

**From:** Ken Vernon [Ken.Vernon@ministerial.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 12:27 PM  
**To:** Michaels Paul; media  
**Subject:** yabulu

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon paul et al - We've had a request from the ABC's Sam Burgess for an update on the situation with Queensland Nickel Yabulu refinery tailings dam.

On 14/11/12 Megan provided dot points indicating that the refinery would apply for a TEP some time in Jan.

Has that occurred?

Is the Nov update still current?

Burgess mentioned that what he called a corrective action plan had been approved/sanctioned by EHP – is that correct and if so, what are the details?

Response is for later today but if we can get it away earlier that would be great.

KenV

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Please consider the environment before printing this email.

**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 12:58 PM  
**To:** Davies Emma  
**Subject:** FW: Yabulu update

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** [protection of an ir](tel:0733395845)

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

Level 12, 400 George Street, Brisbane

[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Lutz Megan  
**Sent:** Wednesday, 14 November 2012 8:36 AM  
**To:** 'Brooke Hargraves'  
**Cc:** Ken Vernon; media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** RE: Yabulu update

Hi Brooke,

Below are some dot points providing the latest update on the Yabulu refinery. Please note - there is also a Ministerial Briefing Note providing further details currently going through the system (CTS 16804/12).

- The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address the significant accumulated water issues at the Queensland Nickel Yabulu Refinery.
- Whilst there is a significant amount of water within the sites tailings dam, EHP has not received any information to suggest that the dam poses a safety risk.
- Based on the current spill risk, which is in the order of 14%, the rainfall from an 'unexceptional' wet season would result in a spill of contaminated wastewater into the marine receiving environment. However, such a spill would be very unlikely to threaten the structural integrity of any of the dams containing hazardous material.
- The quantity and environmental impact of such as spill would depend of the type of rainfall event triggering the spill (e.g. intensity and duration of the event) and the antecedent weather conditions.
- To reduce water on site, Queensland Nickel has submitted a corrective action plan to EHP to address the accumulated water on site. In accordance with the site's development approval, EHP reviewed the corrective action plan and has provided a range of comments back to Queensland Nickel.
- Queensland Nickel requires approval from the Great Barrier Reef Marine Park Authority (GBRMPA) to use its ocean outfall pipeline.
- The dam, which is inspected annually by a registered professional engineer, is built to recognised engineering standards and is performing as expected.
- QN have recently advised EHP that it would submit and seek EHP approval for a Transitional Environmental Program (TEP) under the *Environmental Protection Act 1994*, allowing staged transition to compliance with DA condition for the tailings dam that sets a spill risk of less than 1% for by 1 November 2013, if this was found to be possible.

- QN indicated that the timing for submission of the proposed TEP is likely be in late January.

Thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** protection of an ir

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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---

**From:** Brooke Hargraves [mailto:Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Tuesday, 13 November 2012 2:06 PM  
**To:** Michaels Paul  
**Cc:** Media Services (Brisbane) (MediaServices\_Brisbane@derm.qld.gov.au); Lutz Megan; Ken Vernon  
**Subject:** Yabulu update

Hi guys,

We've had an enquiry for an update on the Yabulu Refinery- can we get the latest on that please?

Thanks,

Brooke

Description: Brookes signature



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**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 1:07 PM  
**To:** Ken Vernon  
**CC:** media; 'Brooke Hargraves'  
**Subject:** RE: yabulu

Hi Ken,

The November update is a little out of date now and we are preparing an updated statement. The key points will be:

- QLD Nickel has now submitted a draft TEP to the department which we have provided comment on. A final is expected this week and will be assessed as a priority
- EHP is not required to 'approve' the corrective action plan but we have reviewed it and provided comment on it back to QLD Nickel
- GBRMPA still needs to approve the use of the ocean outfall pipeline before any discharges can occur through

Will have the statement to you as soon as possible.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [redacted] protection of an in  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Ken Vernon [mailto:Ken.Vernon@ministerial.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 12:27 PM  
**To:** Michaels Paul; media  
**Subject:** yabulu

Good afternoon paul et al - We've had a request from the ABC's Sam Burgess for an update on the situation with Queensland Nickel Yabulu refinery tailings dam.

