SANDY RIDGE
Compliance Report No. 4
EPBC 2015/7478

Prepared for

Australian Government
Department of Climate Change, Energy, the Environment and Water

Tellus Holdings Ltd

September 2023

Prepared by

Tellus Holdings Ltd
Suite 2, Level 10, 151 Castlereagh Street, Sydney, NSW 200, Australia
T +61 2 8957 3395 www.tellusholdings.com
ABN 97 138 119 829

Tellus is certified to AS/NZS ISO 9001, AS/NZS ISO 14001 and AS/NZS 45001.

QUALITY INFORMATION

Document:	Sandy Ridge Compliance Report No.4 – 2022/2023
Status:	Final
Prepared for:	Australian Government Department of Climate Change, Energy, the Environment and Water
Ref:	SR00-299429885-180389
Date:	27 September 2023

Prepared by:	Nick Croston – KASA Consulting
Reviewed by:	Nathan Jardine – Environmental Manager
Approved by:	Pascoe Murison – General Manager Operations

REVISION HISTORY

Page No.	Details	Version	Date
-	First Published	0	27 /09/2023

This page has been left blank intentionally.

TABLE OF CONTENTS

List of Tables

List of Figures

Appendices

ABBREVIATIONS

ACR	Annual Compliance Report
ADG Code	Australian Dangerous Goods Code
Cth	Commonwealth
CEO	Chief Executive Officer of Department of Water and Environmental Regulation, responsible for the administration of section 48 of the *Environmental Protection Act 1986* or their delegate
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DGMMP	Deep Groundwater Monitoring and Management Plan
DWER	Department of Water and Environmental Regulation
EMP	Environmental Management Plan
EPBC Act	*Environmental Protection and Biodiversity Conservation Act 1999*
EPBC 2015/7478	EPBC Approval dated 7 January 2019
EP Act	*Environmental Protection Act 1986*
GME	Groundwater Monitoring Event
IBC	Intermediate Bulk Container
km	Kilometres
LMMP	Leachate Monitoring and Management Plan
LLW	Low-Level Radioactive Waste
MS 1078	Ministerial Statement 1078
NEMP	National Environmental Management Plan
NEPM	National Environment Protection Measure
NORM	Naturally Occurring Radioactive Material
PFAS	Per- and poly- fluoroalkyl substance
Tellus	Tellus Holdings Limited
The Company	Tellus Holdings Limited
The Department	Department of Climate Change, Energy, the Environment and Water
The Facility	The Sandy Ridge Facility
tpa	Tonnes per annum
WA	Western Australia

DECLARATION OF ACCURACY

Project Name	Sandy Ridge Facility
Approval Holder	Tellus Holdings Limited
EPBC Reference	2015/7478
Approved Action	Construct and operate an open-cut kaolin clay mine, arid near surface geological waste repository with the mine voids, and associated infrastructure for the storage, treatment, recovery and permanent isolation (disposal) of hazardous and intractable waste (including low level radioactive wastes), approximately 75 km north-east of Koolyanobbing in the Shire of Coolgardie, Western Australia [As described in EPBC referral 2015/7478 subject to the variations of the action accepted by the Minister under section 156B on Friday, 22 December 2017 and Friday, 9 November 2018].
Reporting Period	7 July 2022 to 6 July 2023

Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signature of Authorised Reporting Officer	
Name of Authorised Reporting Officer	Pascoe Murison
Position of Authorised Reporting Officer	General Manager Operations
Organisation Name	Tellus Holdings Limited
Organisation ACN	138 119 829
Organisation ABN	97 138 119 829

EXECUTIVE SUMMARY

This report has been prepared in accordance with Part B, Condition 9 of EPBC 2015/7478 that requires a Compliance Report to be prepared for each 12-month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. This Compliance Report has been prepared in accordance with the requirements of the *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2014). The reporting period for this Compliance Report has been defined as from 7 July 2022 to 6 July 2023.

Permanent disposal of waste to the waste cell commenced on 23 March 2021. During the reporting period the facility was fully operational.

Tellus's overall compliance status with EPBC 2015/7478 for the reporting period is summarised in Table ES-1.

Table ES-1 – Overall compliance status with EPBC 2015/7478

Number of Compliant Audit Elements	Number of Non-compliant Audit Elements	Number of Not Applicable Audit Elements
17	3	7

Tellus identified three non-compliant audit elements with EPBC 2015/7478 during the reporting period. The first non-compliance was because at the end of the reporting period approximately 70 tonnes of radioactive material had been stored on site in excess of the 12-month maximum temporary waste storage timeframe. This was non-compliant with Part A, Condition 1 of EPBC 2015/7478, which specifies that '*When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1 [of MS 1078], unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.'*

The other non-compliant audit elements (Conditions B10 and B11) were associated with a failure to report the above non-compliance to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and failure to inform DCCEEW of the corrective action to address the non-compliance.

A summary of the status of all conditions of EPBC 2015/7478 is outlined within the Compliance Assessment Audit Table (Table A-1) presented in Appendix A.

1 INTRODUCTION

This Compliance Report has been prepared to document compliance with the Australian Government's Department of Climate Change, Energy, the Environment and Water (DCCEEW or the Department) approval EPBC 2015/7478 issued in accordance with Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The approval allows Tellus Holdings Ltd (Tellus or the Company) to construct and operate a dual open cut kaolin clay mine and arid near-surface geological waste repository known as the Sandy Ridge Facility (the Facility).

The Facility is licenced to accept Class IV and Class V waste and is located approximately 75 kilometres (km) northeast of Koolyanobbing, Western Australia (WA).

1.1 Background

In accordance with the requirements of Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) the Australian Government granted approval to Tellus Holdings Ltd (Tellus) to construct and operate an open-cut kaolin clay mine, arid near-surface geological waste repository within the mine voids, and associated infrastructure on 7 January 2019. The approval (Ref: EPBC 2015/7478) allows for the treatment, recovery and permanent isolation (disposal) of hazardous and intractable wastes (including low level radioactive wastes). The Sandy Ridge Facility (the Facility) is located approximately 75 kilometres north-east of Koolyanobbing in the Shire of Coolgardie, Western Australia.

The Facility was granted WA government Ministerial Approval on 26 June 2018 (Ministerial Statement 1078).

The Facility is approved to mine up to 280,000 tonnes per annum (tpa) of kaolin clay with the mining voids used for the permanent isolation of wastes, including hazardous and intractable wastes, and LLW. The Facility is currently licenced to receive up to 280,000 tpa of Class IV and Class V waste for approximately 25 years; however, a Proposal has been submitted by Tellus (Assessment number 2309 – Sandy Ridge Facility – Alignment of Gate Waste Acceptance Tonnage) to increase the tonnage of waste accepted at the Sandy Ridge Facility from the current Ministerial limit of 100,000tpa to align with the DWER licence prescribed limit of up to 280,000 tpa.

A Regional Location plan and a Site Plan are presented as Figure 1-1 and Figure 1-2 at the end of this Section.

1.2 Purpose and scope

This Compliance Report is submitted in accordance with the requirements set out in Part B, Condition 9 of EPBC 2015/7478, which requires the following:

Condition 9 – Annual compliance reporting

The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:

- *a) Publish each compliance report on the website with 60 business days following the relevant 12 month period;*
- *b) Notify the Department by email that a compliance report has been published on the website within five business days of the date of publication;*
- *c) Keep all compliance reports publicly available on the website until this approval expires;*
- *d) Exclude or redact sensitive ecological data from compliance reports published on the website; and*
- *e) Where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department with 5 business days of publication.*

The reporting period for this Compliance Report has been defined as from 7 July 2022 to 6 July 2023 and is based on Tellus' assessment of compliance with the conditions of EPBC 2015/7478.

1.3 Report methodology

This Compliance Report has been prepared in accordance with the requirements of the *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2014).

1.4 Retention of compliance reports

Tellus will retain Compliance Reports for the life of the approval in accordance with Part B, Condition 9-c of EPBC 2015/7478 and will continue to implement the proposal until the Minister has determined all conditions have been satisfactorily addressed.

