



# WILUNA URANIUM PROJECT

## COMPLIANCE ASSESSMENT PLAN



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## 1 INTRODUCTION

### 1.1 Purpose

This Compliance Assessment Plan (CAP) has been prepared for the Wiluna Uranium Project (the Project) to indicate:

- The frequency of compliance reporting;
- The approach and timing of compliance assessments;
- The retention of compliance assessments;
- The method of reporting of potential non-compliances and the corrective actions taken;
- The table of contents of compliance assessment reports; and
- The public availability of compliance reports.

### 1.2 Background

On 10 October 2012, the Western Australian Minister for Environment (the Minister) issued Ministerial Statement No. 913 (Ministerial Statement) approving the Project subject to conditions. Condition 4.1 of the Ministerial Statement requires Toro Energy Limited (Toro) as the proponent of the Project to prepare and maintain a CAP to the satisfaction of the Chief Executive Officer of the Office of the Environmental Protection Authority (OEPA). Since the Minister's approval, Toro has submitted a proposal to extend the Project which is currently the subject of a Public Environmental Review (Extension to the Wiluna Uranium Project. Assessment No. 2002 (CMS14025). Public Environmental Review, June 2015). This document is Toro's CAP for the Wiluna Uranium Project, including its extension.

### 1.3 The Wiluna Uranium Project

The Project was the subject of Assessment 1819 of the Environmental Protection Authority (EPA) (EPA Report 1437). Following that assessment, Toro received the approval of the Minister to construct and operate a uranium mine consisting of two deposits, Centipede and Lake Way, respectively located approximately 30 km south and 15 km south-east of Wiluna.

Since initiating that assessment, Toro acquired two additional deposits, Millipede, also approximately 30 km south of Wiluna, and Lake Maitland, 105 km south-east of Wiluna, and proposes to integrate those deposits into an extended Wiluna Uranium Project subject to further government assessment and approval. Toro envisages that the compliance reporting for mining at Centipede and Lake Way would be extended to mining at Millipede and Lake Maitland.

This CAP would be reviewed upon completion of the assessment of proposed mining at Millipede and Lake Maitland. If the extension to the Project is approved, Toro would include any additional compliance reporting requirements in a revised CAP.

## 2 ASSESSMENT AND REPORTING

### 2.1 Audit Table

An audit table has been prepared for compliance with the Ministerial Statement. The table was developed by the OEPA and was reviewed and updated by Toro as required. The table was developed in accordance with the OEPA guideline, *Post Assessment Guideline for Preparing an Audit Table*, Post Assessment Guideline No. 1. The audit table is a summary of the conditions and commitments which apply to the already approved mining at Centipede and Lake Way.

The audit table (Table 2.1) is broken down into separate conditions and includes the following sections:

- Audit Code—the unique identifier of each condition;
- Subject—the environmental issue to which the condition pertains;
- Action—what steps the proponent is required to take to ensure compliance with the condition;
- How—how the proponent intends to comply with the condition;
- Evidence—what data will be gathered to demonstrate compliance with the condition;
- Satisfy—which regulator will give approval;
- Advice—what agency or department should be consulted as part of the condition;
- Phase—stage of the Project in which the condition becomes active;
- When—timeframe for satisfying the condition; and
- Status—notes about whether or not compliance has been achieved.

The acronyms used in the audit table are as follows:

- OEPA—Office of the Environmental Protection Authority;
- CEO—Chief Executive Officer of the OEPA;
- DER—Department of Environment Regulation;
- DMP—Department of Mines and Petroleum;
- EPA—Environmental Protection Authority;
- DoH—Department of Health;
- DoW—Department of Water; and
- Min for Env—Minister for Environment.

In the Compliance Status column the following abbreviations are used:

- C—compliant;
- CLD—completed;
- NA—not audited;
- NC—not compliant; and
- NR—not required at this stage.