On 14/11/12 Megan provided dot points indicating that the refinery would apply for a TEP some time in Jan.

Has that occurred?

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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 1:18 PM  
**To:** Fomiatti Minnesma Ingrid  
**CC:** media; Wake Chris; Corro EHP ESR Northern  
**Subject:** Media response: Yabulu refinery update - ABC  
**Attachments:** 1-KEEPER-1962460-Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Hi Ingrid,

For your approval - attached is a media response for ABC regarding an update on Queensland Nickel's refinery.

I have drafted the response based on the info in the latest briefing note currently going through approvals.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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KenV

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b>	

**Date:** 8 January 2013

**For:** ABC  
Sam Burgess

**Deadline:** COB Tuesday 8 January 2013

**Issue:** Yabulu refinery update

**Questions:**

Has the refinery applied for a TEP?

Has a corrective action plan had been approved/sanctioned by EHP – if so, what are the details?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address the significant accumulated water issues at the Queensland Nickel Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the accumulated water on site by use of its ocean outfall pipeline. In accordance with the site's development approval, EHP reviewed the corrective action plan and has provided a range of comments back to Queensland Nickel.

Queensland Nickel also requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) to use its ocean outfall pipeline.

On 24 December 2012 Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to the department which proposed additional storage to be built at the Yabulu site during the next dry season and actions to manage the risk during the current wet season.

EHP officers met with Queensland Nickel on 3 January 2013 to provide feedback on the draft TEP.

Queensland Nickel is expected to submit a revised TEP this week.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 1:25 PM  
**To:** Davies Emma  
**CC:** Sharpe Dean  
**Subject:** Re: Media response: Yabulu refinery update - ABC

Hi emma

Please remove the reference to GBRMPA permit.

I am ddmg can you send this in an email and I will try and amend  
Ingrid

---

**From:** Davies Emma  
**Sent:** Tuesday, January 08, 2013 01:18 PM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** media; Wake Chris; Corro EHP ESR Northern  
**Subject:** Media response: Yabulu refinery update - ABC

Hi Ingrid,

For your approval - attached is a media response for ABC regarding an update on Queensland Nickel's refinery.

I have drafted the response based on the info in the latest briefing note currently going through approvals.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**Sent:** Tuesday, 8 January 2013 12:27 PM  
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**Subject:** yabulu

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KenV

RTI DL Release

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]

**Sent:** Tuesday, 8 January 2013 2:17 PM

**To:** Davies Emma

**CC:** Sharpe Dean; Wake Chris; media

**Subject:** 1-KEEPER-1962460-Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC (2).doc

**Attachments:** 1-KEEPER-1962460-Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC (2).doc

Hi Emma

attached a changed version.

I will ring you now

cheers

Ingrid

RTI DL Release

Enquiry received at:	Briefing officer:
Deadline:	Phone:
Media Unit contact: Emma Davies	DDG:
Media Unit phone: 3224 2389	Phone:
Approved by:	

**Date:** 8 January 2013

**For:** ABC  
Sam Burgess

**Deadline:** COB Tuesday 8 January 2013

**Issue:** Yabulu refinery update

**Questions:**

Has the refinery applied for a TEP?

Has a corrective action plan had been approved/sanctioned by EHP – if so, what are the details?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address ~~the significant accumulated~~ water management issues at ~~the~~ Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address ~~the the accumulated~~ water management issues at the on-site ~~by use of its ocean outfall pipeline. In accordance with the site's development approval and,~~ EHP reviewed the corrective action this plan has been reviewed and ~~has provided a range of~~ comments have been provided back to Queensland Nickel.

