise the ostoic site inspection, Gus has agreed to the below recommendations.](#)

[Cheers.](#)

Hamish Butler
Team Leader-Mount Isa
Mining & Heavy Industry
Regional Services
Department of Environment and Resource Management

Phone: (07) 4222 5333 (Cairns)
(07) 4744 7870 (Mount Isa)
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Gonzo Gus
Sent: Tuesday, 28 February 2012 11:08 AM
To: Butler Hamish
12-378

Subject: RE: Ostojic Draft Site Inspection Report

Thanks Hamish,

Sounds ok. Re PIN - we will need to do a PIN alert...just make sure that prior to going to all that effort that we have covered off on all of the elements of the offence.

I note that the report says that they have impacted the upstream sampling site...how can that be...happy to discuss if required.

Cheers

Gus

From: Butler Hamish
Sent: Wednesday, 22 February 2012 4:14 PM
To: Gonzo Gus
Subject: FW: Ostojic Draft Site Inspection Report

Gus,

Please find attached the site inspection report for the Ostojic inspection conducted on 31 January 2012.

Summary of recommendations are as follows;

It is recommended that a letter be sent out to Ostojic Group Pty Ltd to:

- Issue Penalty Infringement Notice (PIN) to Ostojic Group Pty Ltd for breaching DA SPDE01054010 Conditions WA1 and WA3;
- require Ostojic Group Pty Ltd to revise the Stormwater Management Plan for certain elements ;
- detail the non-compliance with DA SPDE01054010;
- require Ostojic Group Pty Ltd to conduct investigation into the potential for environmental harm and provide a written report to DERM in accordance with DA SPDE01054010 Condition WA5.

As there were only non compliances for trigger limits and not contaminate limits I don't believe a FIR should be completed in this instance.

The PIN relate to Ostojic not collecting any samples when the site was releasing as they had no bottles.

Cheers.

Hamish Butler
Team Leader-Mount Isa
Mining & Heavy Industry
Regional Services
Department of Environment and Resource Management

Phone: (07) 4222 5333 (Cairns)
(07) 4744 7870 (Mount Isa)
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Apostol Alex
Sent: Wednesday, 22 February 2012 3:52 PM

To: Butler Hamish
Subject: FW: Ostoic Draft Site Inspection Report

Hamish,

I have inserted the DA discharge limit and receiving water trigger and contaminant limits on Table 1 of the Inspection Report.

DA has no contaminant/trigger levels for sediments.

Regards,
alex

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House, PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814, Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: Apostol Alex
Sent: Tuesday, 21 February 2012 1:28 PM
To: Butler Hamish
Subject: Ostoic Draft Site Inspection Report

Hamish,

Attached for your review is the draft site inspection report for Ostoic discharge incident.

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House, PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
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Compliance inspections toolkit

Compliance inspections (Levels A, B and C)

Checklist, on-site record & inspection report

This toolkit is for internal use to assist Environmental Services officers when conducting Level A, B and C site inspections to record general details of the site being inspected, pre-inspection considerations and planning, on-site observations and to document recommendations and obtain approval for compliance/enforcement action. For Levels B and C, refer to addendum sheets also. This document can be used in hard copy and taken with the officer to be completed on site. The soft copy document can be completed upon return to the office.

Part A. General Information

Company name: Ostojic Group Pty Ltd	Date of inspection: 31 Jan 2012	Time: 1030H ~ 1245H
Trading as: As above	EA/DA number (if applicable): SPDE01054010	
Description of business activity/ERAs: ERA50 (1B) Bulk Mineral Handling, 100t ~ 50,000t per day	File number: ISA2944; NOR/086766	
Street address: Sir Hudson Fysh Drive, Cloncurry	Real property description (lot on plan): Lot 138 on Plan RP905659	
Site representative/s: Michael Mortimore	Position/s: Site Superintendent	Contact telephone: s.49
Department's representatives: Alex Apostol & Wing Leung		
Registered business address: PO Box 38915 Northern Territory 0821		
Inspection level (check box): Level A ☐ Level B ☒ Level C ☐ Pre-Wet Season ☐ Other ☐		

Part B. Pre-inspection considerations (add or delete lines as necessary)

Environmental risk	Low- Medium
Last inspection date	23 December 2011
General description of location	The Ostojic Group Bulk Handling Facility is located on Sir Hudson Fysh Drive, Cloncurry and is on the northern tip of the Cloncurry town centre. The facility is about 13.1 hectares and is bound by Golf Club road to the north and an unnamed road to the south.

Inspection toolkit
Checklist, on-site record & inspection report

Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	A draft TEP to be submitted on 22 Feb 2012.
Sampling Plan	Collect water and sediment samples from the stormwater retention pond, upstream and downstream of the creek that received the stormwater overflow on the night of 27 January 2012.
Access to Site & Sampling Locations	All sampling locations were accessible during the time of inspection.
Work Place Health & Safety – consider what appropriate PPE is required for the Industry being inspected	
Safety helmet	Yes ☒ No ☐
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☒ No ☐
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☐ No ☒ If yes, describe PPE:
Arrange safety induction training with occupier of site before any work is done	Yes ☐ No ☒ No safety inductions were conducted as the DERM officers were guided by the host throughout the duration of the inspection.
Vehicle & Equipment Check completed	Yes ☒ No ☐ NOTE: Vehicle safety checklists and call in schedules are still required to be completed separately

Part C. Conditions for assessment

Condition number: SPDE01054010 Condition WA1		Compliant: Yes ☐ No ☒	Photos taken Y/N																																						
Condition: (Release to Waters)																																									
<p>Contaminants must not be released from the site to land or waters other than in accordance with the conditions of this development approval.</p> <p>Settled/treated stormwater runoff water from the settling pond must only be released from the site to waters in compliance with the release limits listed in Table 2, and from the contaminant release point described in the Stormwater Management Plan.</p> <p>Table 2 – Contaminant release limits to water</p> <table border="1"> <thead> <tr> <th>Water Quality characteristics (Units)</th> <th>Discharge limit</th> <th>Limit Type</th> <th>Monitoring Frequency</th> </tr> </thead> <tbody> <tr> <td>Turbidity (NTU)</td> <td>50</td> <td>Maximum</td> <td rowspan="4">Daily during release (the first sample must be taken within 2 hours of commencement of release)</td> </tr> <tr> <td>pH</td> <td>6.0 – 9.0</td> <td>Range</td> </tr> <tr> <td>Oil and grease</td> <td>No visible film</td> <td>Maximum</td> </tr> <tr> <td>Copper (mg/l)</td> <td>1.0</td> <td>Maximum</td> </tr> </tbody> </table>			Water Quality characteristics (Units)	Discharge limit	Limit Type	Monitoring Frequency	Turbidity (NTU)	50	Maximum	Daily during release (the first sample must be taken within 2 hours of commencement of release)	pH	6.0 – 9.0	Range	Oil and grease	No visible film	Maximum	Copper (mg/l)	1.0	Maximum																						
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Oil and grease	No visible film	Maximum																																							
Copper (mg/l)	1.0	Maximum																																							
Observations (include name and relevant comments made by any on-site staff)																																									
<p>The DA holder was unable to take water sample from the settling pond within 2 hours of commencement of release. The release from the settling pond occurred on the night of 27 January 2012 and lasted for about 4 hours. No sample was taken due to unavailability of sampling bottles, as per information from Michael Mortimore (MM). DERM was notified of the release incident by email on 28 January (Saturday) 2012. DERM was able to collect water sample from the settling pond the next Tuesday (31 Jan 2012), four days after the release event.</p> <p>During the time of inspection, water level at the settling pond was back to a usual low level and there was no evidence of overflows from the settling pond. Water sample from the settling pond has the following results:</p> <table border="1"> <thead> <tr> <th>Sampling Location</th> <th>Stormwater Settling Pond (AA310112-05)</th> </tr> </thead> <tbody> <tr><td>pH</td><td>8.67</td></tr> <tr><td>Temperature, °C</td><td>31.54</td></tr> <tr><td>EC, mS/cm</td><td>0.214</td></tr> <tr><td>DO, % Sat, mg/L</td><td>98%/7.09</td></tr> <tr><td>Sulfate, mg/L</td><td>31</td></tr> <tr><td>Arsenic, mg/L</td><td>0.002</td></tr> <tr><td>Barium, mg/L</td><td>0.070</td></tr> <tr><td>Beryllium, mg/L</td><td><0.001</td></tr> <tr><td>Cadmium, mg/L</td><td>0.0007</td></tr> <tr><td>Cobalt, mg/L</td><td>0.002</td></tr> <tr><td>Chromium, mg/L</td><td><0.001</td></tr> <tr><td>Copper, mg/L</td><td>0.212</td></tr> <tr><td>Manganese, mg/L</td><td>0.059</td></tr> <tr><td>Mercury, mg/L</td><td><0.0001</td></tr> <tr><td>Nickel, mg/L</td><td>0.003</td></tr> <tr><td>Lead, mg/L</td><td>0.007</td></tr> <tr><td>Vanadium, mg/L</td><td><0.01</td></tr> <tr><td>Zinc, mg/L</td><td>0.071</td></tr> </tbody> </table> <p>Results have indicated that the water from the settling pond exceeded the ANZECC (2000) Protection of Aquatic Ecosystem at 95% Protection Level for Cd, Cu, Pb and Zn.</p>			Sampling Location	Stormwater Settling Pond (AA310112-05)	pH	8.67	Temperature, °C	31.54	EC, mS/cm	0.214	DO, % Sat, mg/L	98%/7.09	Sulfate, mg/L	31	Arsenic, mg/L	0.002	Barium, mg/L	0.070	Beryllium, mg/L	<0.001	Cadmium, mg/L	0.0007	Cobalt, mg/L	0.002	Chromium, mg/L	<0.001	Copper, mg/L	0.212	Manganese, mg/L	0.059	Mercury, mg/L	<0.0001	Nickel, mg/L	0.003	Lead, mg/L	0.007	Vanadium, mg/L	<0.01	Zinc, mg/L	0.071	Y
Sampling Location	Stormwater Settling Pond (AA310112-05)																																								
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Ostojic Group Pty Ltd is in breach of SPDE01054010 Condition WA1 for not taking water sample from the stormwater pond within 2 hours of commencement of release as required by the condition. Having no sampling bottles during the time of release is not an acceptable justification for not taking samples. It is Ostojic responsibility to ensure that all necessary supplies, materials, equipment and manpower must be available to comply with all condition of the DA.