1.5 Public availability of reports

Tellus will make this Compliance Report publicly available in accordance with Part B, Conditions 9-a and 9-c of EPBC 2015/7478.

In accordance with Part B, Condition 9-d of EPBC 2015/7478 Tellus will exclude or redact any sensitive ecological data from Compliance Reports published on the website. Where sensitive ecological data has been excluded or redacted, Tellus will, in accordance with Part B, Condition 9-e of EPBC 2015/7478 submit the full report to the Department within five business days of publication.

No sensitive ecological data has been excluded or redacted from this Compliance Report.

1.6 New environmental risks

No new environmental risks were identified during the reporting period.

1.7 Format of the report

The format of this Compliance Report is as follows:

- Authorised Reporting Officer's endorsement, including Tellus' declaration of accuracy.
- Executive Summary.
- Section 1 is an introduction and provides the scope and nature of the audit.
- Section 2 briefly describes the implementation status of the Project during the reporting period.
- Section 3 summarises the compliance issues identified and provides corrective and preventative measures to improve the environmental performance at the Facility.
- Section 4 specifies the limitations of the report.
- Section 5 provides references used in this Compliance Report.

Appendix A presents the Audit Table, a tabulated review of the audit results against the requirements of EPBC 2015/7478.

This Compliance Report provides a summary of findings including details of non-compliances identified during the audit and recommended actions to improve compliance status.

Figure 1-1 Sandy Ridge Facility Regional Location.

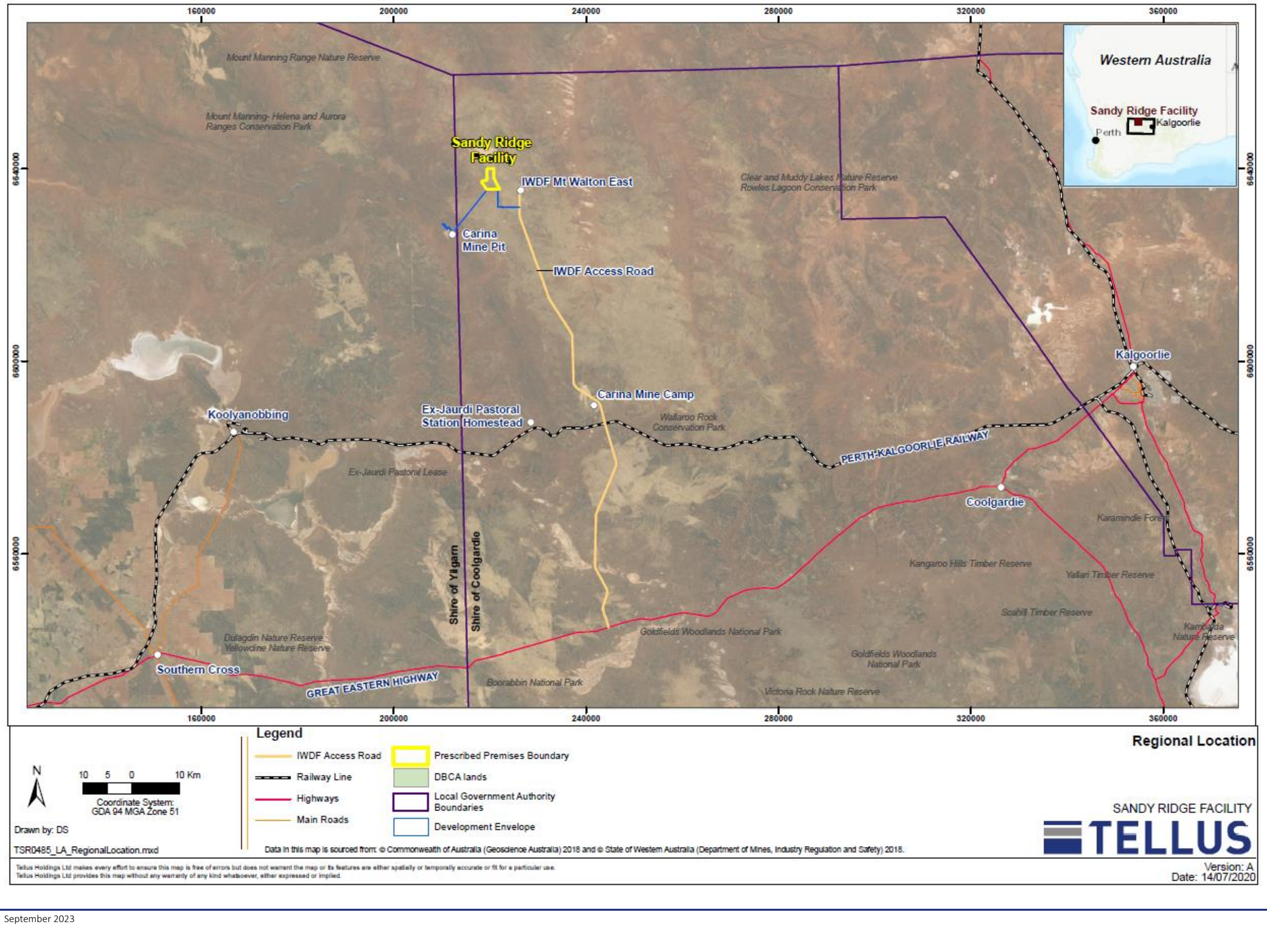
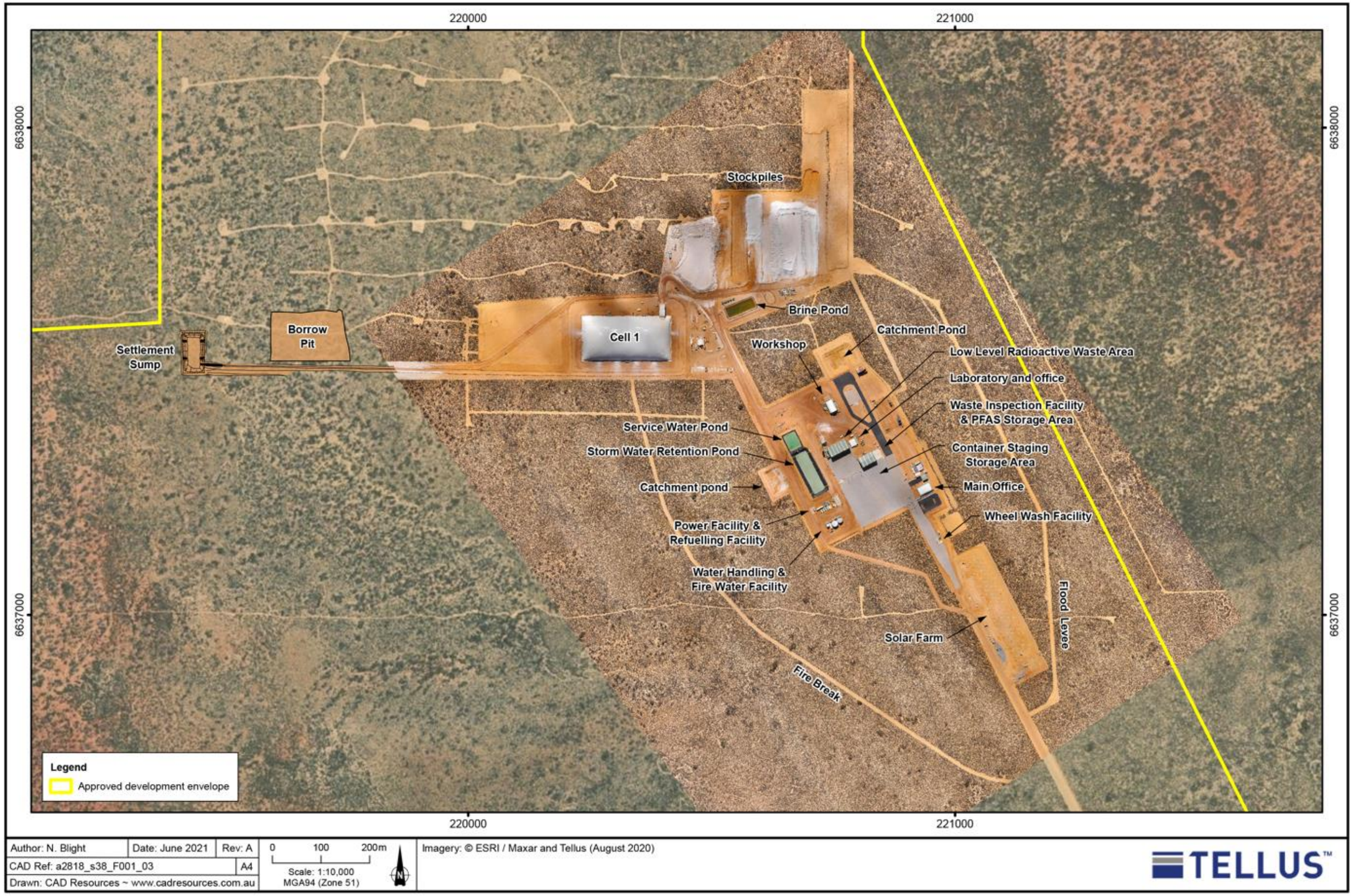