**Table 2.1: Physical elements – Millipede**

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M1.1	Proposal Implementation	The proponent shall implement the proposal as documented and described in Schedule 1 of the statement subject to the conditions and procedures of this statement.	Project implemented as described in the Statement	Annual Compliance Assessment Report	Min for Env		Overall	Ongoing	
913:M2.1	Proponent Nomination and Contact Details	The proponent for the time being nominated by the Minister for Environment under sections 38(6) or 38(7) of the <i>Environmental Protection Act 1986</i> is responsible for the implementation of the proposal.	Proponent nominated to implement the proposal	Proponent details as listed on Ministerial Statement 913	Min for Env		Overall	Ongoing	
913:M2.2	Proponent Nomination and Contact Details	The proponent shall notify the CEO of any change of the name and address of the proponent for the serving of notices or other correspondence within 30 days of such change.	Written advice	Letter to CEO	EO		Overall	Within 30 days	
913:M3.1	Time Limit of Authorisation	The authorisation to implement the proposal provided for in this statement shall lapse and be void five years after the date of the statement if the proposal to which this statement relates is not substantially commenced.	Written advice	Letter to CEO and subsequent compliance assessment reports	Min for Env		Overall	By 10 October 2017.	
913:M3.2	Time Limit of Authorisation	The proponent shall provide the CEO with written evidence which demonstrates that the proposal has substantially commenced on or before the expiration of five years from the date of this statement.	Written advice	Letter to the CEO	CEO		Overall	By 10 October 2017.	
913:M4.1	Compliance Reporting	The proponent shall prepare and maintain a Compliance Assessment Plan to the satisfaction of the CEO.	Compliance Assessment Plan prepared and submitted	Submitted Compliance Assessment Plan	CEO		Overall	By 10 July 2013 or prior to implementation, whichever is sooner - ongoing.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M4.2	Compliance Reporting	The proponent shall submit to the CEO the Compliance Assessment Plan required by condition 4-1 at least six months prior to the first compliance report required by condition 4-6, or prior to implementation, whichever is sooner. The Compliance Assessment Plan shall indicate that listed above in paragraph 2.1 (Purpose) :	Develop Compliance Assessment Plan	Plan submitted before 10 July 2013	CEO		Pre-construction	By 10 July 2013 or prior to implementation, whichever is sooner.	
913.M4.3	Compliance Reporting	The proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.	Develop Compliance Assessment Plan	Approved Compliance Assessment Plan	Min for Env		Overall	Ongoing	
913.M4.4	Compliance Reporting	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.	Creation and maintenance of hardcopy and electronic archive of all compliance reporting as well as making Reports available on the Toro Energy website.	Annual Compliance Assessment Reports	CEO		Overall	Ongoing	
913:M4.5	Compliance Reporting	The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known.	Notification shall be done initially with a phone call followed by a letter	Letter sent to OEPA CEO	CEO		Overall	Within 7 days of the non-compliance being known.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M4.6	Compliance Reporting	The proponent shall submit to the CEO the first compliance assessment report fifteen months from the date of issue of this statement addressing the twelve month period from the date of issue of this statement and then annually from the date of submission of the first compliance assessment report. The compliance assessment report shall: 1. be endorsed by the proponent's Managing Director/General Manager/Chief Executive Officer or a person delegated to sign on the Managing Director's/General Manager's/Chief Executive Officer's behalf; 2. include a statement as to whether the proponent has complied with the conditions; 3. identify all potential non-compliances and describe corrective and preventative actions taken; 4. be made publicly available in accordance with the approved Compliance Assessment Plan; and 5. indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.	Initial Compliance Assessment Report developed. The compliance Assessment Report shall be signed by the company CEO and will include a statement addressing compliance to conditions and details any incidents of non compliance. It will be publicly available in accordance with the approved compliance assessment plan	Compliance Assessment Report submitted prior to 14 January 2014	CEO		Overall	First Compliance Assessment Report due by 10 January 2014.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M5.1	Public Availability of Data	Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this statement.	Compliance Assessment Reports to be published on Toro Energy website	Compliance Assessment Plans published on Toro Energy website	CEO		Overall	Ongoing	
913:M5.2	Public Availability of Data	If any data referred to in condition 5-1 contains particulars of: i. a secret formula or process; or ii. confidential commercially sensitive information, the proponent may submit a request for approval from the CEO to not make this data publicly available. In making such a request the Proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.	Toro will decide prior to submitting each Compliance Assessment Plan what it believes should not be made publicly available (for reasons stated in M5.2) and will make a request to the CEO to withhold this information from public consumption.	Letter to the OEPA CEO	CEO		Overall	Ongoing	