Figure 1: Stormwater settling pond.

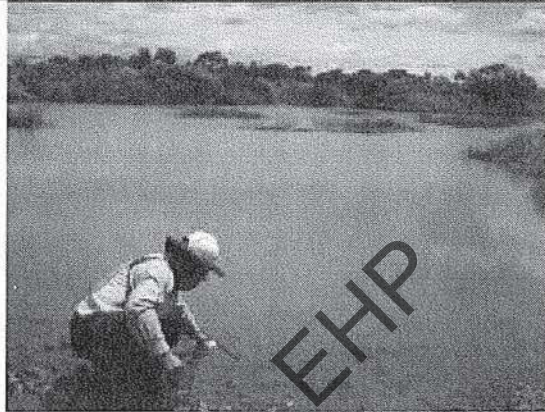


Figure 2: Water sampling at the stormwater settling pond on 31 January 2012.



Figure 3: Release point/spillway of stormwater settling pond.

Condition number: SPDE01054010 Condition WA3		Compliant: Yes ☐ No ☒	Photos taken Y/N																				
Condition:																							
<p>The release of contaminants to waters from the release points must be monitored at any receiving waters within 500m downstream of the release. The monitoring must include each quality characteristics and be at the frequency specified in Table 3 (Receiving Water Monitoring Triggers, Limits and Frequency).</p> <p>Table 3 – Receiving Water Monitoring Triggers, Limits and Frequency</p> <table border="1"> <thead> <tr> <th>Water Quality characteristics (Units)</th> <th>Trigger Level</th> <th>Contaminant Limit</th> <th>Monitoring Frequency</th> </tr> </thead> <tbody> <tr> <td>Dissolved Oxygen (Percent Saturation)</td> <td>90-120</td> <td>N/A</td> <td rowspan="5"> Event based sampling of discharge <ul style="list-style-type: none"> One sample must be taken within 24 hours of a discharge event or commencing. Where a discharge event has a duration of 24 hours or greater, samples must be taken daily for one week, and once a week thereafter. </td> </tr> <tr> <td>Turbidity (NTU)</td> <td>15</td> <td>50</td> </tr> <tr> <td>pH</td> <td>6.0 – 7.5</td> <td>6.0 – 9.0</td> </tr> <tr> <td>Oil and grease</td> <td>N/A</td> <td>No visible film</td> </tr> <tr> <td>Copper (mg/l)</td> <td>0.0014</td> <td>1.0</td> </tr> </tbody> </table>				Water Quality characteristics (Units)	Trigger Level	Contaminant Limit	Monitoring Frequency	Dissolved Oxygen (Percent Saturation)	90-120	N/A	Event based sampling of discharge <ul style="list-style-type: none"> One sample must be taken within 24 hours of a discharge event or commencing. Where a discharge event has a duration of 24 hours or greater, samples must be taken daily for one week, and once a week thereafter. 	Turbidity (NTU)	15	50	pH	6.0 – 7.5	6.0 – 9.0	Oil and grease	N/A	No visible film	Copper (mg/l)	0.0014	1.0
Water Quality characteristics (Units)	Trigger Level	Contaminant Limit	Monitoring Frequency																				
Dissolved Oxygen (Percent Saturation)	90-120	N/A	Event based sampling of discharge <ul style="list-style-type: none"> One sample must be taken within 24 hours of a discharge event or commencing. Where a discharge event has a duration of 24 hours or greater, samples must be taken daily for one week, and once a week thereafter. 																				
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Oil and grease	N/A	No visible film																					
Copper (mg/l)	0.0014	1.0																					
Observations (include name and relevant comments made by any on-site staff)																							
<p>The DA holder was unable to take water samples from the impacted creek during the release event or within 24 hours of the release event. MM has stated that Ostoic has no sampling bottles that can be used to collect water samples during the release event. Ostoic has already placed an order from ALS Laboratory to supply them with the appropriate sampling bottles but as at the time of inspection, the bottles have not arrived yet.</p> <p>DERM officers collected water and sediment samples from the unknown creek on 31 January 2012. During the time of inspection, the creek was dry except for some part where small holes of water remain. Table 1 provides the result of water and sediment samples:</p> <p>Analysis of the water samples revealed the following:</p> <ol style="list-style-type: none"> Water samples from downstream, about 30~40m of the spillway/discharge point and approx. 500m of the spillway/discharge point exceeded the DA pH trigger range of 6.0~7.5. In-situ DO measurements at the three sampling locations (upstream and downstream) were below the DA trigger level (lower limit) and ANZECC (2000) Slightly Disturbed Ecosystem of 90~120% saturation. Water samples from all sampling locations exceeded the DA trigger level and ANZECC (2000) Protection of Aquatic Ecosystem at 95% Protection Level of 0.0014 mg/L for Cu. Water samples from downstream, about 30~40m of the spillway/discharge point and upstream location just before the culvert crossing the railway exceeded the ANZECC (2000) Protection of Aquatic Ecosystem at 95% Protection Level of 0.008 mg/L for Zn. Ostoic Group Pty Ltd is in breach of SPDE01054010 Condition WA3 for not taking water sample from the receiving environment within 24 hours of commencement of release as required by the condition. Having no sampling bottles during the time of release is not an acceptable justification for not taking samples. It is Ostoic responsibility to ensure that all necessary supplies, materials, equipment and manpower must be available to comply with all condition of the DA. 			Y																				

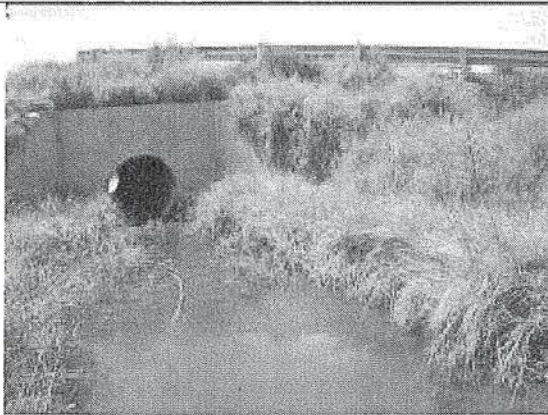


Figure 4: Downstream of the creek, about 30-40m from spillway of stormwater settling pond.



Figure 5: Downstream of the creek, approx. 500m from spillway of stormwater settling pond.



Figure 6: Upstream of the creek, just before the culvert crossing the railway.

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Compliance inspections toolkit

Table 1
Ostojic Bulk Handling Facility
Water Quality Analysis, 31 January 2012

Sampling Point	Stormwater Settling Pond (AA310112-05)	About 30~40m downstream of spillway/discharge point (AA310112-02)	Unknown Creek, approx. 500m downstream of spillway/discharge point (AA310112-04)	Upstream of the Creek, just before the culvert crossing the railway (AA310112-06)	DA SPDE01054010			ANZECC 2000 Livestock	Australian Drinking Water Guideline (2004) Health		Guidelines for Managing Risks in Recreational Water (2006)	ANZECC 2000 Ecosystems, Slightly to Moderately Disturbed
					Discharge Limit (Table 2)	Receiving Water (Table 3)						
						Trigger Level	Contaminant Limit					
pH	8.67	7.81*↑	8.06*↑	6.95	6.0~9.0	6.0~7.5	6.0~9.0					6.0~7.5
Temperature, °C	31.54	30.15	29.79	30.49								
EC, mS/cm	0.214	0.172	0.159	0.205								0.02~0.25
DO, % Sat, mg/L	98%/7.09	58.8%*↑, 4.41	76.5%*↑, 5.80	4.3%*↑, 0.30		90~120%	N/A					90~120%
Sulfate, mg/L	31	16	7	5				1000	500	250	5000	
Arsenic, mg/L	0.002	0.004	0.001	0.005				0.5	0.007			0.024
Barium, mg/L	0.070	0.050	0.034	0.083					0.7			
Beryllium, mg/L	<0.001	<0.001	<0.001	<0.001								
Cadmium, mg/L	0.0007*	0.0001	<0.0001	<0.0001				0.01	0.002			0.0002
Cobalt, mg/L	0.002	<0.001	<0.001	0.004				1				
Chromium, mg/L	<0.001	<0.001	<0.001	<0.001				1	0.05		0.5	0.001
Copper, mg/L	0.212*	0.096*↑	0.012*↑	0.102*↑	1.0	0.0014	1.0	1	2	1	20	0.0014
Manganese, mg/L	0.059	0.024	0.014	0.628*					0.5	0.1		1.9
Mercury, mg/L	<0.0001	<0.0001	<0.0001	<0.0001								
Nickel, mg/L	0.003	<0.001	<0.001	0.002							0.2	0.011
Lead, mg/L	0.007*	0.001	<0.001	0.003				0.1	0.01			0.0034
Vanadium, mg/L	<0.01	0.02	0.02	<0.01					0.02			
Zinc, mg/L	0.071*	0.052*	<0.005	0.064*				20		3		0.008

* - exceeds ANZECC 2000 slightly to moderately disturbed ecosystem.

↑ - exceeds DA SPDE01054010 Receiving water trigger level.

