

**LEGISLATIVE COUNCIL**  
**Question On Notice**

**Thursday, 27 June 2019**

**2263. Hon Robin Chapple to the Minister for Environment; Disability Services; Electoral Affairs**

I refer to question without notice 20, asked in the Legislative Council on 16 May 2017, and in respect of the answers to parts (3) and (5), "The Department of Environment Regulation is currently investigating the incident", and ask:

- (a) has the investigation concluded;
- (b) if no to (a), why not;
- (c) if no to (a), when is the investigation expected to conclude;
- (d) if yes to (a), will the Minister table the investigation report;
- (e) if no to (d), why not;
- (f) if no to (d), will the Minister outline the findings of the investigation;
- (g) if no to (f), why not;
- (h) in respect to question without notice 20, and the Minister's answer to (6), has the Minister determined why staff were not evacuated when there was a significant risk to worker health; and
- (i) if no to (h), why not?

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**Answer**

- (a) Yes
- (b)-(c) Not applicable
- (d)-(e) The Department of Water and Environmental Regulation (DWER) has not compiled a formal investigation report as there was no breach identified to either the Works Approval or the *Environmental Protection Act 1986*.
- (f) DWER's investigation determined that the emission occurred during the commissioning of the Total Ammonium Nitrate (TAN) Plant in accordance with a Works Approval issued by the then Department of Environment Regulation (now DWER). The emission occurred during a start-up procedure. While there were no breaches identified as a result of the emission, Yara Pilbara Nitrates Pty Ltd did amend its start-up procedure to minimise the likelihood of future events occurring.
- (g) Not applicable
- (h)-(i) DWER investigated the incident to determine whether there had been a breach of either the Works Approval or the *Environmental Protection Act 1986*. The investigation did not identify any impacts to staff on site or evidence to suggest a significant risk requiring an evacuation that would have resulted in the matter being referred to the Department of Mines, Industry Regulation and Safety for investigation.



Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT;  
DISABILITY SERVICES; ELECTORAL AFFAIRS**