



Mr Vince Puccio and Mr Merv McDonald
Co-Chairs
Community Alliance for Positive Solutions Inc.
PO Box 69
YARLOOP WA 6218

Dear Messrs Puccio and McDonald

WAGERUP REFINERY - MUDLAKES GROUNDWATER CONTAMINATION

I refer to your letter dated 24 August 2015 regarding groundwater contamination associated with the Alcoa Wagerup refinery and residue areas.

With reference to your six questions, I have provided a response to each below.

Question 1 – “Has the DER undertaken water quality testing/analysis of the water draining from the RSA’s?”

The Department of Environment Regulation (DER) does not perform sampling and analysis of water at the Alcoa Wagerup refinery. Licence L6217/1983/15 requires Alcoa to undertake ambient ground and surface water quality monitoring and report the results to DER in an Annual Environmental Report. DER reviews the results annually.

Question 2 – “If hypothetically another landholder was to test water, down gradient of the RSA’s and found that the quality breached guidelines, and provided this information to the DER, would DER undertake its own testing/analysis of the water? If not, why not?”

Where sampling and analysis of water provides reason to know or suspect contamination, in accordance with section 11 of the *Contaminated Sites Act 2003* (CS Act), a site may be reported to DER. I have attached a factsheet 'Identifying and reporting contaminated sites' for your information. Where a 'Form 1' report of a known or suspected contaminated site is received, DER will assess the report with a view to applying a classification within 45 days (as outlined in section 14 of the CS Act).

For your information, DER has guidance available on its website (www.der.wa.gov.au) regarding procedures, quality assurance and quality control measure for water sampling and analysis.

Question 3 – “Has the DER liaised with the DoH and DoW to determine if the downstream water is fit for human consumption?”

No. Further information on drinking water is available at www.public.health.wa.gov.au.

**Questions 4 and 5 – “What, if any measures, is DER taking to protect groundwater from contamination from Alcoa’s alumina refining operations?”; and
“To DER’s knowledge, what measures is Alcoa taking to protect groundwater from contamination from their alumina refining operations?”**

Alcoa has constructed infrastructure, such as residue storage areas (RSA), subject to approvals under Part V of the *Environmental Protection Act 1986* (EP Act). Alcoa is required to operate the RSA in accordance with licence L6217/1983/15. *Section 6: Water Pollution Control Conditions*, contains licence conditions specific to protecting surface and groundwater including the maintenance of low permeability (10^{-9} m/s) bases and embankment seals, providing containment systems to capture spillages and ambient environmental monitoring. Alcoa is also required to submit an Annual Environmental Report to DER.

Question 6 – “As the site is licensed by the DER, has the DER sought advice from the DoW on matters at 3 and 4 above?”

DER does not determine if the downstream water is fit for human consumption, therefore it has not sought advice from the Department of Water on this issue. In determining applications under Part V of the EP Act, DER will consult with other government agencies where necessary to do so, for the purpose of informing its risk assessment process. The Annual Review of Groundwater and Surface Water Monitoring Data from the Wagerup Alumina Refinery and Bunbury Caustic Loading Facility is provided to both DoW and DER annually by Alcoa.

Yours sincerely



Jason Banks
DIRECTOR GENERAL

7 October 2015

Att.