* - exceeds Australian Drinking Water Health Based Guideline (2004)

Released



Table 2
Ostojic Bulk Handling Facility
Sediment Analysis, 31 January 2012

Sampling Point	Just below the spillway/discharge point (AA310112-01)	Unknown Creek, approx. 500m downstream of spillway/discharge point (AA310112-03)	Upstream of the Creek, just before the culvert crossing the railway (AA310112-07)	ISQG Low	ISQG High
Sulfate, mg/L	170	260			
Arsenic, mg/L	<5	<5		20	70
Barium, mg/L	60	200			
Beryllium, mg/L	<1	<1			
Cadmium, mg/L	<1	<1		1.5	10
Cobalt, mg/L	9	18	12		
Chromium, mg/L	13	14	17	80	370
Copper, mg/L	218*	43	1960	65	270
Manganese, mg/L	292	1090	464		
Mercury, mg/L	<0.1	<0.1	<0.1	0.15	1
Nickel, mg/L	10	16	16	21	52
Lead, mg/L	<5	<5	16	50	220
Vanadium, mg/L	39	68	42		
Zinc, mg/L	31	9	74	200	410

* - exceeds ISQG Low value

* - exceeds ISQG High value

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Compliance inspections toolkit

Condition number: SPDE01054010 Condition WA5	Compliant: Yes ☐ No ☒	Photos taken Y/N
<i>Condition:</i>		
<p>If quality characteristics of the release measured in the receiving waters monitored in accordance with condition WA4, exceeds the trigger level stated in Table 3 (Receiving Water Monitoring Triggers, Limits and Frequency), the holder of this development approval must undertake an investigation in accordance with the ANZECC & ARMCANZ 2000 methodology, into the potential for environmental harm and provide a written report to the administering authority within 3 months, outlining:</p> <ul style="list-style-type: none"> i. details of the investigation carried out, and; ii. actions taken to prevent environmental harm. 		
<i>Observations (include name and relevant comments made by any on-site staff)</i>		
No investigation has been carried out by Ostoic Group Pty Ltd. It is recommended that DERM requires Ostoic Group Pty Ltd to conduct an investigation in accordance with condition WA5.		N

Condition number: SPDE01054010 Condition WA3	Compliant: Yes ☐ No ☒	Photos taken Y/N
<i>Condition: Stormwater Management Plan</i>		
<p>Prior to commencement of activities, a stormwater management plan must be prepared that is acceptable to the administering authority, and then implemented for the site. The stormwater management plan must address at least the following:</p> <ul style="list-style-type: none"> • Prevention of incident stormwater and stormwater runoff from contacting wastes or contaminants; • Diversion of upstream runoff away from areas where it may be contaminated by bulk products being loaded or unloaded, wastes, contaminants or other materials; • Specify the sampling location(s) of all contaminant release points; • Specify the monitoring frequency or stormwater discharges to the environment, and; • Collection, treatment and disposal of all contaminated stormwater runoff. 		
<i>Observations (include name and relevant comments made by any on-site staff)</i>		
<p>Ostoic Group Pty Ltd submitted a Site Based Stormwater Management Plan during DERM site inspection on 14 December 2011. Review of the Plan has indicated the following:</p> <ol style="list-style-type: none"> 1. The plan has indicated three (3) legal point of discharge. Two discharges in the north boundary of the site and one discharge in the south into the road reserve. However, the 		N

<p>actual site condition has two discharge points, one in the north, where the 27 Feb 2012 discharge occurred and one in the east discharging into the large grassed channel. The actual location, i.e., GPS coordinates, of these discharge points must be specified in the plan.</p> <p>2. The plan must be revised to show the catchment area of each stormwater pond and release points</p> <p>3. Monitoring program contained in the Site-Based Stormwater Management Plan is inadequate. It does not contain the proposed location of water and sediment sampling on site. It does not contain the specific water/sediment quality parameters that should be monitored.</p> <p>4. The monitoring program, likewise, does not show the proposed location of water and sediment sampling, both upstream (reference) and downstream, of the receiving environment.</p>	
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Part D. On-site observations – Areas of Concern

Detail any other areas of concerns identified on site that are not conditioned by the environmental authority / development approval

Sediment Sampling and Analysis:

Result of sediment analysis (Refer to Table 2) have indicated exceedance of Interim Sediment Quality Guidelines (ISQG)- Low/Trigger Value of 65 mg/kg of Cu at a location just below the spillway/discharge point and ISQG – High value of 270 mg/kg of Cu at the location upstream of the creek, just before the culvert crossing the railway.

The results have indicated that activities in the Osojic Bulk Handling Facility (i.e., transport and storage, stockpiling of concentrate materials) have significantly impacted both upstream and downstream portion of the unknown creek.

Part E. Pre-Wet Inspections

Did you run through the pre-wet inspection checklist?	Yes ☐ No ☒
Were there any areas of concern?	Yes ☐ No ☒
If yes to above, describe the issue/s identified.	N/A

Part F. Closing meeting

Discuss preliminary findings, non-compliances, observations, further items to be provided, timing and any other matters (list names of all persons present).

Following the site inspection/water and sediment sampling, DERM officers, Alex Apostol & Wing Leung, informed Michael Mortimore that the samples collected will be sent to ALS Laboratory for analysis. Once the result is released, DERM will assess compliance with the DA SPDE01054010 conditions.

Part G. Recommendation (NB: Refer to parts C – E where relevant)

It is recommended that a Penalty Infringement Notice (PIN) be issued to Ostoic Group Pty Ltd for breaching DA SPDE01054010 Conditions WA1 and WA3.

It is recommended that a letter be sent out to Ostoic Group Pty Ltd to:

- detail the non-compliance with DA SPDE01054010;
- require Ostoic Group Pty Ltd to revise the Stormwater Management Plan;
- require Ostoic Group Pty Ltd to conduct investigation into the potential for environmental harm and provide a written report to DERM in accordance with DA SPDE01054010 Condition WA5.

Part H. Natural justice

☒ Did the client provide information relating to any extenuating circumstances that prevented compliance?
Yes ☒ No ☐

If Yes, describe what information was provided:

Michael Mortimore informed DERM officers that Ostoic Group Pty Ltd has no sampling bottles to use to obtain water samples during the discharge incident. He further informed DERM that Ostoic has already ordered sampling bottles from ALS Laboratory, but as of the date of site inspection, the sampling bottles have not arrived.

☒ If the client provided information, have you taken this information into consideration when making your recommendation? Yes ☐ No ☒

If Yes, describe the consideration given and what conclusions have been formed by the department.

Part I. Ecotrack

Ecotrack case number	CA23909
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Activity	Time (hours)	Comments
Planning	2	
Inspection	2.25	Include travel time from/to Mount Isa/Cloncurry
Reporting	8	
Total	12.25	

Checklist, on-site record & inspection report

Part J. Approval

Environmental Officer	Reviewing Officer
s.49 - Signature	
Name: Alex Apostol	Name:
Date: 2 March 2012	Date:

Delegated decision-maker	Approve / Reject Recommendation (circle one)
<div data-bbox="130 842 1447 1859" data-label="Form"><p data-bbox="130 842 1447 864">Reasons for decision</p><div data-bbox="130 864 1447 952"><p data-bbox="130 864 1447 887">☐ I approve this recommendation based upon the information set out in this report.</p><p data-bbox="130 887 1447 952">☐ I reject the above recommendation as I consider it more appropriate for the department to take an alternative approach to this breach.</p></div><p data-bbox="130 952 1447 972">The alternative option/s that should be considered in this case are:</p><p data-bbox="130 972 1447 1059">My reasons for this are:</p><p data-bbox="130 1059 1447 1859">Name: Date:</p></div>	

From: Apostol Alex
Sent: Friday, 23 December 2011 2:14 PM
To: Gonzo Gus
Cc: Butler Hamish; Leung Wing
Subject: 23 Dec 2011 Ostojic EPO Compliance Inspection

Attachments: Ostojic Photos.doc
Hi Gus,

Below summarises the outcome of the 23 Dec 2011 compliance inspection at Ostojic Bulk Handling Facility, Cloncurry:

1. DERM officers (Alex & Wing) arrived at Ostojic office at 10:00 AM;
2. Met Michael Mortimore s.49 of Ostojic Group and explained to him the purpose of inspection, i.e., compliance with Item 2 and 3 of the EPO; EPO Requirements No. 1 and 4 have been complied with by Ostojic as at 14 Dec 2011;
3. DERM officers, guided by Michael, conducted inspection of the site and the results are as follows:
 - All damaged claddings on the existing storage (Buildings A and B) have been repaired, in compliance with EPO Requirement No. 2;
 - Mineral concentrate (magnetite) spillage from the areas affected during loading and unloading of materials have been scraped and removed in compliance with EPO Requirement No. 3; approx. 85 tons of spilled materials were removed from the site last week and Michael said that it will be a continuous effort to maintain the area free from concentrate spill as possible. As the site received approx. 30mm of rain last night, the area was muddy but showed evidence of spillage removal.
 - Photographs were taken (see attached).
4. DERM officers left Ostojic site at 11:00 AM;
5. DERM officers believe that Ostojic Group Pty Ltd has carried out the necessary actions to achieve compliance with the EPO (STAT657).
6. A site inspection report will be prepared and a letter to Ostojic closing out EPO STAT657 will be drafted early next year.
7. This site inspection has been entered in Ecotrack.

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814 Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: David Peet [mailto:david.peet@ostojic.com.au]
Sent: Thursday, 15 December 2011 10:09 AM
To: Butler Hamish
Cc: Gerard Timbs; jennifer.constantino@ghd.com; bradley.wood@ghd.com; Leung Wing; Apostol Alex; Gonzo Gus
Subject: RE: EPO

Thanks Hamish

From: Butler Hamish [mailto:hamish.butler@derm.qld.gov.au]
Sent: Thursday, 15 December 2011 9:15 AM
To: David Peet
Cc: Gerard Timbs; jennifer.constantino@ghd.com; bradley.wood@ghd.com; Leung Wing; Apostol Alex; Gonzo Gus
Subject: RE: EPO

Thanks David,

Departmental staff Wing Leung and Alex Apostol will inspect the Cloncurry Ostojoic facility on Friday 23 December to ensure the works required have been completed.

In the event the EPO has not been fully complied with at the time of the inspection, the department may peruse enforcement action for breach of EPO.

Alex and Wing will be on site around 10:00am, any questions please give me a call.

Cheers.

Hamish Butler
Team Leader-Mount Isa
Mining & Industry
Regional Services
Department of Environment and Resource Management

Phone: (07) 4222 5333 (Cairns)
(07) 4744 7870 (Mount Isa)
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: David Peet [mailto:david.peet@ostojic.com.au]
Sent: Thursday, 15 December 2011 9:33 AM
To: Butler Hamish
Cc: 'Gerard Timbs'; 'jennifer.constantino@ghd.com'; 'bradley.wood@ghd.com'
Subject: EPO
Importance: High

Hi Hamish,

In reference to the cladding installation on the shed I advise the that I had a meeting with the contractor yesterday afternoon and he advised that subject to transport rollover, torrential rain that can cause floods, or any other force majeure the material is expected to arrive in Cloncurry Friday or Saturday morning. He will collect and commence works on Monday and was confident that he will have the cladding work done by Friday 23.12.11.