~~Queensland Nickel also requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) to use its ocean outfall pipeline.~~

On 24 December 2012 Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to the ~~department~~ EHP which proposed ~~additional storage to be built at the Yabulu site during the next dry season and various~~ actions to manage the risk of a release from the tailings storage facility during the ~~current~~ wet season. In addition the TEP details actions to be taken during the next dry season to address water management issues on site to reduce the risk of contaminated water releases from the tailings storage facility into the future.-

EHP officers met with Queensland Nickel representatives on 3 January 2013 to discuss the draft TEP and provided d feedback on the document ~~draft TEP~~.

Queensland Nickel ~~is expected to~~ will submit a revised TEP this week, once submitted EHP will make a decision in relation to the TEP within 2 weeks.-

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 2:27 PM  
**To:** Brown Glen  
**CC:** media; Corro EHP ESR DDG; McMain Lisa  
**Subject:** Media response: Yabulu refinery update - ABC  
**Attachments:** 2-KEEPER-1962460-Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Hi Glen,

For your approval - attached is a media response for ABC regarding an update on Queensland Nickel's refinery.

Approved by Ingrid Fomiatti Minnesma.

Deadline is ASAP today.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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RTI DL Release

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<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> Ingrid Fomiatti Minnesma	

**Date:** 8 January 2013

**For:** ABC  
Sam Burgess

**Deadline:** COB Tuesday 8 January 2013

**Issue:** Yabulu refinery update

**Questions:**

Has the refinery applied for a TEP?

Has a corrective action plan had been approved/sanctioned by EHP – if so, what are the details?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

On 24 December 2012 Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to the EHP which proposed various actions to manage the risk of a release from the tailings storage facility during the wet season and into the future.

EHP officers met with Queensland Nickel representatives on 3 January 2013 to discuss the draft TEP and provided feedback on the document.

Queensland Nickel will submit a revised TEP this week, once submitted EHP will make a decision in relation to the TEP within two weeks.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

Queensland Nickel also requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) to use its ocean outfall pipeline.

**From:** Brown Glen [Glen.Brown@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 3:30 PM  
**To:** Davies Emma  
**CC:** media; Corro EHP ESR DDG; McMain Lisa  
**Subject:** RE: Media response: Yabulu refinery update - ABC  
**Attachments:** 2-KEEPER-1962460-Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

[Some suggested changes attached.](#)

Thanks,

Glen

---

**From:** Davies Emma  
**Sent:** Tuesday, 8 January 2013 2:28 PM  
**To:** Brown Glen  
**Cc:** media; Corro EHP ESR DDG; McMain Lisa  
**Subject:** Media response: Yabulu refinery update - ABC

Hi Glen,

For your approval - attached is a media response for ABC regarding an update on Queensland Nickel's refinery.

Approved by Ingrid Fomiatti Minnesma.

Deadline is ASAP today.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> Ingrid Fomiatti Minnesma	

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~~Queensland Nickel will submit a revised TEP this week, once submitted EHP will make a decision in relation to the TEP for EHP's approval within two weeks.~~

**ENDS**

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Queensland Nickel also requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) to use its ocean outfall pipeline.

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 3:54 PM  
**To:** Brooke Hargraves; Ken Vernon  
**CC:** media; Waters Kerry; Corro EHP DG; Chesterman Andrew; Brown Glen; Fomiatti Minnesma Ingrid  
**Subject:** Media response: Yabulu refinery update - ABC  
**Attachments:** 3-KEEPER-1962460-Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Hi Brooke, Ken,

Attached you will find a media response for ABC regarding an update on Queensland Nickel's Yabulu refinery.

Approved by A/DDG Glen Brown and A/ED Ingrid Fomiatti Minnesma.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/DDG Glen Brown, Ingrid Fomiatti Minnesma	

**Date:** 8 January 2013

**For:** ABC  
Sam Burgess

**Deadline:** COB Tuesday 8 January 2013

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**ENDS**

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**From:** Michaels Paul [Paul.Michaels@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 4:07 PM  
**To:** ken.vernon@ministerial.qld.gov.au; Brooke Hargraves  
**CC:** media; Fomiatti Minnesma Ingrid; Williams Allan; Brown Glen; Waters Kerry  
**Subject:** KEEPER\_n1962460\_v4\_Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc  
**Attachments:** KEEPER\_n1962460\_v4\_Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Ken,

Amendments as requested -

We have added the par "Queensland Nickel also requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) to use its ocean outfall pipeline" as this is a statement of fact.

