

Our ref: C/27916
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4 August 2014

Mr Terry Cockerham
PO Box 5146
FALCON WA 6210

Dear Mr Cockerham

DEPARTMENT OF ENVIRONMENT REGULATION

Thank you for your email dated 30 April 2014 about the Department of Environment Regulation (**the Department**). You complain that the Department has 'failed to establish a Technical Advisory Panel or failed to supervise and guide Alcoa in establishing a TAP' for the Alcoa Bauxite Refinery in Wagerup (**the Refinery**).

I have carefully considered the information provided by you and obtained further information from the Department.

In your complaint you noted that the establishment of a Technical Advisory Panel (**TAP**) was flagged in the Appeal Convenor's December 2012 Report to the Minister for Environment (**the Minister**), *Appeals in Objection to the Amendment of Conditions of Licence L6217/1983/14* for the Refinery, which states on page 12 'it is understood that there will be a Technical Advisory Panel (TAP) constituted by representatives from the proponent [Alcoa], the DEC [Department] and the local community.' You have also been in ongoing communications with the Department and the Minister in respect of the matter and have been provided with information as to the current status of the TAP, which is now referred to as a Resolution Committee.

The Department informed me that Alcoa committed to progressing the remaining CSIRO Wagerup Air Quality Recommendations and as part of this process, Alcoa has established a Resolution Committee (**the Committee**) that performs the functions of the TAP. In his letter to you dated 26 August 2013, the Department's Acting Director General informed you:

Your email's final point sought clarification on the reference to a new Technical Advisory Panel (TAP). This is now known as the "Resolution Committee" and commenced in early 2013. It includes technical experts from DER's Swan Region Industry Regulation Branch and Air Quality Management Branch, two Alcoa representatives, a community member and a consultant engaged by Alcoa as required....

Each member of the Resolution Committee reviews the Alcoa reports to advise on whether each recommendation has been satisfactorily fulfilled. Alcoa has targeted the fulfilment of all CSIRO Recommendations by the end of 2014.

In relation to your concern that the Department 'failed to supervise and guide Alcoa in establishing a TAP', the Department informed me that its role on the Committee is to provide technical input on Alcoa's reports for each air quality recommendation and a level of oversight to ensure Alcoa makes timely progress in the manner agreed with the Department and community members.

To the extent that you wish to participate in the Committee, the Department informed me that community members are able to do so through Alcoa's Community Consultative Network.

In all of the circumstances, I am satisfied that the Department has explained its role in relation to the establishment and function of the Committee. Further, that it is open to you to participate in the Committee through the Consultative Network should you wish to do so. Accordingly, I have now closed my file on your complaint.

Thank you for bringing your complaint to the attention of the Ombudsman.

Yours sincerely



Deidre Govindan
DIRECTOR EARLY RESOLUTION