Regards,

David Peet

+-----+

Think B4U Print

1 ream of paper = 6% of a tree and 5.4kg CO₂ in the atmosphere

3 sheets of A4 paper = 1 litre of water

+-----+

RTI DL RELEASE - EHP

From: Apostol Alex
Sent: Tuesday, 31 January 2012 3:56 PM
To: Butler Hamish
Cc: Leung Wing
Subject: Ostojic Inspection, 31 Jan 2012

Hi Hamish,

Below summarises our inspection at Ostojic Bulk Handling Facility:

1. Arrived in Ostojic office at 10:15 AM and met Michael Mortimore who guided us during the inspection and sampling. He told DERM officers that stormwater release occurred on Sunday night for about 4 hours, the site received approx. 200mm of rain. He later clarified through email (see below) that the stormwater release actually occurred on Friday night (27 Jan 2012);
2. We went around the site. Mike showed us the flooded area and where water accumulates and overflowed. There was no sign of overflow, even the stormwater pond was back to a low level. The receiving creek was dry but small pool of water remains that enable us to get water samples.
3. We went further downstream of the unknown creek, approx. 500m from the discharge point and collected sediment and water samples. Small pool of water remains on the creek. This part of the creek, however, may have been influenced by other surrounding industries, e.g., the Western Diesel Repair Pty Ltd (truck repair/tipper).
4. We went further downstream to see Cloncurry River, about 2 km from the discharge point. The unknown creek meets Cloncurry River at 300~500m upstream of the river.
5. Collected water sample from the stormwater pond.
6. Collected water and sediment sample upstream of the creek just before the culvert crossing the existing railway line. It was noted however that this upstream part of the creek also receives discharges from the residential, roads and other industries, so water quality may have been impacted by these discharges.
7. As per info from Michael Mortimore, Ostojic has not collected any water/sediment sample since the overflow incident as they have not received the sampling bottles from ALS. He said that they already placed order from ALS and once they receive the sampling bottles, will collect water samples and send them to ALS lab for analysis.
- 8 . Left Ostojic site at 11:45 AM.

Below are the list of water and sediment samples.

ID	Time	In-situ Analysis	Sampling Location Description	Note
AA310112-01	10:35 AM		Just below the spillway/Discharge point	Sediment
AA310112-02	10:35 AM	pH = 7.81 T = 30.15 ^o C EC = 0.172 mS/cm DO = 58.8%/4.41 mg/L	About 30~40m downstream of spillway/discharge point	Water sample; A small pool of water remains onsite.
AA310112-03	10:50 AM		Unknown creek, approx. 500m downstream of spillway/discharge point	Sediment sample
AA310112-04	10:50 AM	pH = 8.06 T = 29.79 ^o C EC = 0.159 mS/cm DO = 76.5%/5.80 mg/L	Unknown creek, approx. 500m downstream of spillway/discharge point	Water sample; Other industry/ activities may have influenced water/sediment quality on this site.
AA310112-05	11:10 AM	pH = 8.67 T = 31.54 ^o C EC = 0.214 mS/cm	Stormwater pond	Water sample

		DO = 98.0%/7.09 mg/L		
AA310112-06	11:20 AM	pH = 6.95 T = 30.49 ^o C EC = 0.205 mS/cm DO = 4.3%/0.30 mg/L	Upstream of the creek, just before the culvert crossing the railway.	Water sample; Other industry, residential and roads are discharging into this creek.
AA310112-7	11:20 AM		Upstream of the creek, just before the culvert crossing the railway.	Sediment sample

Let me know which samples will be sent to ALS for analysis.

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House ,PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814 ,Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: Michael Mortimore [mailto:Michael.Mortimore@ostojic.com.au]
Sent: Tuesday, 31 January 2012 2:22 PM
To: Apostol Alex
Subject: RE: Stormwater Discharge

Sorry about that.
Just went back through the diary, stopped raining 0300 hrs on the 28 Jan 12 and emailed Hamish midday on the 28 Jan 12.
Michael

From: Apostol Alex [mailto:Alex.Apostol@derm.qld.gov.au]
Sent: Tuesday, 31 January 2012 2:13 PM
To: Michael Mortimorek
Subject: Stormwater Discharge

Hi Michael,

Based on our inspection/discussion this morning at Ostoic site, you have mentioned that stormwater discharge occurred last Sunday, 29 January 2012 (nighttime). However, on the email that you sent Hamish, you have stated that stormwater discharged on the night of 27 January 2012. Can you please clarify if the stormwater overflow/discharges occurred on two occasions - 27 January and 29 January 2012?

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region

Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House 'PO Box 2316
Cnr Camooweal & Mary Streets
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Compliance inspections toolkit

Compliance inspections (Levels A, B and C)

Checklist, on-site record & inspection report

This toolkit is for internal use to assist Environmental Services officers when conducting Level A, B and C site inspections to record general details of the site being inspected, pre-inspection considerations and planning, on-site observations and to document recommendations and obtain approval for compliance/enforcement action. For Levels B and C, refer to addendum sheets also. This document can be used in hard copy and taken with the officer to be completed on site. The soft copy document can be completed upon return to the office.

Part A. General Information

Company name: Ostojic Group Pty Ltd	Date of inspection: 31 Jan 2012	Time: 1030H ~ 1245H
Trading as: As above	EA/DA number (if applicable): SPDE01054010	
Description of business activity/ERAs: ERA50 (1B) Bulk Mineral Handling, 100t ~ 50,000t per day	File number: ISA2944; NOR/086766	
Street address: Sir Hudson Fysh Drive, Cloncurry	Real property description (lot on plan): Lot 138 on Plan RP905659	
Site representative/s: Michael Mortimore	Position/s: Site Superintendent	Contact telephone: s.49
Department's representatives: Alex Apostol & Wing Leung		
Registered business address: PO Box 38915 Northern Territory 0821		
Inspection level (check box): Level A ☐ Level B ☒ Level C ☐ Pre-Wet Season ☐ Other ☐		

Part B. Pre-inspection considerations (add or delete lines as necessary)

Environmental risk	Low- Medium
Last inspection date	23 December 2011
General description of location	The Ostojic Group Bulk Handling Facility is located on Sir Hudson Fysh Drive, Cloncurry and is on the northern tip of the Cloncurry town centre. The facility is about 13.1 hectares and is bound by Golf Club road to the north and an unnamed road to the south.

Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	A draft TEP to be submitted on 22 Feb 2012.
Sampling Plan	Collect water and sediment samples from the stormwater retention pond, upstream and downstream of the creek that received the stormwater overflow on the night of 27 January 2012.
Access to Site & Sampling Locations	All sampling locations were accessible during the time of inspection.
Work Place Health & Safety – consider what appropriate PPE is required for the Industry being inspected	
Safety helmet	Yes ☒ No ☐
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☒ No ☐
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☐ No ☒ If yes, describe PPE:
Arrange safety induction training with occupier of site before any work is done	Yes ☐ No ☒ No safety inductions were conducted as the DERM officers were guided by the host throughout the duration of the inspection.
Vehicle & Equipment Check completed	Yes ☒ No ☐ NOTE: Vehicle safety checklists and call in schedules are still required to be completed separately

Part C. Conditions for assessment

Condition number: SPDE01054010 Condition WA1	Compliant: Yes ☐ No ☒	Photos taken Y/N																																						
Condition: (Release to Waters)																																								
<p>Contaminants must not be released from the site to land or waters other than in accordance with the conditions of this development approval.</p> <p>Settled/treated stormwater runoff water from the settling pond must only be released from the site to waters in compliance with the release limits listed in Table 2, and from the contaminant release point described in the Stormwater Management Plan.</p> <p>Table 2 – Contaminant release limits to water</p> <table border="1"> <thead> <tr> <th>Water Quality characteristics (Units)</th> <th>Discharge limit</th> <th>Limit Type</th> <th>Monitoring Frequency</th> </tr> </thead> <tbody> <tr> <td>Turbidity (NTU)</td> <td>50</td> <td>Maximum</td> <td rowspan="4">Daily during release (the first sample must be taken within 2 hours of commencement of release)</td> </tr> <tr> <td>pH</td> <td>6.0 – 9.0</td> <td>Range</td> </tr> <tr> <td>Oil and grease</td> <td>No visible film</td> <td>Maximum</td> </tr> <tr> <td>Copper (mg/l)</td> <td>1.0</td> <td>Maximum</td> </tr> </tbody> </table>		Water Quality characteristics (Units)	Discharge limit	Limit Type	Monitoring Frequency	Turbidity (NTU)	50	Maximum	Daily during release (the first sample must be taken within 2 hours of commencement of release)	pH	6.0 – 9.0	Range	Oil and grease	No visible film	Maximum	Copper (mg/l)	1.0	Maximum																						
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Observations (include name and relevant comments made by any on-site staff)																																								
<p>The DA holder was unable to take water sample from the settling pond within 2 hours of commencement of release. The release from the settling pond occurred on the night of 27 January 2012 and lasted for about 4 hours. No sample was taken due to unavailability of sampling bottles, as per information from Michael Mortimore (MM). DERM was notified of the release incident by email on 28 January (Saturday) 2012. DERM was able to collect water sample from the settling pond the next Tuesday (31 Jan 2012), four days after the release event.</p> <p>During the time of inspection, water level at the settling pond was back to a usual low level and there was no evidence of overflows from the settling pond. Water sample from the settling pond has the following results:</p> <table border="1"> <thead> <tr> <th>Sampling Location</th> <th>Stormwater Settling Pond (AA310112-05)</th> </tr> </thead> <tbody> <tr><td>pH</td><td>8.67</td></tr> <tr><td>Temperature, °C</td><td>31.54</td></tr> <tr><td>EC, mS/cm</td><td>0.214</td></tr> <tr><td>DO, % Sat, mg/L</td><td>98%/7.09</td></tr> <tr><td>Sulfate, mg/L</td><td>31</td></tr> <tr><td>Arsenic, mg/L</td><td>0.002</td></tr> <tr><td>Barium, mg/L</td><td>0.070</td></tr> <tr><td>Beryllium, mg/L</td><td><0.001</td></tr> <tr><td>Cadmium, mg/L</td><td>0.0007</td></tr> <tr><td>Cobalt, mg/L</td><td>0.002</td></tr> <tr><td>Chromium, mg/L</td><td><0.001</td></tr> <tr><td>Copper, mg/L</td><td>0.212</td></tr> <tr><td>Manganese, mg/L</td><td>0.059</td></tr> <tr><td>Mercury, mg/L</td><td><0.0001</td></tr> <tr><td>Nickel, mg/L</td><td>0.003</td></tr> <tr><td>Lead, mg/L</td><td>0.007</td></tr> <tr><td>Vanadium, mg/L</td><td><0.01</td></tr> <tr><td>Zinc, mg/L</td><td>0.071</td></tr> </tbody> </table> <p>Results have indicated that the water from the settling pond exceeded the ANZECC (2000) Protection of Aquatic Ecosystem at 95% Protection Level for Cd, Cu, Pb and Zn.</p>		Sampling Location	Stormwater Settling Pond (AA310112-05)	pH	8.67	Temperature, °C	31.54	EC, mS/cm	0.214	DO, % Sat, mg/L	98%/7.09	Sulfate, mg/L	31	Arsenic, mg/L	0.002	Barium, mg/L	0.070	Beryllium, mg/L	<0.001	Cadmium, mg/L	0.0007	Cobalt, mg/L	0.002	Chromium, mg/L	<0.001	Copper, mg/L	0.212	Manganese, mg/L	0.059	Mercury, mg/L	<0.0001	Nickel, mg/L	0.003	Lead, mg/L	0.007	Vanadium, mg/L	<0.01	Zinc, mg/L	0.071	Y
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Ostojic Group Pty Ltd is in breach of SPDE01054010 Condition WA1 for not taking water sample from the stormwater pond within 2 hours of commencement of release as required by the condition. Having no sampling bottles during the time of release is not an acceptable justification for not taking samples. It is Ostojic responsibility to ensure that all necessary supplies, materials, equipment and manpower must be available to comply with all condition of the DA.