Figure 1-2 Sandy Ridge Facility Site Plan.



2 IMPLEMENTATION STATUS

Table 2-1 summarises the status of Commonwealth and State project approvals.

Table 2-1 – Project Approvals

Approvals	Issued	Finish
Ministerial Statement 1078 - Proposal to construct and operate a dual open cut kaolin clay mine and a near-surface geological waste repository accepting Class IV and Class V waste, approximately 75 kilometres northeast of Koolyanobbing.	27/07/2018	
EPBC 2015/7478 – Action - Construct and operate an open-cut kaolin clay mine, arid near-surface geological waste repository within the mine voids, and associated infrastructure for the storage, treatment, recovery and permanent isolation (disposal) of hazardous and intractable wastes (including low level radioactive wastes), approximately 75 km north-east of Koolyanobbing in the Shire of Coolgardie, Western Australia [As described in EPBC referral 2015/7478 subject to the variations of the action accepted by the Minister under section 156B on Friday, 22 December 2017 and Friday, 9 November 2018].	07/01/2019	31/12/2048
Section 45C – Attachment 1 to MS 1078 – Changes: • Amend the development envelope from 1004.2 hectares to 1061 hectares to allow for relocation of groundwater abstraction infrastructure. • Installation of a 1.5 megawatt solar farm for power generation. • Addition of two stormwater sumps on internal roads in the infrastructure area. • Reduction in the width of internal roads to the Class II landfill and along the groundwater pipeline to Carina Iron Ore Mine. • Addition of an access road adjacent to Mt Dimer Road. • Addition of a flood levee. • Change in orientation and size of accommodation camp.	05/02/2019	
Ministerial Statement 1152 (Condition 13-11 Financial Assurance Requirements)	24/09/2020	
Major approvals, permits and licences from the Australian, WA and Local Government required to temporarily store waste on-site	-	29/06/2020
Site Registration – Controlled Waste Facility No. 39106650	-	21/01/2020
W6305/2019/1 – Works Approval #2 – to authorise the construction of the temporary waste storage area.	20/12/2019	19/12/2022
W6308/2019/1 – Works Approval #3 – to authorise the construction of the main processing and treatment infrastructure of the Facility.	07/02/2020	06/02/2023
Operating Licence – Surface storage licence (Cat. 61 liquid waste and 61A solid waste activities) – L9240/2020/1	29/06/2020	28/06/2040
W6700/2022/1 – Works Approval to construct three additional waste cells, to be known as Cell 2, Cell 3 and Cell 4.	13/12/2022	13/12/2027
Licence L9240/2020/1 amendment – Surface storage licence (Cat. 61 liquid waste and 61A solid waste activities) – L9240/2020/1.	01/06/2023	28/06/2040

Registration R2498/2019/1 was granted in November 2019 for the operation of the wastewater treatment plant, and registration R2501/2020/1 was granted in February 2020 for the premises domestic putrescible landfill.

2.1 Notification of Commencement of Action

On 18 July 2019 Tellus notified by email the Department's Post Approvals Section that commencement of the action occurred on 7 July 2019. The Department acknowledged the notification by return email.

2.2 Construction

Contract completion occurred on 09 October 2020, with a 12 months defects liability period that ended on 09 October 2021. No construction work was conducted during the reporting period.

2.3 Operations

The Facility consists of:

- Mine infrastructure, including stockpile area, storage building, laboratory, mining offices, laydown yard, stormwater storage tanks (4), brine pond and settlement pond.
- Waste infrastructure including an inflatable dome waste cell cover, temporary waste storage areas (East Yard, PFAS (Per- and poly- fluoroalkyl substance) contaminated waste storage area, low level radiation waste warehouse/ liquid waste unloading area, low level radiation waste, liquid waste and sludge storage yard), temporary waste storage area stormwater drains and retention pond, waste inspection area, waste immobilisation plant workshop and laydown yard, flammable goods store, radiation scanner and waste laboratory.
- Other infrastructure including an accommodation camp, access roads, water pipelines, wastewater treatment plant, flood levee, and a putrescible landfill. The putrescible landfill services the accommodation camp and office. Only wastes generated at the Facility will be disposed in this landfill.

The facility accepted its first waste, on 6 July 2020.

During the current reporting period a total of 17,246.81 tonnes (normalised) was received on site. This consisted of 17,221.81 tonnes of controlled waste and 25.0 tonnes of radiological waste. A breakdown by controlled waste type and radiological waste received during the reporting period (7 July 2022 and 6 July 2023) is detailed in Table 2-2 and

Waste Type	Normalised tonnes
A130 – Inorganic cyanide	36.05
B100 – Acidic solutions or acids in solid form	775.75
C100 - Basic (alkaline) solutions or bases (alkalis) in solid form	403.04
D110 - Inorganic fluorine compounds (excluding calcium fluoride)	1.27
D120 – Mercury and mercury compounds	26.73
D130 – Arsenic and arsenic compounds	577.98
D160 – Beryllium and beryllium compounds	0.36
D180 - Thallium and thallium compounds	0.6
D210 – Nickel compounds	3,550.02
D220 – Lead and lead compounds	1,835.76
D270 - Vanadium compounds	30.2
D300 - Non toxic salts	2,931.79

Waste Type	Normalised tonnes
D310 - Boron compounds	1.07
E100 - Waste containing peroxides excluding hydrogen peroxide	24.45
E130 - Highly reactive chemicals not otherwise specified	34.61
F130 - Solvent based wastes from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	19.98
G110 - Non-halogenated organic solvents	5.94
H100 – Waste from the production, formulation or use of biocides and phytopharmaceuticals	65.13
H170 – Waste wood-preserving chemicals	2,606.15
J100 – Waste mineral oils unfit for their intended purpose	1,090.27
J120 - Waste oil and water mixtures or emulsions, and hydrocarbon and water mixtures or emulsions	11.75
J160 – Waste tarry residues arising from refining, distillation or pyrolytic treatment	298.40
M100 – Waste substances and articles containing polychlorinated biphenyls (PCBs)	0.18
M130 – Non-halogenated organic chemicals	2.60
M220 – Isocyanate compounds	8.69
M250 – Surfactants and detergents	26.97
M270 – Per- and poly- fluoroalkyl substance (PFAS) contaminated materials, including waste PFAS containing products and contaminated containers	2,054.63
N120 – Soils contaminated with a controlled waste	742.88
N205 – Industrial waste treatment plant residues	11.67
N220 - Asbestos	23.84
R120 - Waste pharmaceuticals, drugs and medicines	22.95
T100 – Waste chemical substances arising from research and development or teaching	0.1
Total tonnes received during reporting period	17,221.81

Table 2-3 below.