We have removed the words "for EHP's approval" as this is reflected in the par above which says that they have submitted a draft TEP to EHP and is therefore unnecessary.

Paul Michaels  
Director, Media Services | Corporate Communications  
**EHP | NPRSR**  
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[paul.michaels@ehp.qld.gov.au](mailto:paul.michaels@ehp.qld.gov.au)  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/DDG Glen Brown, Ingrid Fomiatti Minnesma	

**Date:** 8 January 2013

**For:** ABC  
Sam Burgess

**Deadline:** COB Tuesday 8 January 2013

**Issue:** Yabulu refinery update

**Questions:**

Has the refinery applied for a TEP?

Has a corrective action plan had been approved/sanctioned by EHP – if so, what are the details?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

On 24 December 2012 Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP which proposed various actions to manage the risk of a release from the tailings storage facility during the wet season and into the future.

Queensland Nickel will submit a revised TEP this week.

Queensland Nickel also requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) to use its ocean outfall pipeline.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

EHP officers met with Queensland Nickel representatives on 3 January 2013 to discuss the draft TEP and provided feedback on the document.

**From:** Michaels Paul [Paul.Michaels@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 4:32 PM  
**To:** media  
**Subject:** FW: KEEPER\_n1962460\_v4\_Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Emma, can you send this one please one.

Paul Michaels  
Director, Media Services | Corporate Communications  
**EHP | NPRSR**  
Level 12 | 400 George Street | Brisbane  
Tel (07) 3339 5859 Mobile [protection of an in  
[paul.michaels@ehp.qld.gov.au](mailto:paul.michaels@ehp.qld.gov.au)  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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**From:** Ken Vernon [mailto:Ken.Vernon@ministerial.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 4:29 PM  
**To:** Michaels Paul  
**Subject:** RE: KEEPER\_n1962460\_v4\_Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Thanks Paul – that is ok to go.  
Ken

---

**From:** Michaels Paul [mailto:Paul.Michaels@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 4:08 PM  
**To:** Ken Vernon; Brooke Hargraves  
**Cc:** media; Fomiatti Minnesma Ingrid; Williams Allan; Brown Glen; Waters Kerry  
**Subject:** KEEPER\_n1962460\_v4\_Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Ken,

Amendments as requested -

We have added the par "Queensland Nickel also requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) to use its ocean outfall pipeline" as this is a statement of fact.

We have removed the words "for EHP's approval" as this is reflected in the par above which says that they have submitted a draft TEP to EHP and is therefore unnecessary.

Paul Michaels  
Director, Media Services | Corporate Communications  
**EHP | NPRSR**  
Level 12 | 400 George Street | Brisbane  
Tel (07) 3339 5859 Mobile [protection of an in  
[paul.michaels@ehp.qld.gov.au](mailto:paul.michaels@ehp.qld.gov.au)  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Tuesday, 8 January 2013 4:51 PM

**To:** Samuel.burgess@abc.net.au

**CC:** media

**Subject:** Media response: Queensland Nickel Yabulu update - ABC

**Attachments:** 5-KEEPER-1962460-Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Hi Sam,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

Level 12 | 400 George Street | Brisbane

**Tel** 07 3339 5830

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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RTI DL Release

# Media response

**Re:** Queensland Nickel Yabulu Refinery update

**For:** ABC  
Sam Burgess

**Date:** 8 January 2013

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

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Queensland Nickel will submit a revised TEP this week.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 4:52 PM  
**To:** Davies Emma  
**Subject:** RE: Media response: Queensland Nickel Yabulu update - ABC

thank you can I let QN know and provide this as well?

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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**Cc:** media  
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Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 4:53 PM  
**To:** jamie.rule@abc.net.au  
**CC:** media  
**Subject:** FW: Media response: Queensland Nickel Yabulu update - ABC  
**Attachments:** 5-KEEPER-1962460-Media\_response\_\_Yabulu\_refinery\_update\_-\_ABC.doc

Hi

Please find response attached (in Sam's absence).