Figure 1: Stormwater settling pond.



Figure 2: Water sampling at the stormwater settling pond on 31 January 2012



Figure 3: Release point/spillway of stormwater settling pond.

Condition number: SPDE01054010 Condition WA3		Compliant: Yes ☐ No ☒		Photos taken Y/N																				
<i>Condition:</i>																								
<p>The release of contaminants to waters from the release points must be monitored at any receiving waters within 500m downstream of the release. The monitoring must include each quality characteristics and be at the frequency specified in Table 3 (Receiving Water Monitoring Triggers, Limits and Frequency).</p> <p style="text-align: center;">Table 3 – Receiving Water Monitoring Triggers, Limits and Frequency</p> <table border="1"> <thead> <tr> <th>Water Quality characteristics (Units)</th> <th>Trigger Level</th> <th>Contaminant Limit</th> <th>Monitoring Frequency</th> </tr> </thead> <tbody> <tr> <td>Dissolved Oxygen (Percent Saturation)</td> <td>90-120</td> <td>N/A</td> <td rowspan="5"> Event based sampling of discharge <ul style="list-style-type: none"> One sample must be taken within 24 hours of a discharge event or commencing. Where a discharge event has a duration of 24 hours or greater, samples must be taken daily for one week, and once a week thereafter. </td> </tr> <tr> <td>Turbidity (NTU)</td> <td>15</td> <td>50</td> </tr> <tr> <td>pH</td> <td>6.0 – 7.5</td> <td>6.0 – 9.0</td> </tr> <tr> <td>Oil and grease</td> <td>N/A</td> <td>No visible film</td> </tr> <tr> <td>Copper (mg/l)</td> <td>0.0014</td> <td>1.0</td> </tr> </tbody> </table>				Water Quality characteristics (Units)	Trigger Level	Contaminant Limit	Monitoring Frequency	Dissolved Oxygen (Percent Saturation)	90-120	N/A	Event based sampling of discharge <ul style="list-style-type: none"> One sample must be taken within 24 hours of a discharge event or commencing. Where a discharge event has a duration of 24 hours or greater, samples must be taken daily for one week, and once a week thereafter. 	Turbidity (NTU)	15	50	pH	6.0 – 7.5	6.0 – 9.0	Oil and grease	N/A	No visible film	Copper (mg/l)	0.0014	1.0	
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<p>The DA holder was unable to take water samples from the impacted creek during the release event or within 24 hours of the release event. MM has stated that Ostoic has no sampling bottles that can be used to collect water samples during the release event. Ostoic has already placed an order from ALS Laboratory to supply them with the appropriate sampling bottles but as at the time of inspection, the bottles have not arrived yet.</p> <p>DERM officers collected water and sediment samples from the unknown creek on 31 January 2012. During the time of inspection, the creek was dry except for some part where small holes of water remain. Table 1 provides the result of water and sediment samples:</p> <p>Analysis of the water samples revealed the following:</p> <ol style="list-style-type: none"> Water samples from downstream, about 30~40m of the spillway/discharge point and approx. 500m of the spillway/discharge point exceeded the DA pH trigger range of 6.0~7.5. In-situ DO measurements at the three sampling locations (upstream and downstream) were below the DA trigger level (lower limit) and ANZECC (2000) Slightly Disturbed Ecosystem of 90~120% saturation. Water samples from all sampling locations exceeded the DA trigger level and ANZECC (2000) Protection of Aquatic Ecosystem at 95% Protection Level of 0.0014 mg/L for Cu. Water samples from downstream, about 30~40m of the spillway/discharge point and upstream location just before the culvert crossing the railway exceeded the ANZECC (2000) Protection of Aquatic Ecosystem at 95% Protection Level of 0.008 mg/L for Zn. Ostoic Group Pty Ltd is in breach of SPDE01054010 Condition WA3 for not taking water sample from the receiving environment within 24 hours of commencement of release as required by the condition. Having no sampling bottles during the time of release is not an acceptable justification for not taking samples. It is Ostoic responsibility to ensure that all necessary supplies, materials, equipment and manpower must be available to comply with all condition of the DA. 				Y																				



Figure 4: Downstream of the creek, about 30~40m from spillway of stormwater settling pond.



Figure 5: Downstream of the creek, approx. 500m from spillway of stormwater settling pond.



Figure 6: Upstream of the creek, just before the culvert crossing the railway.

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Compliance inspections toolkit

Table 1
Ostojic Bulk Handling Facility
Water Quality Analysis, 31 January 2012

Sampling Point	Stormwater Settling Pond (AA310112- 05)	About 30~40m downstream of spillway/discharge point (AA310112-02)	Unknown Creek, approx. 500m downstream of spillway/discharge point (AA310112-04)	Upstream of the Creek, just before the culvert crossing the railway (AA310112-06)	DA SPDE01054010		ANZECC 2000 Livestock	Australian Drinking Water Guideline (2004) Health		Guidelines for Managing Risks in Recreational Water (2006)	ANZECC 2000 Ecosystems, Slightly to Moderately Disturbed
					Discharge Limit (Table 2)	Receiving Water (Table 3) Trigger Level Contaminant Limit		Health	Aesthetic		
pH	8.67	7.81*↑	8.06*↑	6.95	6.0~9.0	6.0~7.5					6.0~7.5
Temperature, °C	31.54	30.15	29.79	30.49							
EC, mS/cm	0.214	0.172	0.159	0.205							0.02~0.25
DO, % Sat, mg/L	98%/7.09	58.8%*↑, 4.41	76.5%*↑, 5.80	4.3%*↑, 0.30		90~120%	N/A				90~120%
Sulfate, mg/L	31	16	7	5			1000	500	250	5000	
Arsenic, mg/L	0.002	0.004	0.001	0.005			0.5	0.007			0.024
Barium, mg/L	0.070	0.050	0.034	0.083				0.7			
Beryllium, mg/L	<0.001	<0.001	<0.001	<0.001							
Cadmium, mg/L	0.0007*	0.0001	<0.0001	<0.0001			0.01	0.002			0.0002
Cobalt, mg/L	0.002	<0.001	<0.001	0.004			1				
Chromium, mg/L	<0.001	<0.001	<0.001	<0.001			1	0.05		0.5	0.001
Copper, mg/L	0.212*	0.096*↑	0.012*↑	0.102*↑	1.0	0.0014	1	2	1	20	0.0014
Manganese, mg/L	0.059	0.024	0.014	0.028*				0.5	0.1		1.9
Mercury, mg/L	<0.0001	<0.0001	<0.0001	<0.0001							
Nickel, mg/L	0.003	<0.001	<0.001	0.002						0.2	0.011
Lead, mg/L	0.007*	0.001	<0.001	0.003			0.1	0.01			0.0034
Vanadium, mg/L	<0.01	0.02	0.02	<0.01				0.02			
Zinc, mg/L	0.071*	0.052*	<0.005	0.064*			20		3		0.008

* - exceeds ANZECC 2000 slightly to moderately disturbed ecosystem.

↑ - exceeds DA SPDE01054010 Receiving water trigger level.

* - exceeds Australian Drinking Water Health Based Guideline (2004)

Table 2
Ostojic Bulk Handling Facility
Sediment Analysis, 31 January 2012

Sampling Point	Just below the spillway/discharge point (AA310112-01)	Unknown Creek, approx. 500m downstream of spillway/discharge point (AA310112-03)	Upstream of the Creek, just before the culvert crossing the railway (AA310112-07)	ISQG Low	ISQG High
Sulfate, mg/L	170	260			
Arsenic, mg/L	<5	<5		20	70
Barium, mg/L	60	200			
Beryllium, mg/L	<1	<1			
Cadmium, mg/L	<1	<1		1.5	10
Cobalt, mg/L	9	18	12		
Chromium, mg/L	13	14	17	80	370
Copper, mg/L	218*	43	1960	65	270
Manganese, mg/L	292	1090	464		
Mercury, mg/L	<0.1	<0.1	<0.1	0.15	1
Nickel, mg/L	10	16	16	21	52
Lead, mg/L	<5	<5	16	50	220
Vanadium, mg/L	39	68	42		
Zinc, mg/L	31	9	74	200	410

* - exceeds ISQG Low value

* - exceeds ISQG High value

Compliance inspections toolkit

Condition number: SPDE01054010 Condition WA5	Compliant: Yes ☐ No ☒	Photos taken Y/N
<i>Condition:</i>		
<p>If quality characteristics of the release measured in the receiving waters monitored in accordance with condition WA4, exceeds the trigger level stated in Table 3 (Receiving Water Monitoring Triggers, Limits and Frequency), the holder of this development approval must undertake an investigation in accordance with the ANZECC & ARMCANZ 2000 methodology, into the potential for environmental harm and provide a written report to the administering authority within 3 months, outlining:</p> <ul style="list-style-type: none"> i. details of the investigation carried out, and; ii. actions taken to prevent environmental harm. 		
<i>Observations (include name and relevant comments made by any on-site staff)</i>		
No investigation has been carried out by Ostoic Group Pty Ltd. It is recommended that DERM requires Ostoic Group Pty Ltd to conduct an investigation in accordance with condition WA5.		N