Table 2-2 – Controlled waste accepted during reporting period

Waste Type	Normalised tonnes
A130 – Inorganic cyanide	36.05
B100 – Acidic solutions or acids in solid form	775.75
C100 - Basic (alkaline) solutions or bases (alkalis) in solid form	403.04
D110 - Inorganic fluorine compounds (excluding calcium fluoride)	1.27
D120 – Mercury and mercury compounds	26.73
D130 – Arsenic and arsenic compounds	577.98
D160 – Beryllium and beryllium compounds	0.36
D180 - Thallium and thallium compounds	0.6

Waste Type	Normalised tonnes
D210 – Nickel compounds	3,550.02
D220 – Lead and lead compounds	1,835.76
D270 - Vanadium compounds	30.2
D300 - Non toxic salts	2,931.79
D310 - Boron compounds	1.07
E100 - Waste containing peroxides excluding hydrogen peroxide	24.45
E130 - Highly reactive chemicals not otherwise specified	34.61
F130 - Solvent based wastes from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	19.98
G110 - Non-halogenated organic solvents	5.94
H100 – Waste from the production, formulation or use of biocides and phytopharmaceuticals	65.13
H170 – Waste wood-preserving chemicals	2,606.15
J100 – Waste mineral oils unfit for their intended purpose	1,090.27
J120 - Waste oil and water mixtures or emulsions, and hydrocarbon and water mixtures or emulsions	11.75
J160 – Waste tarry residues arising from refining, distillation or pyrolytic treatment	298.40
M100 – Waste substances and articles containing polychlorinated biphenyls (PCBs)	0.18
M130 – Non-halogenated organic chemicals	2.60
M220 – Isocyanate compounds	8.69
M250 – Surfactants and detergents	26.97
M270 – Per- and poly- fluoroalkyl substance (PFAS) contaminated materials, including waste PFAS containing products and contaminated containers	2,054.63
N120 – Soils contaminated with a controlled waste	742.88
N205 – Industrial waste treatment plant residues	11.67
N220 - Asbestos	23.84
R120 - Waste pharmaceuticals, drugs and medicines	22.95
T100 – Waste chemical substances arising from research and development or teaching	0.1
Total tonnes received during reporting period	17,221.81

Table 2-3 – Radiological waste accepted during reporting period

Waste Type	Normalised tonnes
Unsealed radioactive material	25.0
Disused sealed radioactive sources	292 units (weight negligible)
Total tonnes received during reporting period	25.0

Permanent disposal to the waste cell commenced on 23rd March 2021.

During the reporting period a total of 18,465.43 tonnes of waste was permanently disposed of. Waste permanently disposed of during the reporting period is summarised by waste code in Table 2-4. This included 6,258.62 tonnes of waste processed through the Waste Immobilisation Plant (WIP).

No radiological waste was permanently disposed of during the reporting period.

Table 2-4 – Permanently disposed waste during reporting period

Waste Type	Normalised tonnes
A130 – Inorganic cyanide	39.77
B100 – Acidic solutions or acids in solid form	76.53
C100 - Basic (alkaline) solutions or bases (alkalis) in solid form	75.70
D110 - Inorganic fluorine compounds (excluding calcium fluoride)	1.27
D120 – Mercury and mercury compounds	79.39
D130 – Arsenic and arsenic compounds	403.39
D210 – Nickel compounds	1,648.91
D220 – Lead and lead compounds	2745.11
D270 - Vanadium compounds	30.20
D300 - Non-toxic salts	2602.86
E100 - Waste containing peroxides excluding hydrogen peroxide	7.26
E130 - Highly reactive chemicals not otherwise specified	1.47
H170 – Waste wood-preserving chemicals	2661.85
J100 – Waste mineral oils unfit for their intended purpose	1,105.68
J160 – Waste tarry residues arising from refining, distillation or pyrolytic treatment	291.01
M270 – Per- and poly- fluoroalkyl substance (PFAS) contaminated materials, including waste PFAS containing products and contaminated containers	5,884.86
N120 – Soils contaminated with a controlled waste	786.94
N205 – Industrial waste treatment plant residues	7.01
N220 - Asbestos	16.22
Total tonnes disposed of during reporting period	18,465.43

Table 2-5 summarises the status of compliance with the authorised extent of the proposal (Table 2 of Schedule 1 of MS 1078).

Table 2-5 – Compliance status of key characteristics, Table 2, Schedule 1 MS 1078

Requirement		Status	Further Information
When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.		Non-compliant	The authorised extent of the proposal was exceeded with regard to the maximum **temporary waste storage time of 12 months** during the reporting period.
Key Characteristic	Description		

Requirement		Status	Further Information
Mine pit/waste cells	Clearing up to 202.3 hectares of native vegetation within a 1,061 hectare development envelope	Compliant	As of 6 July 2023, a total of 24.69 hectares of native vegetation within the development envelope had been cleared for mine pit/waste cells.
Associated infrastructure	Clearing up to 73.75 hectares of native vegetation with a 1,061 hectare development envelope	Compliant	As of 6 July 2023, a total of 71.03 hectares of native vegetation within the development envelope had been cleared for associated infrastructure.
Class IV & V waste accepted at gate	up to 100,000 tonnes per annum	Compliant	A total of 17,246.81 tonnes (normalised) of waste was received during the reporting period.
Temporary waste storage on surface	up to 15,000 tonnes	Compliant	A cross check of waste received against waste permanently disposed confirmed that the temporary waste storage limit of 15,000 tonnes was not exceeded at any point during the reporting period.
Maximum temporary storage time	up to 12 months	Non-compliant	The 12 month storage requirement was exceeded during the reporting period for 14 unsealed and 71 sealed radioactive sources and 611.9 tonnes of chemical waste.
Waste (including treated waste) disposed to waste cells	up to 280,000 tonnes per annum	Compliant	A total of 18,465.43 tonnes (normalised) of waste was permanently disposed of during the reporting period.
Water use	up to 0.18 gigalitres (180,000m3) per annum	Compliant	A total of 0.019 gigalitres (19,236 m^3) was used on site during the reporting period.

2.4 **Decommissioning**

No decommissioning activities were conducted during the reporting period.

3 DETAILS OF FINDINGS

Table 3-1 provides a summary of the performance categories in respect to the compliance status for each requirement of EPBC 2015/7478 as defined in *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2014, p.9).

Table 3-1 – Compliance status terms

Compliance Status Term	Definition
Compliant	'Compliance' is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
Non-compliant	A designation of 'non-compliance' has been given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
Not Applicable	A designation of 'not applicable' has been given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.

The overall status of compliance with the audit elements of EPBC 2015/7478 Conditions for the reporting period is summarised in Table 3-2.

Requirements considered non-compliant are summarised in

Table 3-3. The table includes a discussion of the compliance status and corrective and preventative actions for improvement where appropriate.

The comments column provides evidence relevant to each requirement. Where considered relevant, observations have been made regarding specific compliance issues.