913:M6.1	Flora and Vegetation	The proponent shall manage the proposal in a manner that ensures there is no adverse impact to <i>Tecticornia</i> dominated vegetation and inferred groundwater dependent vegetation outside the 0.5 metres Relative Level (mRL) groundwater drawdown contours as defined in Figure 2.	Groundwater Management Plan to be developed and implemented	Annual Compliance Assessment Report	Min for Env	DER	Overall	Ongoing	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M6.2	Flora and Vegetation	Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall prepare a Vegetation and Flora Monitoring Plan for approval by the CEO on the advice of the Department of Environment and Conservation (DER). The Vegetation and Flora Monitoring Plan shall include: 1. identification of potential-impact monitoring and control sites; 2. design of a survey to acquire baseline biotic and environmental data; 3. definition of health and abundance parameters; 4. definition of critical correlative environmental parameters, including groundwater drawdown as detailed in condition 7; 5. definition of monitoring frequency and timing; 6. identification of criteria to measure decline in health; and 7. definition of trigger levels and management responses required should a trigger level be exceeded.	Toro to develop Vegetation Monitoring Plan and submit for approval with WA Minister for the Environment	Written approval from WA Minister for the Environment. Compliance Assessment Reports detailing flora and vegetation management outcomes	CEO	DER	Pre-construction	Prior to ground disturbing activities.	
913:M6.3	Flora and Vegetation	Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall implement the approved Vegetation and Flora Monitoring Plan required by condition 6-2 and any subsequent approved revisions, until advised by the CEO that implementation of the Vegetation and Flora Monitoring Plan can cease.	Approved Vegetation and Flora Monitoring plan will be implemented	Compliance Assessment Report	CEO		Pre-construction	Prior to ground disturbing activities.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M6.4	Flora and Vegetation	Should results of monitoring from the implementation of the Vegetation and Flora Monitoring Plan required by condition 6-2 indicate a decline in the plant health compared with the control sites, the proponent shall take immediate corrective actions to protect <i>Tecticornia</i> dominated vegetation and groundwater dependent vegetation in response to monitoring results, and shall provide a report to the CEO within 21 days of the decline being identified which: 1. describes the decline; 2. provides information which allows determination of the likely cause of the decline; and 3. proposes actions and associated timelines to remediate the decline in plant health compared with control sites.	The Vegetation and Flora plan will be implemented and the data will be collected and analysed as specified in the plan. As part of the plan a trigger system based on plant health characteristics will be created whereby a report documenting and describing the monitoring results, possible causes of plant health decline and actions for remediation is sent to the CEO within 21 days of identification of the decline.	Annual Compliance Assessment Report and any report sent to the CEO as a result of the identification of declining plant health.	CEO		Overall	Within 21 days of decline in plant health being identified.	
913:M6.5	Flora and Vegetation	Should the decline in plant health compared with the control sites identified in condition 6-2 be determined by the CEO to be caused by activities undertaken in implementing the proposal, the proponent shall implement the actions identified in condition 6-4(3) until the CEO determines that the actions can cease.	Implement management actions as specified by the CEO	Annual Compliance Assessment Report	CEO		Overall	Until the CEO advises the actions can cease.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M6.6	Flora and Vegetation	Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall prepare a Groundwater Dependent Vegetation Research Plan for approval by the CEO on advice of the DER to investigate the environmental water requirements of groundwater dependent vegetation units potentially impacted by the proposal. The Groundwater Dependent Vegetation Research Plan shall include a monitoring plan.	Consult with DER and develop a Groundwater Dependant Vegetation Research Plan.	Written approval of the plan received prior to any ground disturbing activities. Annual Compliance Assessment Plan.	CEO, DER	DER	Pre-construction	Prior to ground disturbing activities or unless otherwise approved by CEO.	
913:M6.7	Flora and Vegetation	Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall implement the approved Groundwater Dependent Vegetation Research Plan required by condition 6-6 until otherwise advised by the CEO that implementation of the Groundwater Dependent Vegetation Research Plan can cease.	Groundwater Dependant Vegetation Research Plan implemented	Compliance Assessment Plan and any reports from research	CEO		Pre-construction	Prior to ground disturbing activities.	