Condition number: SPDE01054010 Condition WA3	Compliant: Yes ☐ No ☒	Photos taken Y/N
<i>Condition: Stormwater Management Plan</i>		
<p>Prior to commencement of activities, a stormwater management plan must be prepared that is acceptable to the administering authority, and then implemented for the site. The stormwater management plan must address at least the following:</p> <ul style="list-style-type: none"> • Prevention of incident stormwater and stormwater runoff from contacting wastes or contaminants; • Diversion of upstream runoff away from areas where it may be contaminated by bulk products being loaded or unloaded, wastes, contaminants or other materials; • Specify the sampling location(s) of all contaminant release points; • Specify the monitoring frequency or stormwater discharges to the environment, and; • Collection, treatment and disposal of all contaminated stormwater runoff. 		
<i>Observations (include name and relevant comments made by any on-site staff)</i>		
<p>Ostoic Group Pty Ltd submitted a Site Based Stormwater Management Plan during DERM site inspection on 14 December 2011. Review of the Plan has indicated the following:</p> <ol style="list-style-type: none"> 1. The plan has indicated three (3) legal point of discharge. Two discharges in the north boundary of the site and one discharge in the south into the road reserve. However, the 		N

<p>actual site condition has two discharge points, one in the north, where the 27 Feb 2012 discharge occurred and one in the east discharging into the large grassed channel. The actual location, i.e., GPS coordinates, of these discharge points must be specified in the plan.</p> <p>2. The plan must be revised to show the catchment area of each stormwater pond and release points</p> <p>3. Monitoring program contained in the Site-Based Stormwater Management Plan is inadequate. It does not contain the proposed location of water and sediment sampling on site. It does not contain the specific water/sediment quality parameters that should be monitored.</p> <p>4. The monitoring program, likewise, does not show the proposed location of water and sediment sampling, both upstream (reference) and downstream, of the receiving environment.</p>	
---	--

Part D. On-site observations – Areas of Concern

Detail any other areas of concerns identified on site that are not conditioned by the environmental authority / development approval

Sediment Sampling and Analysis:

Result of sediment analysis (Refer to Table 2) have indicated exceedance of Interim Sediment Quality Guidelines (ISQG)- Low/Trigger Value of 65 mg/kg of Cu at a location just below the spillway/discharge point and ISQG – High value of 270 mg/kg of Cu at the location upstream of the creek, just before the culvert crossing the railway.

The results have indicated that activities in the Ostojic Bulk Handling Facility (i.e., transport and storage, stockpiling of concentrate materials) have significantly impacted both upstream and downstream portion of the unknown creek.

Part E. Pre-Wet Inspections

Did you run through the pre-wet inspection checklist?	Yes ☐ No ☒
Were there any areas of concern?	Yes ☐ No ☒
If yes to above, describe the issue/s identified.	N/A

Part F. Closing meeting

Discuss preliminary findings, non-compliances, observations, further items to be provided, timing and any other matters (list names of all persons present).

Following the site inspection/water and sediment sampling, DERM officers, Alex Apostol & Wing Leung, informed Michael Mortimore that the samples collected will be sent to ALS Laboratory for analysis. Once the result is released, DERM will assess compliance with the DA SPDE01054010 conditions.

Part G. Recommendation (NB: Refer to parts C – E where relevant)

It is recommended that a Penalty Infringement Notice (PIN) be issued to Ostoic Group Pty Ltd for breaching DA SPDE01054010 Conditions WA1 and WA3.

It is recommended that a letter be sent out to Ostoic Group Pty Ltd to:

- detail the non-compliance with DA SPDE01054010;
- require Ostoic Group Pty Ltd to revise the Stormwater Management Plan;
- require Ostoic Group Pty Ltd to conduct investigation into the potential for environmental harm and provide a written report to DERM in accordance with DA SPDE01054010 Condition WA5.

Part H. Natural justice

☒ Did the client provide information relating to any extenuating circumstances that prevented compliance?
Yes ☒ No ☐

If Yes, describe what information was provided:

Michael Mortimore informed DERM officers that Ostoic Group Pty Ltd has no sampling bottles to use to obtain water samples during the discharge incident. He further informed DERM that Ostoic has already ordered sampling bottles from ALS Laboratory, but as of the date of site inspection, the sampling bottles have not arrived.

☒ If the client provided information, have you taken this information into consideration when making your recommendation? Yes ☐ No ☒

If Yes, describe the consideration given and what conclusions have been formed by the department.

Part I. Ecotrack

Ecotrack case number	CA23909
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Activity	Time (hours)	Comments
Planning	2	
Inspection	2.25	Include travel time from/to Mount Isa/Cloncurry
Reporting	8	
Total	12.25	

Part J. Approval

Environmental Officer	Reviewing Officer
Name: Alex Apostol	Name:
Date: 2 March 2012	Date:

[illegible]

From: Butler Hamish
Sent: Wednesday, 7 December 2011 9:01 AM
To: Gonzo Gus
Subject: FW: Ostojic facility - Cloncurry

Attachments: Ostojic 28-10-11 026.jpg; Ostojic 28-10-11 005.jpg; Ostojic 28-10-11 027.jpg; Ostojic 28-10-11 018.jpg
Gus,

FYI- Some pictures of the Ostojic facility.

Cheers.

Hamish Butler
Team Leader- Mount Isa
North Region
Mining & Heavy Industry
Department of Environment and Resource Management

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Butler Hamish
Sent: Friday, 28 October 2011 1:56 PM
To: Fomiatti Minnesma Ingrid
Cc: Sharpe Dean; Lawrence Rob; Kidston Richard; Leung Wing
Subject: RE: Ostojic facility - Cloncurry

Ingrid,

Wing and I conducted an inspection of the Ostojic concentrate loading and unloading facility today and the following major issues were identified;

- Both magnetite and copper concentrate were stored outside the sheds;
- there is a significant amount of concentrate scattered around the site;
- there have been dust complaints lodged with the company from near by residents but these have not been reported to DERM;
- there are holes in the cladding around the shed;
- the sheds are not fully enclosed or negatively pressurised;
- there is no SBMP, stormwater or water management plan for the site; and
- there is a lack of water management practices on site and in my opinion the site is not prepared for the coming wet season to prevent a release of contaminated water.

The issues identified on site were discussed with the operations manager following the inspection. Specific emphasis was giving to minimising the dust and preparing the site for the on coming wet season.

In addition, we discussed the issue of the permits validity with both the company and the Cloncurry council today. Council confirmed they have received another IDAS application for the site as the lot and plan form part of the planning scheme for the shire. Council confirmed they will soon be issuing us with a notice to provide a concurrency response for the DA. Once this new DA is issued from council the current permit for the site can be superseded.

In terms of our response, the inspection will be entered into Ecotrack today and Wing will prepare a letter addressing the issues above under GED.

Cheers.

Hamish Butler
Team Leader-Mount Isa
Mining & Industry
Regional Services
Department of Environment and Resource Management

Phone: (07) 4222 5333 (Cairns)
(07) 4744 7870 (Mount Isa)
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Fomiatti Minnesma Ingrid
Sent: Friday, 28 October 2011 9:39 AM
To: Lawrence Rob; Kidston Richard
Cc: Sharpe Dean; Butler Hamish
Subject: FW: Ostojic facility - Cloncurry

Rob / Richard

FYI – Hamish is conducting site inspection today with regards to this issue and ahs been working with the CG office. I think we will be intimately involved in the issue and will need to keep it on track. Once we know exactly the position is council we will need to plan next steps.

Ingrid Fomiatti Minnesma
Manager
Mining & Industry, North Region
Department of Environment and Resource Management
PO Box 937
CAIRNS QLD 4870
Phone: (07) 42 22 5337 Fax: (07) 42 22 5070
Email: Ingrid.Minnesma@derm.qld.gov.au
You can visit us online at www.derm.qld.gov.au

From: Bruce McCallum [mailto:Bruce.W.McCallum@deedi.qld.gov.au]
Sent: Friday, 28 October 2011 9:19 AM
To: Butler Hamish; Fomiatti Minnesma Ingrid; Jo Stephenson
Cc: Thomas Nott
Subject: Ostojic facility - Cloncurry

H/I/J

I attach, for your information, a copy of Mayor Daniels' letter to the Minister for Health.

R

b

Bruce McCallum
Principal Project Officer
Regional Development
Department of Infrastructure and Planning

Queensland Government

tel +61 7 3224 5028 (ext 45028)

mob s.49

post PO Box 15009 City East Qld 4002

visit Level 3, 63 George Street, Brisbane

Bruce.McCallum@dip.qld.gov.au

www.dip.qld.gov.au

Tomorrow's Queensland: strong, green, smart, healthy and fair www.towardQ2.qld.gov.au

 **Please consider the environment before printing this email**

From: P502933@dip.qld.gov.au [<mailto:P502933@dip.qld.gov.au>]

Sent: Friday, 28 October 2011 9:19 AM

To: Bruce McCallum

Subject: Message from P502933

<<SP50293311102809190.pdf>>

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From: Butler Hamish

Sent: Thursday, 15 December 2011 9:43 AM

To: David Peet

Cc: 'Gerard Timbs'; 'jennifer.constantino@ghd.com'; 'bradley.wood@ghd.com'; Leung Wing; Apostol Alex; Gonzo Gus

Subject: RE: EPO

Thanks David,

Departmental staff Wing Leung and Alex Apostol will inspect the Cloncurry Ostojob facility on Friday 23 December to ensure the works required have been completed.

In the event the EPO has not been fully complied with at the time of the inspection, the department may peruse enforcement action for breach of EPO.

Alex and Wing will be on site around 10:00am, any questions please give me a call.

Cheers.

Hamish Butler
Team Leader-Mount Isa
Mining & Industry
Regional Services
Department of Environment and Resource Management

Phone: (07) 4222 5333 (Cairns)
(07) 4744 7870 (Mount Isa)
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: David Peet [mailto:david.peet@ostojic.com.au]
Sent: Thursday, 15 December 2011 9:33 AM
To: Butler Hamish
Cc: 'Gerard Timbs'; 'jennifer.constantino@ghd.com'; 'bradley.wood@ghd.com'
Subject: EPO
Importance: High

Hi Hamish,

In reference to the cladding installation on the shed I advise the that I had a meeting with the contractor yesterday afternoon and he advised that subject to transport rollover, torrential rain that can cause floods, or any other force majeure the material is expected to arrive in Cloncurry Friday or Saturday morning. He will collect and commence works on Monday and was confident that he will have the cladding work done by Friday 23.12.11.