Table 3-2 – Overall compliance assessment of EPBC 2015/7478

Number of Audit Elements Compliant	Number of Audit Elements Non-compliant	Number of Audit Elements Not Applicable
17	3	7

Table 3-3 – Summary of EPBC 2015/7478 non-compliant conditions

Condition No.	Condition	Compliance Status	Comments and corrective actions
A.1	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1 [of MS 1078], unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.	Non-compliant	A non-compliance against Condition 1 of EPBC 2015/7478, regarding waste being stored for greater than 12 months occurred during the reporting period. This non-compliance originally occurred in the previous reporting period and was reported in the 2021-22 ACR. The non-compliance is ongoing because certain waste deliveries that have been accepted by site could not be deposited in the waste cell due to delays in regulatory approvals. As of 1 July 2023 the extent of the proposal, as defined in Table 2 of Schedule 1 of MS 1078, has been exceeded regarding the maximum temporary storage time of 12 months for the following wastes. • 14 unsealed and 71 sealed radioactive sources received prior to 1 July 2022. • 611.9 tonnes of Chemical liquid waste. received prior to 1 July 2022. All wastes have been stored in accordance with Project approvals. All radioactive material at Sandy Ridge is included in the Radioactive Material Storage Manifest, which is submitted to the Radiation Health Unit (Department of Health) monthly. All radioactive material continues to be stored in the Radioactive Waste Storage Yard, in accordance with Radiation Management Plan approved by the WA Radiological Council in March 2021. An amendment to L9420/2020/1 to allow radioactive material to be transferred from temporary surface storage into permanent isolation in the cell has now been approved and Tellus are currently reviewing radioactive waste inventory suitable for immediate disposal. An L9420/2020/1 amendment authorising the treatment of liquid waste outside of the Waste Isolation Plant was granted in June 2023. Portable facilities to process liquid wastes that cannot be treated in the WIP are expected to be operational by Q4 of 2023.
B10	The **approval holder** must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the incident or non-compliance. The notification must specify: a) the condition which is or may be in breach; and b) a short description of the incident and/or non-compliance.	Non-compliant	As identified above in A1, a non-compliance against Condition 1 of EPBC 2015/7478, regarding waste being stored for greater than 12 months occurred during the reporting period. Tellus is non-compliant with Condition B10 because each individual waste batch has not reported within 2 business days of the batch reaching the 12-month limit. The recent granting of approvals required for the permanent disposal of these wastes is anticipated to ensure full compliance in the next reporting period.

Condition No.	Condition	Compliance Status	Comments and corrective actions
B11	The **approval holder** must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than 10 **business days** after becoming aware of the incident or non-compliance, specifying: a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b) the potential impacts of the incident or non-compliance; and the method and timing of any remedial action that will be undertaken by the approval holder.	Non-compliant	As detailed above Tellus has not provided details, corrective actions, potential impacts or remedial actions for each individual waste batch within 2 business days of the batch reaching the 12-month limit. This is because there are no impacts associated with the non-compliance and corrective actions are the same as reported in the previous ACR. Tellus is still awaiting final approvals required to allow permanent disposal of radiological and certain liquid chemical wastes. The recent granting of approvals required for the permanent disposal of these wastes is anticipated to ensure full compliance in the next reporting period.

3.1 Environmental management plans

Table 3-4 summarises the status of management plans required under EPBC 2015/7478 during the reporting period.

Table 3-4 – Submitted and approved management plans

Condition No.	Management Plan	Date Prepared / Revised	Approval Date
A.2.1	Deep Groundwater Monitoring and Management Plan (DGMMP)	15 May 2020	29 May 2020
A.1	Leachate Monitoring and Management Plan (LMMP)	7 May 2020	14 May 2020

The LMMP was approved by the CEO of The Department of Water and Environmental Regulation (DWER) as required by Conditions 9-2 and 9-3 of Ministerial Statement 1078, under the Western Australian Environmental Protection Act, 1986.

At the time of writing, both the DGMMP and LMMP had been updated and submitted to DCCEEW and DWER respectively for comment. Comments have been received from DCCEEW and Tellus is considering the feedback and will address any improvements where applicable.

Implementation of the above referenced plans are discussed in Appendix A.

4 LIMITATIONS OF THIS REPORT

This report has been prepared by Tellus Holdings Ltd (Tellus) based on generally accepted practices and standards and information (including site conditions) available/present when it was prepared (September 2023).

No other warranty, expressed or implied, is made as to the professional advice included in this Report. This report was prepared in accordance with the purpose outlined in EPBC 2015/7478, dated 7 January 2019. No responsibility is accepted for use of any part of this report in any other context or for any other purpose or by third parties. Where this report indicates that information has been provided to Tellus by third parties, Tellus has made no independent verification of this information except as expressly stated in the report. Tellus assumes no liability for any inaccuracies in or omissions to that information.

This Report should be read in full and does not give legal advice. Except as required by law, no third party may use or rely on this report unless otherwise agreed by Tellus in writing. To the extent permitted by law, Tellus expressly disclaims and excludes liability for any loss, damage, cost or expenses suffered by any third party relating to or resulting from the use of, or reliance on, any information contained in this report.

5 REFERENCES

5.1 Supporting, verifying information, documentation

[01] Tellus, 2021. Compliance Assessment Report No. 5 2022-2023 Ministerial Statement 1078	Report
[02] Tellus, 2023. Sandy Ridge – Biannual Groundwater Monitoring Event 4. Summary Letter Report, April 2023.	Report
[03] Tellus, Leachate Monitoring and Management Plan, Version E, 7 May 2020, Ref: HS00-1760150200-49173.	Management Plan
[04] Tellus, 2020, Deep Groundwater Monitoring and Management Plan, V0, HS00-1760150200-49244, 15 May 2020.	Management Plan
[05] DAWE, Approval Letter, 2020, EPBC 2015/7478: Sandy Ridge Project – Deep Groundwater Monitoring and Management Plan, 29 May 2020.	Letter
[06] EMM, 2021. Groundwater Quality Trigger and Threshold Criteria – Sandy Ridge Facility. Report # P200582 RP1 March 2021	Report
[07] Landloch, 2020. Sandy Ridge Project: Baseline soil audit for the facility, Mt. Walton access road and Sandy Ridge Access Rd. October 2020	Report
[08] DWER Environmental Licence L9240/2020/1 (www.dwer.gov.au)	Licence
[09] DWER Works Approval W6243/2019/1 (www.dwer.gov.au).	Approval
[10] DWER, Letter, 2020, Sandy Ridge Facility Ministerial Statement 1078 Leachate Monitoring and Management Plan Approved, 14 May 2020, Ref: DWERDT280973; DWERT463.	Approval
[11] Tellus 2021. Surface Water Control Operational Procedure SR-08.511, February 2021	Procedure
[12] Tellus, Email, Tellus to DAWE, 2019, EPBC 2015/7478 Sandy Ridge Facility - commencement notification, 18 July 2019 @12:27pm.	Email
[13] DAWE, Email, DAWE to Tellus, 2019, EPBC 2015/7478 Sandy Ridge Facility - commencement notification, 18 July 2019 @2:31pm.	Email
[14] Letter, DAWE, 2019, Commencement of the Action – Sandy Ridge Project, WA (EPBC 2015/7478), Ref: 2015/7478, 20 August 2019.	Letter
[15] Tellus, 2022. Sandy Ridge Facility Compliance Report No.3 2021/2022.	Report
[16] Tellus, Email. Tellus to DWER, 2022, Storage of waste consignments at the Sandy Ridge Facility - 12-month storage timeframe information request, 21 February 2022.	Email
[17] Tellus, 2023. Sandy Ridge – Biannual Groundwater Monitoring Event 5. Summary Letter Report, September 2023.	Report
[18] Tellus, 2023 Sandy Ridge Soil Audit – 2023	Report

5.2 External references

A Commonwealth of Australia. 2014. Annual Compliance Report Guidelines.

Appendix A - EPBC 2015/7478 Audit Table

- **This Audit Table is a summary of the requirements applying to this Proposal**. Refer to the Approval issued for the proposal under Part 9 of the EPBC Act for details/precise wording of audit elements.

