



Government
of South Australia

Hon Mark Parnell MLC
Member of the Legislative Council
Parliament House
ADELAIDE SA 5000
E-mail: parnell@parliament.sa.gov.au

Dear Mr Parnell

I refer to your application 7518525, under the *Freedom of Information Act (SA) 1991* (FOI Act) received in this office on 6 August 2019. Your application sought access to:

Copies of all documents, correspondence, and reports concerning the risk assessment of Mine Tailings Storage Facilities (TSF) at Olympic Dam. (See TF Disclosure below). 2. Copies of all "Dam Safety Reviews" and "assurance statements on dam integrity" in relation to all TSFs at Olympic Dam. (see ESG Briefing & BHP web site below). 3. Copies of all other documents relating to the evaluation of risks at Olympic Dam TSFs. 4. Copies of all documents relating to BHP's "Tailings Taskforce" or "Stewardship Boards" in relation to Olympic Dam (see BHP web site below). Context: On 7th June 2019, BHP released a report entitled: "Tailings Facilities Disclosure: Response to the Church of England Pensions Board and the Council on Ethics Swedish National Pension Funds". In that report, BHP identified that three tailings facilities at the Olympic Dam Mine had a "hazard categorisation based on consequence of failure" of "extreme". https://www.bhp.com/-/media/documents/environment/2019/190607_coe.pdf Also in June 2019, BHP released a document entitled: "ESG briefing: Tailings dams" https://www.bhp.com/-/media/documents/media/reports-and-presentations/2019/190607_esgbriefingtailingsdams.pdf?la=en. In that document, BHP identifies two Olympic Dam facilities with a "CDA Consequence Classification" of "Extreme". BHP's web site refers to "Dam Safety Reviews: <https://www.bhp.com/environment/dams-and-tailings-management>.

Your original application was for all documents within the above scope from 2009 to 2019 however on 6 November 2019 your office confirmed amending the timeframe for the application to 2014 to 2019.

A search of all records held in the office of the Minister for Energy and Mining and also a search of records from the previous government dating back to 2014 have identified three documents as being within the scope of your request.

Documents 1 and 2

Documents 1 and 2 are both publically available documents and a link is provided in the attached document schedule to assist you access them.



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Document 3

I have determined that one section of document 3 is exempt under Clause 16(1)(a)(iv)(b) of the FOI Act.

16—Documents concerning operations of agencies

- (1) A document is an exempt document if it contains matter the disclosure of which—
- (a) could reasonably be expected—
 - (iv) to have a substantial adverse effect on the effective performance by an agency of the agency's functions;
 - (b) would, on balance, be contrary to the public interest.

The redacted section of document 3 contains a direct phone number which is not available to external persons. There are publically available dedicated contact numbers which provide a first point of contact for members of the public where staff can appropriately triage all enquiries. In my view, it is unreasonable to release direct contact numbers or email addresses that may enable the public to circumvent the proper processes put in place to provide appropriate services to members of the public.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, will be published in the agency's disclosure log. A copy of PC045 can be found at <http://dpc.sa.gov.au/what-we-do/services-for-government/premier-and-cabinet-circulars>.

If you are not satisfied with this determination you have a legal right of review and appeal. Details on your review can be found by visiting www.archives.sa.gov.au/content/foi-forms.

Should you require any further information please contact me on telephone on 8429 3606 or grant.hickman@sa.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be "Grant Hickman", written over a horizontal line.

Grant Hickman
FOI Accredited Officer
Office of the Minister for Energy and Mining

19 November 2019



Freedom of Information

DOCUMENT SCHEDULE

File No: FOI19D0012

Minister for Energy and Mining

Copies of all documents, correspondence, and reports concerning the risk assessment of Mine Tailings Storage Facilities (TSF) at Olympic Dam. (See TF Disclosure below). 2. Copies of all "Dam Safety Reviews" and "assurance statements on dam integrity" in relation to all TSFs at Olympic Dam. (see ESG Briefing & BHP web site below). 3. Copies of all other documents relating to the evaluation of risks at Olympic Dam TSFs. 4. Copies of all documents relating to BHP's "Tailings Taskforce" or "Stewardship Boards" in relation to Olympic Dam (see BHP web site below). Context: On 7th June 2019, BHP released a report entitled: "Tailings Facilities Disclosure: Response to the Church of England Pensions Board and the Council on Ethics Swedish National Pension Funds". In that report, BHP identified that three tailings facilities at the Olympic Dam Mine had a "hazard categorisation based on consequence of failure" of "extreme". https://www.bhp.com/-/media/documents/environment/2019/190607_coe.pdf Also in June 2019, BHP released a document entitled: "ESG briefing: Tailings dams" https://www.bhp.com/-/media/documents/media/reports-and-presentations/2019/190607_esgbriefingtailingdams.pdf?la=en. In that document, BHP identifies two Olympic Dam facilities with a "CDA Consequence Classification" of "Extreme". BHP's web site refers to "Dam Safety Reviews: <https://www.bhp.com/environment/dams-and-tailings-management>."