913:M6.8	Flora and Vegetation	The proponent shall annually submit the results of monitoring required by conditions 6-2 and 6-6, in the compliance assessment report required by condition 4-6.	Preparation of annual compliance and environmental reports	Annual Compliance Assessment Report and Annual Environmental Reports for the project to be submitted	Min for Env		Overall	Annually by 10 January.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M6.9	Flora and Vegetation	The proponent shall take into account the findings of the Groundwater Dependent Vegetation Research Plan required by condition 6-6 when developing trigger values for condition 7-1(1).	Groundwater Dependent Vegetation Plan to be developed prior to the development of trigger values and will be used to guide the development of these values	Trigger values to be included in project Environmental Management Plan which is to be approved by the State and Federal Environment Ministers	Min for Env		Overall	Prior to groundwater abstraction.	
913:M7.1	Groundwater Drawdown	Prior to groundwater abstraction for dewatering, unless otherwise approved by the CEO, the proponent shall prepare a Groundwater Drawdown Monitoring and Management Plan for approval by the CEO to limit potential impacts on stygofauna, <i>Tecticornia</i> dominated vegetation and inferred groundwater dependent vegetation through the design and implementation of a suitable groundwater barrier system around the Project mining areas. The Groundwater Drawdown Monitoring and Management Plan shall include: 1. development of trigger levels for groundwater drawdown levels; 2. design and implementation details of a barrier system to control groundwater drawdown so that the trigger levels are not exceeded; and 3. implementation of the outcomes of the Groundwater Dependent Vegetation Research Plan required by Condition 6-6.	Groundwater Drawdown monitoring plan to be developed	Data and evidence of groundwater drawdown monitoring to be included in the Annual Compliance Assessment Report	CEO		Pre-construction	Prior to groundwater abstraction.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M7.2	Groundwater Drawdown	Prior to groundwater abstraction for dewatering, the proponent shall implement the approved Groundwater Drawdown Monitoring and Management Plan required by condition 7-1 and any subsequent approved revisions, until advised by the CEO that implementation of the Groundwater Drawdown Monitoring and Management Plan can cease.	Groundwater Drawdown and Monitoring Plan to be implemented	Annual Compliance Assessment Plan detailing evidence of monitoring of groundwater abstraction and chemistry and any associated impacts.	CEO		Overall	Prior to groundwater abstraction, ongoing until the CEO advises that implementation can cease.	
913:M7.3	Groundwater Drawdown	Should the results of monitoring from the implementation of the Groundwater Drawdown Monitoring and Management Plan required by condition 7-1 show that trigger levels identified in condition 7-1(1) have been reached or exceeded, the proponent shall take immediate corrective actions to protect <i>Tecticornia</i> dominated vegetation and inferred groundwater dependent vegetation in response to monitoring results, and shall provide a report to the CEO within 21 days of the trigger levels being reached or exceeded which: 1. describes the event resulting in a trigger level being reached or exceeded; 2. provides information which allows determination of the likely root cause of the trigger levels being reached or exceeded; and 3. proposes actions and associated timelines to remediate the cause of the trigger values becoming reached or exceeded.	When trigger levels specified in the plan have been exceeded the CEO will be notified immediately by phone, with a follow up letter 7 days later. The actions taken by Toro at the time will be determined based on the nature of the breach and an assessment of the actions to be taken will be performed immediately	Phone call and letter to the OEPA CEO. Non Compliance reported in the Annual Compliance Assessment Report	CEO	EPA	Overall	Within 21 days of trigger levels being reached or exceeded.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M7.4	Groundwater Drawdown	Should the trigger levels being reached or exceeded identified in condition 7-2 be determined by the CEO to be caused by activities undertaken in implementing the proposal, the proponent shall, on approval by the CEO, implement the actions identified in condition 7-3(3) until the CEO determines that the remedial actions can cease.	Implement any additional control measured as specified by the CEO of the OEPA.	Compliance Assessment Report. Written advice to the CEO detailing actions implemented and details of monitoring provided	CEO		Overall	On approval of the CEO, until the CEO advises the actions can cease.	