EPBC 2015/7478				
Condition No.	**Condition**	**Compliance Status**	**Evidence[1]**	**Comments**
Part A – Conditions Specific to the Action				
A.1	To manage the impacts of the action on the **environment**, the **approval holder** must comply with conditions 1 and 9 attached to the **WA approval** to the extent those conditions apply to the taking of the action specified in this approval.	Non-compliant	[01] Tellus, 2021. Compliance Assessment Report No. 5 2022-2023 Ministerial Statement 1078 [02] Tellus, 2023. Sandy Ridge – Biannual Groundwater Monitoring Event 4. Summary Letter Report. [03] Tellus, Leachate Monitoring and Management Plan, Version E[2], 7 May 2020, Ref: HS00-1760150200-49173. [17] Tellus, 2023. Sandy Ridge – Biannual Groundwater Monitoring Event 5. Summary Letter Report. [18] Tellus, 2023 Sandy Ridge Soil Audit – 2023	Detailed findings regarding compliance with Conditions 1 and 9 of MS 1078 for the 2022-2023 reporting period are provided in the 2022-2023 CAR [01]. Condition 1 of MS 1078 – Non-compliant The extent of the proposal, as defined in Table 2 of Schedule 1 has been exceeded regarding the maximum temporary storage time of 12 months had been exceeded for 14 unsealed and 71 sealed radioactive sources and 611.9 tonnes of chemical waste. Condition 9 of MS 1078 – Compliant Requirements associated with Condition 9 – Terrestrial Environmental Quality are considered to have been met. • The environmental objective, to ensure that impacts to soil quality are minimised was considered to have been met based on no detected impacts [02]. • The Leachate Monitoring and Management Plan (LMMP) [03] was established and approved by DWER. The LMMP was updated during the current reporting period and the revised LMMP (2022) [39] is currently with WA EPA Services for assessment as part of EPA Assessment No. 2309 for the *Alignment of Gate Waste Acceptance Tonnage*. • Biannual sampling (Groundwater Monitoring Event (GME)) against the parameters defined in Appendix H1 and H2 of the LMMP were undertaken in October 2022 (GME 4) and April 2023 (GME 5). Results from GME 4 and 5 [02], [17] indicate that requirements outlined in the LMMP and the DGMMP had been implemented and identified no detected impacts from waste disposal activities. The reports specified that results were likely reflective of background conditions and highly unlikely caused by site operations. • A soil survey was conducted in January 2023 (Sandy Ridge Soil Audit – 2023 [18]), which concluded that the level of soil contamination at Sandy Ridge is low, with the concentration of most analytes being similar to the 2020 baseline. All concentrations detected were lower than NEMP guidelines for residential properties with gardens (HIL B).
A.2.1	To enable the early detection of any leachate and to protect the **environment** from impacts from leachate to deep groundwater, the **approval holder** must submit a deep groundwater monitoring and management plan. The deep groundwater monitoring and management plan must commit the **approval holder** to undertake monitoring and management of potential impacts to the groundwater within the weathered granite and granite hard rock (bedrock) as specified below. The **approval holder** must not **commence waste receival** unless the **Minister** has approved the deep groundwater monitoring and management plan in writing. If the **Minister** approves the deep groundwater monitoring and management plan then the approved deep groundwater monitoring and management plan must be implemented.	Compliant	[02], [17] [04] Tellus, 2020, Deep Groundwater Monitoring and Management Plan, V0, HS00-1760150200-49244, 15 May 2020. [05] DAWE, Approval Letter, 2020, EPBC 2015/7478: Sandy Ridge Project – Deep Groundwater Monitoring and Management Plan, 29 May 2020.	Tellus submitted the Deep Groundwater Monitoring and Management Plan (DGMMP), dated 15 May 2020 [06] to the Minister on 15 May 2020. DAWE issued a letter to Tellus dated 29 May 2020 [07] that approved the DGMMP [dated 15 May 2020 (Rev0)] in accordance with Condition 2(1) of Part A of EPBC 2015/7478. This document was in the process of being updated at the time of submission of this report. **Implementation** The following monitoring requirements for the deep groundwater bore (SRMB167) were included in the DGMMP (Table 2-1). • Twelve sampling events were undertaken to establish a baseline to establish trigger and threshold criteria. At the time of preparing this report the LMMP was being updated to reflect the results of the 12 GMEs and updated trigger and threshold levels. • Biannual sampling against the parameters defined in Appendix H1 and H2 of the LMMP has been undertaken. Ongoing monitoring The most recent Summary Groundwater Monitoring Reports in October 2022 (GME 4) [02] and April 2023 (GME 5) [17] indicates requirements outlined in the Leachate Monitoring Management Plan (LMMP) and the Deep Groundwater Monitoring Management Plan (DGMMP) were implemented. Standing water levels (SWL) were measured at all groundwater bores; all sites were within the assessment criteria trigger 0.5 m range. • Ninety-nine (99) analytes were below the interim assessment criteria for GME 4 and 66 out of 73 analytes were below the interim assessment criteria for GME 5. • Eight analytes were slightly above the interim assessment for GME 4 and seven analytes were slightly above the interim assessment criteria for GME 5. No threshold assessment criteria were exceeded. • The reports concluded that the analytes that measured above the interim assessment criteria in GME 4 and GME 5 suggest that: • Results are likely reflective of background conditions and highly unlikely caused by site operations. • Human influence during bore installation and/or sampling may have contributed to the increased variability metals concentrations.

[1] Refer to Section 5.1 Supporting, verifying information, documentation.

EPBC 2015/7478				
Condition No.	**Condition**	**Compliance Status**	**Evidence[1]**	**Comments**
A.2.2	The deep groundwater monitoring and management plan must specify:	-	-	-
A.2.2.a	a) monitoring procedures and protocols, including monitoring location points and frequency of monitoring (minimum every six (6) months);	Compliant	[04], [05]	Section 2 (Monitoring) of the DGMMP addressed monitoring conducted prior to and during the reporting period and planned future monitoring. Appendix G – Groundwater Sampling Procedure, addressed monitoring procedure and protocols. The frequency of monitoring was addressed on Section 2.3.3 [06, p.30 and p.33].
A.2.2.b	b) mitigation and management measures;	Compliant	[04], [05]	Table 2-1 [06, p.12 and P.13] detailed mitigation actions for the DGMMP. Section 4.8.3 (Facility Manager) of the DGMMP identified that the Facility Manager is responsible for ensuring environmental mitigation/management requirements are implemented.
A.2.2.c	c) an adaptive management framework, including early warning triggers, trigger criteria, monitoring design and methodologies, and trigger management actions;	Compliant	[04], [05]	Section 2.3.3 [06, p.28] noted that Tellus will complete adaptive sampling and analysis based on a prioritisation of analytical suites in the event sufficient groundwater cannot be extracted for chemical and radionuclide analysis. Table 2-4 [06, p.29] presented groundwater monitoring scenarios and adaptive sampling and analysis. An adaptive management framework was included as Section 3 of the DGMMP that referred to a two-tiered adaptive leachate management and monitoring framework. Figure 3-1 [06, p.47] provided an overview of the adaptive groundwater monitoring and trigger actions.
A.2.2.d	d) **incident** reporting;	Compliant	[04], [05]	Incident reporting was addressed in Section 3.2 [06, p.40] of the DGMMP which noted that any incidents would be managed in accordance with the requirements of its certified management system. The Sandy Ridge Facility has implemented the INX InControl system for recording and managing all incidents. The Sandy Ridge facility was added to the scope of Tellus' AS/NZS ISO 45001:2018 and AS/NZS ISO 14001:2016 certification in early 2022. Clause 10.2 requires the establishment, implementation and maintain a process(s), including reporting, investigating and taking action to determine and manage incidents and non-conformities.
A.2.2.e	e) review periods; and	Compliant	[04], [05]	Review periods were specified in Section 4.3 [06, p.53] of the DGMMP. At the time of reporting the DGMMP had been reviewed and updated following the generation of site specific radiological and chemical groundwater screening levels and was awaiting approval from DAWE. The DGMMP stated that "*At a minimum, this DGMMP will be revised to address deep groundwater monitoring and management aspects no less than every three years*" (p.53).
A.2.2.f	f) implementation reporting and auditing by a **suitably qualified person**.	Compliant	[04], [05]	Reporting and auditing of the DGMMP by a suitably qualified person is addressed in Section 4.4 [p.53] of the DGMMP [04]. It is proposed that the audits are undertaken every three years. Six monthly Groundwater Monitoring Event (GME) reports are prepared. During the reporting period GMEs were undertaken in October 2022 (GME 4) and April 2023 (GME 5). An independent audit, as defined in section 7.4 of the DGMMP has been scheduled for Q4 2023 following the completion of GME 6.
A.2.3	To be capable of detecting any potential contamination of groundwater, the deep groundwater monitoring and management plan must include parameters collected during at least 12 months of baseline monitoring of groundwater and soil quality undertaken prior to **commencing waste receival**.	Compliant	[02] / [04], [18] [06] EMM, 2021. Groundwater Quality Trigger and Threshold Criteria – Sandy Ridge Facility. Report # P200582 RP1 March 2021 [07] Landloch, 2020. Sandy Ridge Project: Baseline soil audit for the facility, Mt. Walton access road and Sandy Ridge Access Rd. October 2020	As stated in previous ACRs, twelve deep groundwater baseline sampling events were undertaken to establish trigger and threshold criteria; however, this was raised as a noncompliance in the 2020-21 ACR because these events did not occur during 'at least 12 months' prior to commencing waste receival (the 12 deep groundwater sampling events were undertaken between April and September 2020). The subsequent Groundwater Quality Trigger and Threshold Criteria report (EMM, 2021 [06], based on this sampling was issued in March 2021, prior to in-ground disposal commencing. Because the non-compliance was previously reported and subsequent monitoring has indicated no detectable environmental impacts resulting from operations it was considered that this condition is now be considered compliant. A baseline soil audit was undertaken by Landloch [07] in two campaigns (April 2019 and January 2020). The audit summary stated "Surface soils of the Sandy Ridge Project have been audited for a range of testing suites, including Inorganics, Heavy Metals, Asbestos, PCBs, PFAS, and Radionuclides. The audit results indicate that no significant environmental concerns currently exist for the soils that have been sampled." Tellus is required to conduct a targeted soil quality audit every three years in accordance with Sandy Ridge's Leachate Monitoring and Management Plan (LMMP). A soil survey was conducted in January 2023 (Sandy Ridge Soil Audit – 2023) [18], which concluded that the level of soil contamination at Sandy Ridge is low, with the concentration of most analytes being similar to the 2020 baseline. All concentrations detected were lower than NEMP guidelines for residential properties with gardens (HIL B). Tellus have reviewed historical soil monitoring results and are in the process of refining the associated Sampling and Analysis Plan to reflect a more systematic approach to assessing changes in radioactivity in soils taking into account background levels, and still achieving the objectives of the program to identify adverse changes in soil quality at Sandy Ridge.