Regards,

David Peet

From: Butler Hamish
Sent: Friday, 13 January 2012 9:11 AM
To: Apostol Alex
Subject: RE: 23 Dec 2011 Ostojic EPO Compliance Inspection

Attachments: Ostojic EPO Compliance Inspection Report 23 Dec 2011 Final (2).doc
Alex,

Can you sign the last page and send back to me?

Cheers.

Hamish Butler
Team Leader- Mount Isa
North Region
Mining & Heavy Industry
Department of Environment and Resource Management

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Apostol Alex
Sent: Wednesday, 11 January 2012 1:34 PM
To: Butler Hamish
Subject: RE: 23 Dec 2011 Ostojic EPO Compliance Inspection

Hamish,

Draft letter to Ostojic attached.

(Note re: your comment on the inspection report, the last inspection before the 14 & 23 Dec 2011 inspection was on 28 October 2011 by Wing and yourself).

Alex

Alex Apostol
Senior Environmental Officer
Environmental Services, North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814 Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: Butler Hamish
Sent: Wednesday, 11 January 2012 11:26 AM
To: Apostol Alex
Cc: Leung Wing; Gonzo Gus
Subject: RE: 23 Dec 2011 Ostojic EPO Compliance Inspection

Alex,

Have a look at my few very minor comments.

Once updated if you could prepare a letter closing out the EPO for the Ostoic site it would be appreciated.

Cheers.

Hamish Butler
Team Leader- Mount Isa
North Region
Mining & Heavy Industry
Department of Environment and Resource Management

Phone: (07) 4222 5333
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: Apostol Alex
Sent: Monday, 9 January 2012 3:44 PM
To: Butler Hamish
Subject: RE: 23 Dec 2011 Ostoic EPO Compliance Inspection

Hi Hamish,

Attached for your review is the draft inspection report for Ostoic EPO.

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services\North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House \PO Box 2310
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814 \Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: Gonzo Gus
Sent: Friday, 23 December 2011 2:20 PM
To: Apostol Alex
Cc: Butler Hamish; Leung Wing
Subject: RE: 23 Dec 2011 Ostoic EPO Compliance Inspection

Thanks Alex and have a great break,
Hamish lets discuss when you are back
Gus

From: Apostol Alex
Sent: Friday, 23 December 2011 2:16 PM

To: Gonzo Gus
Cc: Butler Hamish; Leung Wing
Subject: 23 Dec 2011 Ostojic EPO Compliance Inspection

Hi Gus,

Below summarises the outcome of the 23 Dec 2011 compliance inspection at Ostojic Bulk Handling Facility, Cloncurry:

1. DERM officers (Alex & Wing) arrived at Ostojic office at 10:00 AM;
2. Met Michael Mortimore s.49 of Ostojic Group and explained to him the purpose of inspection, i.e., compliance with Item 2 and 3 of the EPO; EPO Requirements No. 1 and 4 have been complied with by Ostojic as at 14 Dec 2011;
3. DERM officers, guided by Michael, conducted inspection of the site and the results are as follows:
 - All damaged claddings on the existing storage (Buildings A and B) have been repaired, in compliance with EPO Requirement No. 2;
 - Mineral concentrate (magnetite) spillage from the areas affected during loading and unloading of materias have been scraped and removed in compliance with EPO Requirement No. 3; approx. 85 tons of spilled materials were removed from the site last week and Michael said that it will be a continuous effort to maintain the area free from concentrate spill as possible. As the site received approx. 30mm of rain last night, the area was muddy but showed evidence of spillage removal.
 - Photographs were taken (see attached).
4. DERM officers left Ostojic site at 11:00 AM;
5. DERM officers believe that Ostojic Group Pty Ltd has carried out the necessary actions to achieve compliancne with the EPO (STAT657).
6. A site inspection report will be prepared and a letter to Ostojic closing out EPO STAT657 will be drafted early next year.
7. This site inspection has been entered in Ecotrack.

Rgrds,
Alex

Alex Apostol
Senior Environmental Officer
Environmental Services North Region
Mining & Industry
Department of Environment & Resource Management

Suite 30 Level 1 Mt Isa House PO Box 2316
Cnr Camooweal & Mary Streets
Mt Isa QLD 4825 Australia
Phone: (07) 4744 7814 Fax: (07) 4744 7800
Email: alex.apostol@derm.qld.gov.au
Website: www.derm.qld.gov.au

From: David Peet [mailto:david.peet@ostojic.com.au]
Sent: Thursday, 15 December 2011 10:09 AM
To: Butler Hamish
Cc: Gerard Timbs; jennifer.constantino@ghd.com; bradley.wood@ghd.com; Leung Wing; Apostol Alex; Gonzo Gus
Subject: RE: EPO

Thanks Hamish

From: Butler Hamish [mailto:hamish.butler@derm.qld.gov.au]
Sent: Thursday, 15 December 2011 9:15 AM
To: David Peet
Cc: Gerard Timbs; jennifer.constantino@ghd.com; bradley.wood@ghd.com; Leung Wing; Apostol Alex; Gonzo Gus
Subject: RE: EPO

Thanks David,

Departmental staff Wing Leung and Alex Apostol will inspect the Cloncurry Ostojoic facility on Friday 23 December to ensure the works required have been completed.

In the event the EPO has not been fully complied with at the time of the inspection, the department may peruse enforcement action for breach of EPO.

Alex and Wing will be on site around 10:00am, any questions please give me a call.

Cheers.

Hamish Butler
Team Leader-Mount Isa
Mining & Industry
Regional Services
Department of Environment and Resource Management

Phone: (07) 4222 5333 (Cairns)
(07) 4744 7870 (Mount Isa)
Fax : (07) 4222 5070
Email: hamish.butler@derm.qld.gov.au

From: David Peet [mailto:david.peet@ostojic.com.au]
Sent: Thursday, 15 December 2011 9:33 AM
To: Butler Hamish
Cc: 'Gerard Timbs'; 'jennifer.constantino@ghd.com'; 'bradley.wood@ghd.com'
Subject: EPO
Importance: High

Hi Hamish,

In reference to the cladding installation on the shed I advise the that I had a meeting with the contractor yesterday afternoon and he advised that subject to transport rollover, torrential rain that can cause floods, or any other force majeure the material is expected to arrive in Cloncurry Friday or Saturday morning. He will collect and commence works on Monday and was confident that he will have the cladding work done by Friday 23.12.11.

Regards,

David Peet

Think B4U Print

1 ream of paper = 6% of a tree and 5.4kg CO₂ in the atmosphere

3 sheets of A4 paper = 1 litre of water

+-----+

RTI DL RELEASE - EHP

Compliance inspections toolkit

Compliance inspections (Levels A, B and C)

Checklist, on-site record & inspection report

This toolkit is for internal use to assist Environmental Services officers when conducting Level A, B and C site inspections to record general details of the site being inspected, pre-inspection considerations and planning, on-site observations and to document recommendations and obtain approval for compliance/enforcement action. For Levels B and C, refer to addendum sheets also. This document can be used in hard copy and taken with the officer to be completed on site. The soft copy document can be completed upon return to the office.

Part A. General Information

Company name: Ostojic Group Pty Ltd	Date of inspection: 14 & 23 Dec 2011	Time: 1300H ~ 1430H (14 Dec 2011); 1000H ~ 1100H (23 Dec 2011)
Trading as: As above	EA/DA number (if applicable): SPDE01054010	
Description of business activity/ERAs: ERA50 (1B) Bulk Mineral Handling, 100t ~ 50,000t per day	File number: ISA2944; NOR/086766	
Street address: Sir Hudson Fysh Drive, Cloncurry	Real property description (lot on plan): Lot 138 on Plan RP905659	
Site representative/s: David Peet; Michael Mortimore	Position/s: HSE Manager; Site Superintendent	Contact telephone: s.49
Department's representatives: Hamish Butler/Alex Apostol/Wing Leung		
Registered business address: PO Box 38915 Northern Territory 0821		
Inspection level (check box): Level A ☐ Level B ☐ Level C ☐ Pre-Wet Season ☐ Other ☒		

Part B. Pre-inspection considerations (add or delete lines as necessary)

Environmental risk	Low- Medium
Last inspection date	28 October 2011
General description of location	The Ostojic Group Bulk Handling Facility is located on Sir Hudson Fysh Drive, Cloncurry and is on the northern tip of the Cloncurry town centre. The facility is about 13.1 hectares and is bound by Golf Club road to the

	north and an unnamed road to the south.
Outstanding issues and/or non-compliances/enforcement (e.g. environmental protection orders)	Environmental Protection Order STAT657
Sampling Plan	N/A
Access to Site & Sampling Locations	N/A
Work Place Health & Safety – consider what appropriate PPE is required for the Industry being inspected	
Safety helmet	Yes ☒ No ☐
Hearing protection	Yes ☐ No ☒
Eye protection	Yes ☒ No ☐
Protective clothing	Yes ☒ No ☐
Protective footwear	Yes ☒ No ☐
Respiratory protection	Yes ☐ No ☒
Other	Yes ☐ No ☒ If yes, describe PPE:
Arrange safety induction training with occupier of site before any work is done	Yes ☐ No ☒ No safety inductions were conducted as the DERM officers were guided by the host throughout the duration of the inspection.
Vehicle & Equipment Check completed	Yes ☒ No ☐ NOTE: Vehicle safety checklists and call in schedules are still required to be completed separately

Part C. Conditions for assessment

Condition number: EPO STAT657 Requirement 1	Compliant: Yes ☒ No ☐	Photos taken Y/N
<i>Condition:</i>		
By 19 December 2011 and from that day forward, all mineral concentrate stockpiles that are not stored in fully enclosed sheds must be covered to prevent the release of fugitive emissions to the receiving environment.		
<i>Observations (include name and relevant comments made by any on-site staff)</i>		
<p>14 Dec 2011: During site inspection, the remaining concentrate stockpiles onsite include the one located beside existing Storage Shed A, which was covered by tarpaulin as shown in Figure 1 and another stockpile within the hardstand area, which was provided with an "igloo shelter" as shown in Figure 2. David Peet said that magnetite concentrate will remain at Ernest Henry Mine until such time that a covered storage area is made available at Ostoic Handling Facility.</p> <div style="display: flex; justify-content: space-around;">   </div> <p><i>Mineral stockpiles remaining onsite during the 14 December 2011 site inspection include (1) stockpile beside the storage shed covered with tarpaulin, and (2) stockpile within the hardstand area under an igloo shelter.</i></p>		Y

Condition number: EPO STAT657 Requirement 2	Compliant: Yes ☒ No ☐	Photos taken Y/N
<i>Condition:</i>		
By 19 December 2011 and from that day forward, replace and/or repair all damaged cladding on the existing storage sheds to prevent the release of mineral concentrate to the environment.		
<i>Observations (include name and relevant comments made by any on-site staff)</i>		
<p>14 December 2011: Damaged claddings on the existing storage sheds were partially repaired. David Peet said that Ostoic will not be able to complete the repair/replacement of all damaged claddings by 19 Dec 2011 due to the delayed arrival of materials on Friday, 16 Dec 2011. He said that the cladding repair will be done by 23 Dec 2011. DERM officers advised Ostoic that a follow up inspection will be undertaken on 23 Dec 2011 to ensure compliance with this EPO Requirement.</p>		Y



14 December 2011 site inspection showed claddings on the walls of the concentrate storage sheds.

23 December 2011: A follow up inspection revealed that all damaged claddings were completely replaced/repared as shown in the below photos.