913:M8.1	Residual Impacts and Risk Management Measures	Given the residual impacts and risks (permanent and temporary) of the proposal to <i>Tecticornia</i> species, prior to ground-disturbing activities or within twelve months of the date of issue of this statement, unless otherwise approved by the CEO, the proponent shall prepare a Survey and Research Plan for approval by the CEO on advice of the DER, to conserve, and improve the scientific knowledge of, <i>Tecticornia</i> species. The Survey and Research Plan shall include: 1. implementation of further surveys to collect <i>Tecticornia</i> specimens within and outside the project areas within the associated lake system and immediate adjoining areas; 2. conducting research on <i>Tecticornia</i> specimens collected for taxonomic resolution; 3. provision of distribution and abundance data to enable determination of the conservation status of identified <i>Tecticornia</i> taxa including relative representation within and outside the project areas; 4. storage, preservation and propagation techniques for any <i>Tecticornia</i> taxa and unidentified specimens that have not	Development and submission of a <i>Tecticornia</i> Survey and Research Plan.	Written advice of approval of Research Plan received prior to commencement of Ground Disturbing Activities	CEO	DER	Pre-construction	Prior to ground disturbing activities, or 12 months from the date of issue of this statement, unless otherwise approved by CEO. October 10, 2013	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
		been shown to occur outside the disturbance area or the area of groundwater drawdown greater than 0.5 mRL; 5. ecophysiological characterisation and assessment of habitat requirements of different <i>Tecticornia</i> taxa within and outside the project area, including an assessment of potential impacts from changes in groundwater quality and quantity, and with main emphasis on those taxa identified as occurring within the disturbance areas; 6. conducting research on requirements and techniques for re-establishing <i>Tecticornia</i> vegetation communities and conservation significant taxa in rehabilitating disturbance areas; and 7. establishing soil management techniques to ensure preservation of top soils, containing the seed bank, for use in rehabilitation.							
913:M8.2	Residual Impacts and Risk Management Measures	The Survey and Research Plan required by condition 8-1 shall include survey and research work of a minimum total monetary value of \$900,000 (GST exclusive) at the date condition 8-1 comes into effect.	Research Plan to specify research costs, costs must add up to \$900,000 plus GST as a minimum	Costs detailed in the Research plan submitted for approval. Consultant and research cost receipts to be kept as evidence	Min for Env	DER	Pre-construction	Prior to ground disturbing activities, unless otherwise approved by CEO. October 10, 2013	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M8.3	Residual Impacts and Risk Management Measures	The Survey and Research Plan required by condition 8-1 will include an implementation and reporting schedule for each project and the proponent will provide a copy of the findings to the CEO and the DER within three months of completion of each project.	The survey plan will be divided into blocks of work and each block will have a timeframe and schedule. The results of each block of work shall be made available to the CEO and DMP within 3 months of completion	Written acknowledgement of receipt of the reports by the CEO and DMP	CEO, DER	DER	Overall	Within 3 months of completion of each project.	
913:M8.4	Residual Impacts and Risk Management Measures	The proponent shall commence implementation of the approved Survey and Research Plan required by condition 8-1 prior to ground-disturbing activities, unless otherwise approved by the CEO.	Research and Survey Plan to be implemented Prior to Ground Disturbing Activities	Written Approval of the plan and proposed timeframes to be received prior to ground disturbing activities. Compliance Assessment Report to detail commencement of work.	CEO		Overall	Prior to ground disturbance unless otherwise approved by the CEO.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M8.5	Residual Impacts and Risk Management Measures	The proponent shall take into account the findings of research from implementation of the Survey and Research Plan required by condition 8-1 in its operations, including: 1. establishment of the ecophysiological habitat and other requirements of <i>Tecticornia</i> vegetation communities; and 2. establishment of viable populations of <i>Tecticornia</i> taxa deemed at risk from implementation of the proposal, until advised otherwise by the CEO that implementation of the Survey and Research Plan can cease.	Work undertaken as part of the Survey Research Plan will be reviewed and any recommendation will be considered for implementation by the project including those specified in condition 8.5	Compliance Assessment Report will detail the research work done in a particular year and will provide reasons why recommendations were or weren't implemented.	CEO		Overall	Ongoing, unless advised otherwise by the CEO.	