EPBC 2015/7478				
Condition No.	**Condition**	**Compliance Status**	**Evidence[1]**	**Comments**
A.3	To exclude potential floodwaters from the site and to prevent the release of potentially contaminated floodwaters to the environment, the **approval holder** must ensure that any surface water that enters or leaves the action area cannot spread contaminants out of the action area. To meet this objective the **approval holder** must ensure that monitoring of the action's impacts is capable of detecting any contaminants before they can be transported out of the action area.	Compliant	[08] DWER Environmental Licence L9240/2020/1 (www.dwer.gov.au). [09] DWER Works Approval W6243/2019/1 (www.dwer.gov.au). [10] DWER Works Approval W6308/2019/1 (www.dwer.gov.au). [03] [10] DWER, Letter, 2020, Sandy Ridge Facility Ministerial Statement 1078 Leachate Monitoring and Management Plan Approved, 14 May 2020, Ref: DWERDT280973; DWERT463. [11] Tellus 2021. Surface Water Control Operational Procedure SR-08.511, February 2021	<u>Physical Infrastructure</u> Tellus has constructed the Facility to meet the requirements of Table 1 (p.10) of Licence L9240/2020/1 [08] issued by DWER on 29 June 2020 that requires the following concerning surface water management: • **Temporary Waste Storage Area** - "*Sloped to allow surface water within the Temporary Waste Storage Area to drain to the Stormwater Retention Pond*". • **Temporary Waste Storage Area Stormwater Drains** – "*(a) Stormwater diversion drain located on the eastern side of the temporary waste storage area capable of diverting surface storm water away from the Temporary Waste Storage Area; and (b) Stormwater drain located within the temporary waste storage area capable of diverting surface storm water within the Temporary Waste Storage Area to the Stormwater Retention Pond*". • **Temporary Waste Storage Area Earth Bund** – "*To contain any liquid or solid waste that may discharge from waste containers within the Temporary Waste Storage Area.*" • **Stormwater Retention Pond** – "*Total capacity of 3,926 m³, capable of capturing a 1 in 100 year 72-hour storm event from the Temporary Waste Storage Area*". To mitigate potential floodwaters entering the Facility a flood levee measuring approximately 1 km by 11 m in width has been constructed to the east of the infrastructure area. Figure 2 (p.6) of Works Approval W6243/2019/1 [09] issued on 20 April 2019 by DWER specifies the civil earthworks design for drainage of the infrastructure area. Column 2, Table 2 (pp.9-17) of Works Approval W6308/2019/1 [10] issued on 7 February 2020 and amended 27 March 2020 by DWER states the design and construction requirements for the specific areas of the Facility including, but not limited to the waste storage – east yard, PFAS contaminated waste storage area and the low-level radiation waste liquid waste and sludge storage yard. External areas are designed to drain towards blind sumps or two stormwater retention ponds. Covered waste storage areas are designed to drain to internal blind concrete sumps which will be pumped out into 1,000 L Intermediate Bulk Containers (IBCs) if full. Issuing of the DWER Environmental Licence L9240/2020/1 indicates that DWER were satisfied that the Works Approvals were compliant. An audit of the Environmental Licence was conducted in July 2023 that confirmed inspections were undertaken and recorded in the INX InControl database. The audit also confirmed drainage and water storage infrastructure was in good condition and well maintained. <u>Monitoring</u> Groundwater monitoring was undertaken in accordance with the Leachate Monitoring and Management Plan (LMMP) [03], which was approved by DWER on 14 May 2020 [10]. Monitoring of stormwater ponds and sumps is undertaken to ensure their integrity is maintained (scheduled inspections in INX In Control system). A summary of surface water catchments and storages, including maintenance requirements is defined in the Surface Water Control procedure (SR-08.511) [11]. The Operations EMP specifies that water from these ponds and sumps can only be reused in the WIP or within the Cell, hence no discharge to the environment. The exception to this is that if water is verified by a NATA accredited lab as being contaminant-free, then it could be re-used onsite.
A.4	To ensure a nationally consistent approach to the environmental regulation of **PFAS**, the **approval holder** must implement the **PFAS National Environmental Management Plan**.	Compliant	-	During the reporting period PFAS contaminated wastes were received from several sources. A detailed audit against the PFAS NEMP was not undertaken, however, a review against its key applicable requirements concluded that Tellus had broadly established and implemented a waste management system at Sandy Ridge that complied with the objectives of NEMP. Key findings include; the Sandy Ridge Waste Management System evaluates the acceptability of waste coming to site following an approved Waste Acceptance procedure, which requires the waste to be characterised and assessed against numerous different criteria. This process is in alignment with the PFAS NEPM. The WAP checklist also asks the question as to whether future recovery and recycling of the waste is intended. It is also acknowledged in the PFAS NEPM that the range of treatment facilities and technology options commercially available to remove and/or destroy PFAS compounds is limited, and that on-site encapsulation is a preferred option. It was noted that the PFAS NEPM (section 11.1) specifies '*PFAS-contaminated materials, including waste PFAS-containing products, are considered to be Dangerous Goods Class 9.*'; however, Section 11.2 specifies '*PFAS-contaminated materials must be transported in accordance with the requirements of the environmental regulator*'. In sighted waste management records, Including Incoming Waste Vehicle Checklists all PFAS containing wastes have been classified as non-DG. Interviewed Tellus personnel stated that they believed they were compliant because in WA the NEMP contradicts WA legislation, which references the ADG Code. The ADG Code (section 3.3.3 Australian Special Provisions, # AU01) specifies 'Environmentally Hazardous Substances meeting descriptions of UN3077 or UN3082 are not subject to this Code when transported by road or rail in: a) Packaging's that do not incorporate a receptacle exceeding 500kg (L); or b) IBCs.