23 December 2011 site inspection showed concentrate storage shed claddings fully repaired and enclosed (except for the truck access/exit points).

Condition number: EPO STAT657 Requirement 3	Compliant: Yes ☒ No ☐	Photos taken Y/N
Condition:		
By 19 December 2011, clean and remove mineral concentrate spillage from areas affected during the loading and unloading of material, including but not limited to areas between the mineral concentrate storage shed, the outdoor mineral concentrate stockpiling area and the railway line.		
Observations (include name and relevant comments made by any on-site staff)		
14 December 2011: Mineral concentrate spillage from the areas between the outdoor mineral concentrate stockpiling area and the railway line and other areas affected by the loading/unloading of materials were partially scraped and removed to Ernest Henry Mine site. Michael Mortimore said that approx. 85 tons of magnetite spillage were cleaned/removed from the site.		Y



14 December 2011 site inspection revealed partially cleaned/scraped areas affected by mineral concentrate spillage.

23 December 2011: A substantial amount of mineral spillage from the areas affected by the loading/unloading of materials were scraped and removed to Ernest Henry Mine. Michael Mortimore has indicated that it will be a continuous housekeeping/clean up work for Ostoic to maintain the area free from concentrate spill as possible.



23 December 2011 site inspection showed evidence that mineral concentrate spillage from the areas have been scraped and removed in compliance with EPO Requirement No. 3. As the site received approx. 30mm of rain the night before the site inspection, the area was muddy but showed evidence of spillage removal.

Condition number: EPO STAT657 Requirement 4	Compliant: Yes ☒ No ☐	Photos taken Y/N
Condition:		
By 19 December 2011, install temporary bunding and sedimentation and erosion control measures to redirect clean stormwater away from areas potentially contaminated with mineral concentrate.		
Observations (include name and relevant comments made by any on-site staff)		
<p>14 December 2011: The Ostojic storage facility has been provided with earth bund on the east and northern part of the property to direct the stormwater runoff. A detention basin is situated north of the property while a large grassed channel is on the eastern part of the property. Inlets to the detention basin and channel are provided with straw bales as temporary erosion control measure. The detention basin is provided with spillway where the stormwater overflows. Overflows, both from the detention basin and large grassed channel, finally discharged to an unnamed creek situated north of the property.</p> <p>David Peet provided DERM a copy of the Site Based Stormwater Management Plan for the Ostojic storage facility. DERM advised Ostojic that the constructed spillways should be included in the new Ostojic Development Approval (DA) as a licensed discharge points.</p>		Y
<div style="display: flex; flex-wrap: wrap;">     </div>		
<p>(1) Existing detention basin situated north of the Ostojic storage site; (2) inlet to the detention basin provided with straw bale as erosion control measure; (3) outlet or spillway of the detention basin; (4) Discharge through the spillway will flow through a pipe culvert underneath the gravel-filled road.</p>		

		
		
<p>(5) The large grassed channel situated east of the storage facility; (6) inlet to the channel provided with gravel/straw bale as erosion control measures; (7) Flow from the large channel will flow through a concrete culvert; (8) Both discharges from the detention basin and channel will finally discharge to unnamed creek, situated north of the property.</p>		

Part D. On-site observations – Areas of Concern

Detail any other areas of concerns identified on site that are not conditioned by the environmental authority / development approval

N/A

Part E. Pre-Wet Inspections

Did you run through the pre-wet inspection checklist?	Yes ☐ No ☒
Were there any areas of concern?	Yes ☐ No ☒
If yes to above, describe the issue/s identified.	

Part F. Closing meeting

Discuss preliminary findings, non-compliances, observations, further items to be provided, timing and any other matters (list names of all persons present).

The following persons were present at the close out meeting:

14 December 2011:

Ostojic Group Pty Ltd: David Peet, Gerard Timbs and Michael Mortimore

DERM: Hamish Butler and Alex Apostol

23 December 2011:

Ostojic Group Pty Ltd: Michael Mortimore

DERM: Alex Apostol and Wing Leung

During the 23 December 2011 close out meeting, DERM officers advised Ostojic Group Pty Ltd that all requirements of EPO STAT657 have been complied with as at 23 December 2011. A letter advising Ostojic of the result of EPO inspection will be issued by DERM in January 2012.

Part G. Recommendation (NB: Refer to parts C – E where relevant)

It is recommended that a letter be sent out to Ostojic Group Pty Ltd closing out the EPO STAT657.

Part H. Natural justice

☒ Did the client provide information relating to any extenuating circumstances that prevented compliance?
Yes ☒ No ☐

If Yes, describe what information was provided:

David Peet has indicated that Ostojic Group Pty Ltd will not be able to meet the 19 December 2011 deadline of the EPO STAT657 Requirement No. 2 (Repair of cladding) due to the delayed delivery of materials. Materials are expected to arrive on Friday, 16 December 2011, and the repair works are expected to be completed on 23 December 2011. He provided DERM a copy of estimation/proposal from the contractor as a proof that the work has already been contracted pending delivery of materials.

☒ If the client provided information, have you taken this information into consideration when making your recommendation? Yes ☒ No ☐

If Yes, describe the consideration given and what conclusions have been formed by the department.

In consideration of the above, DERM decided to conduct a follow up inspection on 23 December 2011 to provide ample time for Ostojic to comply with EPO STAT657 Requirement No. 2.

Part I. Ecotrack

Ecotrack case number	CA23909
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Activity	Time (hours)	Comments
Planning	4	
Inspection	6.5	Include travel time from/to Mount Isa/Cloncurry
Reporting	8	Include EPO assessment and site inspection report preparation.
Total	18.5	

Part J. Approval

Environmental officer	Reviewing Officer
Name: Alex Apostol	Name: Hamish Butler
Date: 11 January 2012	Date: 13 January 2012

Delegated decision-maker	Approve / Reject Recommendation (circle one)
Reasons for decision ☐ I approve this recommendation based upon the information set out in this report. ☐ I reject the above recommendation as I consider it more appropriate for the department to take an alternative approach to this breach. The alternative option/s that should be considered in this case are: My reasons for this are:	

Name:
Date:

RTI DL RELEASE - EHP

Reference NOR/086766 – CR53334

3 July 2012

David Peet
Group Business HSEQ & Compliance Manager
Ostojic Group Pty Ltd
PO Box 38915 Winnellie NT 0821

Dear Sir,

Warning Letter - Stormwater Pond Overflow Incident at Ostojic Bulk Handling Facility

This warning letter is issued to you by the Department of Environment and Heritage Protection (EHP) in respect to the activities of Ostojic Group Pty Ltd at the Ostojic Bulk Handling Facility on land described as Lot 138 and Lot 142 on RP905659 situated at Sir Hudson Fysh Drive, Cloncurry (the "said premises").

During the site inspection conducted by officers of EHP on 31 January 2012, it was confirmed that Ostojic Group Pty Ltd has contravened conditions WA1 and WA3 of Development Approval (DA) SPDE01054010.

Under Section 435(2) of the *Environmental Protection Act (EP Act) 1994*, it is an offence to contravene a development condition of a development approval.

The facts and circumstances forming the basis for issuing this warning letter are:

- As the holder of DA SPDE01054010, Ostojic Group Pty Ltd is required to comply with all conditions of the DA;
- On the night of 27 January 2012, the Ostojic Bulk Handling Facility stormwater pond overflowed releasing waters into the creek located downstream of the pond;
- Conditions WA1 and WA3 of DA SPDE01054010 require sampling of waters related to the release within 2 hours of commencement of release from the stormwater settling pond and within 24 hours of the discharge event from the receiving waters within 500m downstream of the release point;
- Ostojic Group Pty Ltd did not take water samples in accordance with the DA conditions during the stormwater release. These samples are important in identifying contaminants present in the water and determining if the release will cause, or is likely to cause, environmental harm to the receiving environment;
- Section 435(2) of the EP Act 1994, creates an offence and provides penalty for contravention of a development condition of a development approval. Maximum penalty is 1665 penalty units.

As a result of the events surrounding this matter please be advised that you have been **formally**

warned that it is a breach under section 435(2) of the *EP Act 1994* to contravene a development condition of a development approval. In addition, you are reminded of your obligations to comply with your general environmental duty under section 319 of the *Environmental Protection Act 1994* which states that *"A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise harm"*.

In this instance, it has been determined that no further action will be taken in respect of the matters giving rise in this warning. If additional evidence becomes available, or if continuation of this breach and/ or other more serious matters comes to light in the future, EHP may consider taking further action, including prosecution in accordance with its Enforcement Guidelines. A copy of the guidelines is available on our website at: http://www.ehp.qld.gov.au/environmental_management/pdf/enforcement-guidelines.pdf.

Should you have any questions in relation to this matter, please contact Alex Apostol on (07) 4744 7814.

Yours faithfully,

s.49 - Signature

Warwick Fegan
A/Manager
Mining and Heavy Industry - Northern Region
Department of Environment and Heritage Protection