913:M9.1	Surface Water	Prior to ground-disturbing activities for mining operations, unless otherwise approved by the CEO, the proponent shall prepare a Surface Water Environmental Management Plan (EMP) for approval by the CEO, on advice of the Department of Mines and Petroleum (DMP). The Surface Water EMP shall include: 1. operational procedures that ensure water flow through creek line diversions made from previous workings does not become contaminated by contact with workings; and 2. a monitoring regime for surface water quality using ANZECC 2000 (and any subsequent approved revisions) water quality criteria or background for assessing water quality changes.	Prepare the Surface Water Environmental management Plan including background values, monitoring frequency and trigger levels for action	Plan submitted for approval	CEO	DMP	Pre-construction	Prior to ground disturbing activities for mining operations, unless otherwise approved by the CEO.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M9.2	Surface Water	Prior to ground-disturbing activities for mining operations, unless otherwise approved by the CEO, the proponent shall implement the approved Surface Water EMP required by condition 9-1 and any subsequent approved revisions until advised by the CEO that implementation of the Surface Water EMP can cease.	Implement the plan	Reporting of the Plan in the Compliance Assessment Report	CEO		Pre-construction	Prior to ground disturbing activities for mining operations, unless otherwise approved by the CEO.	
913:M9.3	Surface Water	Should a change in surface water quality be identified, the proponent shall provide a report to the CEO within 21 days of the change which: 1. describes the event resulting in a change; 2. provides information which allows determination of the likely cause of the change; and 3. proposes actions and associated timelines to remediate the change in surface water quality.	Data collected as part of monitoring to be reviewed as it is collected to ensure trigger values are not exceeded. If trigger values are exceeded then this shall be reported to the CEO	Written communication as specified in the condition.	CEO		Overall	Within 21 days of identification of change in surface water quality.	
913:M9.4	Surface Water	Should the criteria being reached or exceeded identified in condition 9-1(2) be determined by the CEO to be caused by activities undertaken in implementing the proposal, the proponent shall, on approval by the CEO, implement the actions identified in condition 9-3(3) until the CEO determines that the remedial actions can cease.	Implement measures as specified by the CEO	Reporting to the CEO monthly until the CEO determines that the monitoring can cease.	CEO		Overall	On approval of the CEO, until the CEO advises the actions can cease.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M10.1	Dust Management	Prior to ground-disturbing activities, unless otherwise approved by the CEO, the proponent shall develop a Dust Environmental Management Plan (EMP), for approval by the CEO, on advice of the DMP. The Dust EMP shall include: 1. a dust monitoring plan; 2. procedures to manage dust during periods of high winds likely to lead to dust storms; and 3. contingency plans for the management of dust should mining involve blasting.	Toro Energy will develop a Dust Management Plan. The plan will not include a contingency for drill and blast as this is not required for the project.	The Plan shall be submitted for approval	CEO, DMP	DMP	Pre-construction	Prior to ground disturbing activities, unless otherwise approved by the CEO.	
913:M10.2	Dust Management	Prior to ground-disturbing activities, the proponent shall implement the approved Dust EMP required by condition 10-1 and any subsequent approved revisions until advised by the CEO that implementation of the Dust EMP can cease.	The approved Dust management Plan shall be implemented prior to ground disturbing activities commencing	The results of dust monitoring shall be included in the Compliance Assessment Report	CEO		Overall	Prior to ground disturbance, ongoing until the CEO advises implementation can cease.	
913:M10.3	Dust Management	The proponent shall annually submit the results of monitoring required by condition 10-1, in the compliance assessment report required by condition 4-6.	Dust monitoring results will be reported annually in the Project's Compliance Assessment Report and the Annual Environmental Report	Reports will be submitted to the Minister for the Environment and DMP annually and will be published on the Toro Energy website	Min for Env		Overall	By 10 October annually.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M11.1	Fauna - Stygofauna	Prior to groundwater abstraction for dewatering, unless otherwise approved by the CEO, the proponent shall prepare a Stygofauna Monitoring Plan for approval by the CEO on advice of the DER. The Stygofauna Monitoring Plan shall include: 1. a survey regime for stygofauna in the Hinkler Well, Uramurdah and Lake Violet calcretes both within and outside the area of impact of the proposal; and 2. a monitoring regime for water quality and quantity in the Hinkler Well, Uramurdah and Lake Violet calcretes both within and outside the area of impact of the proposal.	A Stygofauna Monitoring Plan will be developed addressing all the requirements of the condition.	The Plan will be approved by the CEO prior to the implementation of groundwater abstraction.	CEO	DER	Pre-construction	Prior to groundwater abstraction, unless otherwise approved by the CEO.	
913:M11.2	Fauna – Stygofauna	Prior to groundwater abstraction for dewatering, unless otherwise approved by the CEO, the proponent shall implement the approved Stygofauna Monitoring Plan required by condition 11-1 and any subsequent approved revisions until advised by the CEO that implementation of the Stygofauna Monitoring Plan can cease.	The Stygofauna Monitoring Plan shall be implemented	The results of stygofauna monitoring will be included in the Compliance Assessment Report	CEO		Overall	Prior to groundwater abstraction, unless otherwise approved by the CEO, ongoing.	