Doc No	Description	Date	Access	Other
1	Report https://www.bhp.com/-/media/bhp/regulatory-information-media/copper/olympic-dam/0000/annual-environment-reports/fy18-epmp-report.pdf	2017/2018	Publically Available	Link provided below
2	Report https://www.bhp.com/environment/water-report-2018	2018	Publically Available	Link provided below
3	Briefing	27/11/2015	Partial	Clause 16(1)(a)(iv)(b)



File No: MER F2013/000697 Objective ID: A2614697

TO: MINISTER FOR MINERAL RESOURCES AND ENERGY

SUBJECT: Management of the Olympic Dam Tailings Storage Facility's Facilities

Decision/Action required by: Routine

Business Unit Mineral and Energy Resources

Prepared by Greg Marshall
Director

Clause 16(1)(a)(iv)(b)

Executive Director Ted Tyne

Initial date 23/11/15
Initial date 27/11/15

RECOMMENDATION

- It is recommended the Minister:
 - Notes the design review process, monitoring, auditing and reporting systems adopted for the Olympic Dam Tailings Storage Facility's (TSFs) to ensure the appropriate management of the risks associated with the storage of tailings.
 - Notes that the Department will consider the findings and recommendations made as a result of any investigations conducted by the Brazilian Government into the TSF failure incident at the BHPB and Vale Sarmarco Iron Ore Mine.

Hon Tom Koutsantonis MP
Minister for Mineral Resources and Energy

Date: 8/12/15

☐ Approved
☐ Not Approved
☒ Noted
Other comment

PURPOSE

- To brief the Minister on the design review, monitoring, auditing and reporting processes adopted for the Olympic Dam Tailings Storage Facility's (TSFs) to ensure the appropriate management of the risks associated with the storage of tailings.

BACKGROUND

- Tailings are the mineral waste remaining after the processing of ore to extract mineral concentrates. Tailings are stored within the engineered containment structures of TSFs.
- The 5 November 2015 failures of the TSFs at the Sarmarco Iron Ore Mine in Brazil, jointly owned by BHP–Billiton (BHPB) and Vale, caused significant dispersion of tailings material, numerous deaths and widespread environmental and social impacts.
- The causes of the failures are currently being investigated, and clean-up, rehabilitation works and village reconstructions are in the initial planning phases.
- The Olympic Dam Mine in South Australia is owned by BHPB and has been in operations since 1988. The operation includes 5 TSFs.
- Due to the regular robust assessment, operational management, independent auditing and reporting provisions that apply to the Olympic Dam TSFs, no TSF stability failures have occurred since operations commenced.

KEY POINTS

- Olympic Dam TSFs have been subject to a rigorous process of design by BHPB and independent expert review during the Government assessment process prior development approval. Approval conditions have specified requirements for operational management and independent auditing to ensure seepage and stability risks are adequately managed.
- Whilst seepage of tailings liquor has occurred from Olympic Dam TSFs, this has not resulted in any release of tailings liquor beyond the containment bund surrounding the TSF and there is no risk of harm to workers, member of the public, or the environment.
- The ongoing monitoring of the Olympic Dam TSFs by BHPB and independent experts has concluded that there are no stability issues.
- A new TSF (TSF 5) was commissioned in October 2011 at Olympic Dam. The increased capacity and improved design of this TSF has reduced the seepage issues that were previously recorded.
- The proposal to increase the embankment height of TSF 4 at Olympic Dam was assessed during 2014/2015 and approved in 2015 following the State undertaking a rigorous assessment of the proposal to ensure all environmental, geotechnical and public safety risks were adequately addressed.

- This assessment included a review of the current operational management systems for the existing TSFs at Olympic Dam by an internationally recognised geotechnical consultancy engaged by DSD.
- The rigorous assessment, monitoring, auditing and reporting regime that exists for the current Olympic Dam TSFs includes:
 - Weekly embankment inspections by BHPB technicians and engineers,
 - Fortnightly detailed embankment inspections by BHPB technicians and engineers that includes complete assessments of all embankments for signs of seepage, erosion, slumping and cracking,
 - 6 Monthly Independent Audits by a suitably qualified engineer focussing on TSF seepage and stability assessments which includes site and operational data reviews,
 - Annual Operational Audits by a suitably qualified independent engineer focussing on TSF seepage and stability assessments which includes site and operational data reviews, that is provided to DSD (next audit report due January 2016),
 - 5 Yearly Comprehensive Independent Review which reviews all TSF designs, operations, geotechnical testing, stability analysis and maintenance and surveillance strategies implemented. This Review is provided to DSD (next review due January 2016), and
 - DSD engages suitably qualified experts to peer review the Annual Operational Audits and 5 Yearly Comprehensive Independent Reviews.
- Following the TSF failures at the Sarmarco Iron Ore Mine, BHPB has implemented an internal operational audit process for all BHPB TSFs around the world. This audit is in addition to the extensive arrangements that already apply to Olympic Dam TSFs.
- This additional internal audit has commenced and will complement the current Annual Operational Audit and 5 Yearly Comprehensive Independent Review currently underway and will be submitted to DSD in January 2016.
- DSD expects the findings and recommendations from auditing of the operations of the Olympic Dam TSFs to be fully implemented by BHPB.