EPBC 2015/7478				
Condition No.	**Condition**	**Compliance Status**	**Evidence[1]**	**Comments**
A.5	The **approval holder** must ensure waste emplacement is undertaken as described in the action description of this approval notice. The **approval holder** must not emplace waste by borehole disposal (commonly referred to as the BOSS method).	Compliant	-	All permanently disposed of waste was placed within the engineered waste cell. Emplacement of waste by borehole disposal (commonly referred to as the BOSS method) is not currently planned for operational activities.
Part B – Standard Administrative Conditions				
B.6	**Notification of the date of commencement of the action** The **approval holder** must notify the **Department** in writing of the date of **commencement of the action** within 10 **business days** after the date of **commencement of the action**.	Compliant	[12] Tellus, Email, Tellus to DAWE, 2019, EPBC 2015/7478 Sandy Ridge Facility - commencement notification, 18 July 2019 @12:27pm. [13] DAWE, Email, DAWE to Tellus, 2019, EPBC 2015/7478 Sandy Ridge Facility - commencement notification, 18 July 2019 @2:31pm. [14] Letter, DAWE, 2019, Commencement of the Action – Sandy Ridge Project, WA (EPBC 2015/7478), Ref: 2015/7478, 20 August 2019.	On 18 July 2019 [12] Tellus notified by email the Department's Post Approvals Section that commencement of the action occurred on 7 July 2019. The Department acknowledged the notification in a return email, also dated 18 July 2019 [13]. The Department formally responded to the notification of commencement of the action in a letter dated 20 August 2019 [14].
B.7	**Compliance records** The **approval holder** must maintain accurate and complete **compliance records**.	Compliant	Online Health, Safety & Environmental software (www.inxsoftware.com).	Tellus has implemented an online health, safety and environment online management software program, INX InControl, to facilitate the management of environmental obligations. The system allows for compliance records and tasks to be assigned to specific obligation conditions as well as environmental monitoring data to be managed, including, but not limited to real-time data and chains of custody. Waste management records are maintained using the company's online waste management system.
B.8	If the **Department** makes a request in writing, the **approval holder** must provide electronic copies of **compliance records** to the **Department** within the timeframe specified in the request.	Not Applicable	-	There have been no requests from the Department concerning electronic copies of compliance records, therefore this requirement was not triggered within the reporting period.
B.9	**Annual compliance reporting** The **approval holder** must prepare a **compliance report** for each 12-month period following the date of **commencement of the action**, or as otherwise agreed to in writing by the **Minister**. The **approval holder** must:	Compliant	-	This is the fourth Annual Compliance Report (ACR) to be written for EPBC 2015/7478. The first and second reports were provided to DCCEEW and published to the Sandy Ridge Facility Regulatory Information page of the Tellus website.
B.9.a	a) publish each **compliance report** on the **website** within 60 **business days** following the relevant 12-month period;	Compliant	[15] Tellus, 2022. Sandy Ridge Facility Compliance Report No.2 2020/2021. Sandy Ridge Facility Regulatory Information page, Tellus website (www.tellusholdings.com).	The 2021-22 ACR (#3) as well as the previous two ACRs are available on the Sandy Ridge Facility Regulatory Information page of the Tellus website. The ACR for the reporting period 2022 – 2023 will be published to the Sandy Ridge Facility Regulatory Information page of the Tellus website within 60 business days following the relevant 12-month period. The reporting period ended on 6 July 2022; therefore, this ACR will be published by 28 September 2023.
B.9.b	b) notify the **Department** by email that a **compliance report** has been published on the **website** within **five business days** of the date of publication;	Compliant	[15] Sandy Ridge Facility Regulatory Information page, Tellus website (www.tellusholdings.com).	All previous ACRs written for EPBC 2015/7478 were published to the Sandy Ridge Facility Regulatory Information page of the Tellus website. Email notification to the department was sighted. The Department will be notified by email when this ACR has been published on the website (within five business days of the date of publication). Evidence of the notification will be included in the Compliance Report for the reporting period 2022 – 2023.
B.9.c	c) keep all **compliance reports** publicly available on the **website** until this approval expires;	Compliant	[15] Sandy Ridge Facility Regulatory Information page, Tellus website (www.tellusholdings.com).	All previous ACRs have been published to the Sandy Ridge Facility Regulatory Information page of the Tellus website. ACRs will be publicly available on the Sandy Ridge Facility section of the Tellus website until EPBC 2015/7478 expires.
B.9.d	d) exclude or redact **sensitive ecological data** from compliance reports published on the **website**; and	Not Applicable	[15]	The published Sandy Ridge Facility ACRs do not include any sensitive data ecological data that requires redacting.

EPBC 2015/7478				
Condition No.	**Condition**	**Compliance Status**	**Evidence[1]**	**Comments**
B.9.e	e) where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.	Not Applicable	[15]	The published Sandy Ridge Facility ACRs did not include any sensitive data ecological data that requires redacting.
B.10	**Reporting non-compliance** The **approval holder** must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the incident or non-compliance. The notification must specify: a) the condition which is or may be in breach; and b) a short description of the incident and/or non-compliance.	Non-compliant		A non-compliance against Condition 1 of EPBC 2015/7478, regarding waste being stored for greater than 12 months occurred during the reporting period. This originally occurred in the previous reporting period and was reported in the 2021-22 ACR. This non-compliance is ongoing because certain waste deliveries that have been accepted by site were not deposited in the waste cell within 12 months due to delays in regulatory approvals. As of 1 July 2023 the extent of the proposal, as defined in Table 2 of Schedule 1 of MS 1078, has been exceeded regarding the maximum temporary storage time of 12 months for the following wastes. • 14 unsealed and 71 sealed radioactive sources received prior to 1 July 2022. • 611.9 tonnes of chemical waste. As this is an ongoing non-compliance that Tellus is currently addressing in consultation with the Government of Western Australia (DWER), Tellus has not reported each individual waste batch within 2 business days of the batch reaching the 12-month limit. The non-compliance has been reported via this ACR and the annual Compliance Assessment Report to DWER. A non-compliance against Condition 15 of Licence L9240/2020/1 issued by DWER was considered by Tellus to be an incident and was therefore reported to DCCEEW. The incident was reported to Tellus management on Friday 23 June 2023 and this was reported to DCCEEW on Tuesday 27 June 2023, within the required two business days. Tellus proposes to engage with DCCEEW regarding the need for, mechanism and frequency of reporting this ongoing non-compliance which stems from the original incident, and is only likely to be resolved once resolution to matters preventing permanent disposal are resolved with relevant agencies.
B.11	The **approval holder** must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than 10 **business days** after becoming aware of the incident or non-compliance, specifying: a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b) the potential impacts of the incident or non-compliance; and c) the method and timing of any remedial action that will be undertaken by the approval holder.	Non-compliant	[16] Tellus, email dated 21 February 2022 from Tellus Holdings Ltd to	As detailed above Tellus has not provided details, corrective actions, potential impacts or remedial actions for each individual waste batch within 2 business days of the batch reaching the 12-month limit. This is because there are no impacts associated with the non-compliance and Tellus is currently addressing the non-compliance, in consultation with the Government of Western Australia (DWER). Tellus has recently received the final approvals required to allow permanent disposal of radiological and certain liquid chemical wastes and is scheduling the wastes for disposal.
B.12	**Independent audit** The **approval holder** must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the **Minister**.	Not Applicable	-	There has been no request from the Minister concerning an independent audit, therefore this requirement was not triggered within the reporting period.
B.13	For each **independent audit**, the **approval holder** must: a) provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**; b) only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and c) submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.	Not Applicable	-	Not Applicable (not triggered).
B.14	The **approval holder** must publish the audit report on the **website** within 10 **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval.	Not Applicable	-	Not Applicable (not triggered).
B.15	**Completion of the action** Within 30 days after the **completion of the action**, the **approval holder** must notify the **Department** in writing and provide **completion data**.	Not Applicable	-	Not Applicable (not triggered).