Condition	Subject	Action	How	Evidence	Satisfy	Advice	Phase	When	Status
913:M11.3	Fauna - Stygofauna	Should results of monitoring from the implementation of the Stygofauna Monitoring Plan required by condition 11-1 show a significant change in groundwater quality and quantity not identified through the implementation of condition 7-1, the proponent shall provide a report to the CEO within 21 days which: 1. describes the event resulting in a significant change; and 2. provides information which allows determination of the likely cause of the significant change; 3. proposes actions and associated timelines to remediate the significant change.	A Stygofauna Monitoring Plan will be developed addressing all the requirements of the condition.	The results of stygofauna monitoring will be included in the Compliance Assessment Report	CEO		Overall	Within 21 days of identification of significant change in groundwater quantity and quality not identified by Groundwater Drawdown Monitoring	
913:M11.4	Fauna - Stygofauna	Should the significant change in groundwater quality and quantity be determined by the CEO to be caused by activities undertaken in implementing the proposal, the proponent shall, on approval by the CEO, implement the actions identified in condition 11-3(3) until the CEO determines that the remedial actions can cease.	Annual groundwater quality reports will be included in the AER and will be made publically available on the Toro website.	The results of stygofauna and groundwater monitoring will be included in the Compliance Assessment Report. All consultant reports will be included as an appendix to that report.	CEO		Overall	On approval of the CEO, until the CEO advises the actions can cease.	

## 2.2 Frequency of Compliance Reporting

The first Compliance Assessment Report (CAR) for the Wiluna Uranium Project was submitted to the CEO of the OEPA by 10 January 2014, 15 months from the date of issue of the Ministerial Statement, as required. This report detailed Toro's compliance with the ministerial conditions in the period since they came into force. CARs would be submitted annually on the date of the submission of the first report, in accordance with condition 4.6 of the Ministerial Statement.

## 2.3 Approach and Timing of Compliance Assessment Reports

The implementation of the Wiluna Uranium Project would not occur until the Project's Environmental Management Plan has been reviewed and approved by both the state and federal governments, and any other secondary approvals required have been obtained.

The Environmental Management Plan will detail all the environmental monitoring that is required to be undertaken by Toro. It will specify the parameters to be measured, the frequency of the monitoring and will also specify trigger values at which action needs to be taken to ensure compliance conditions are not exceeded. The frequency of any monitoring will be determined by the sensitivity of the system that is likely to be affected by the Project. For example, groundwater chemistry would be undertaken on a monthly basis as contamination in water shows up relatively quickly, but groundwater dependant vegetation would be monitored on a less frequent basis, as such vegetation is slower to react and when monitoring is too frequent much of the data is meaningless.

Data collected during the monitoring would be assessed as it is collected and compared to trigger values to ensure compliance is being achieved. Annual reviews of all data collected would be undertaken to identify any long-term trends which could affect the Project's ability to maintain compliance with its conditions of approval. Management practices would be reviewed at this time to ensure the most effective controls were in place. Any changes to Toro's management practices or techniques would be reported in the company's Annual Environmental Report.

## 2.4 Retention of Compliance Assessments

In accordance with the EPA guideline, *Post Assessment Guideline for Preparing a Compliance Assessment Plan*, all CARs would be kept for the life of the Project plus an additional seven years after mining ceases.

CARs would be kept electronically and in hard copy on Toro's Wiluna Project database and made publicly available on the company's website. All information and data collected as part of the compliance monitoring process would also be retained for the same duration as the reports and be publicly available.

## 2.5 Reporting of Non-compliances and Corrective Actions

All instances of non-compliance must be reported to the CEO of the OEPA as soon as possible after a breach has been identified. This would be followed by a letter within seven days detailing the nature of the breach and the immediate actions to control the breach taken by the company, including a list of improvement measures to ensure further breaches were avoided.

During the reporting period, Toro would maintain a register of actual and potential instances of non-compliance. The annual CAR would include all instances of non-compliance and potential instances of non-compliance during the reporting period. For each actual or potential breach, the date and time of the incident would be specified with a brief description of what occurred and how Toro managed and reported the incident. As a minimum, the CAR would include for each incident or potential incident:

- The time, date and location of the actual or potential instance of non-compliance;

- A list of the immediate management actions taken by Toro to control the non-compliance;
- A review of the incident detailing what occurred, the actual or potential impacts of the incident and how the incident occurred, i.e. what systems were in place at the time and how did they fail to stop the incident occurring; and
- Details of any additional controls put in place and provide evidence of their implementation.

## **2.6 Table of Contents**

The table of contents to be included in each annual CAR would contain, as a minimum, the following headings:

- Introduction;
- Purpose;
- Project Status;
- Monitoring Data and Data Review (dust, groundwater, surface water, vegetation and flora and stygofauna); and
- Incidents and Corrective Actions.

## **2.7 Public Availability of Data**

All CARs would be kept and made available to the public on the Toro Energy website located at [www.toroenergy.com.au](http://www.toroenergy.com.au). All data, except that deemed sensitive or confidential would be made available.