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Davies Emma  
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**Cc:** media  
**Subject:** Media response: Queensland Nickel Yabulu update - ABC

Hi Sam,

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Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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# Media response

**Re:** Queensland Nickel Yabulu Refinery update

**For:** ABC  
Sam Burgess

**Date:** 8 January 2013

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

On 24 December 2012 Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP which proposed various actions to manage the risk of a release from the tailings storage facility during the wet season and into the future.

Queensland Nickel will submit a revised TEP this week.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]

**Sent:** Tuesday, 8 January 2013 5:35 PM

**To:** Davies Emma

**Subject:** FW: FOR INFO - Media enquiries (Townsville Bulletin - ABC Nth QLD) - Qld Nickel  
[SEC=UNCLASSIFIED]

**Attachments:** 130108 FINAL GBRMPA media enquiry - Townsville Bulletin - Queensland Nickel.pdf; 130107  
FINAL GBRMPA media enquiry - ABC North QLD - Queensland Nickel.pdf

FYI

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Rachel Reese [mailto:Rachel.Reese@gbmpa.gov.au]

**Sent:** Tuesday, 8 January 2013 5:34 PM

**To:** Fomiatti Minnesma Ingrid

**Subject:** FW: FOR INFO - Media enquiries (Townsville Bulletin - ABC Nth QLD) - Qld Nickel [SEC=UNCLASSIFIED]

Ingrid,

See attached our responses to ABC and Townsville Bulletin.

Many thanks,

**Rachel Reese**

Manager, Major Projects  
Environmental Assessment and Management  
Great Barrier Reef Marine Park Authority  
2-68 Flinders Street  
PO Box 1379, Townsville QLD 4810

Ph: (07) 4750 0861

Fax: (07) 4772 5289

Mobile: e protection of an ind

Email: [rachel.reese@gbmpa.gov.au](mailto:rachel.reese@gbmpa.gov.au)

Description: cid:image001.png@01CD8209.68340A90



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**From:** Shannon Blunt  
**Sent:** Tuesday, 8 January 2013 5:27 PM  
**To:** Rachel Reese; Leisa Pendle; Jon Day; Andrew Skeat  
**Cc:** GBRMPA Media  
**Subject:** FOR INFO - Media enquiries (Townsville Bulletin - ABC Nth QLD) - Qld Nickel [SEC=UNCLASSIFIED]

Good afternoon,

Please find attached the final versions of the two responses provided to the Townsville Bulletin and ABC North Queensland regarding Queensland Nickel.

Thanks

Shannon Blunt  
Communications Team Leader  
Communications and Policy Coordination Branch  
Great Barrier Reef Marine Park Authority  
2-68 Flinders St Townsville | PO Box 1379 Townsville QLD 4810  
Phone: (07) 4750 0882  
Fax: (07) 4772 6093  
Email: [Shannon.Blunt@gbmpa.gov.au](mailto:Shannon.Blunt@gbmpa.gov.au)

Visit us at [www.gbrmpa.gov.au](http://www.gbrmpa.gov.au)  
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7 January 2013

**SUBJECT:** Queensland Nickel

Journalist's details

Sam Burgess  
ABC North Queensland  
Phone: 07 4722 3034  
Email: Burgess.Samuel@abc.net.au

Enquiry

*Basically I'm doing an update on the tailings dam at the Queensland Nickel refinery at Yabulu. In June there was concern that it could overflow in the wet season and GBRMPA was tasked with assessing an application by the company to release water. Although the wet season hasn't happened yet it is only a week or two away and already environmentalists have expressed concern that nothing has been done.*

*The questions I'd like answered are:*

- 1. Where is GBRMPA at with its assessment given the wet season is imminent?*
- 2. Has there been any investigation into how the level of the dam was allowed to reach such a crisis point?*

*If you could get me a response – preferably from the minister - that would be great.*

Response

Please attribute the following statement to a Great Barrier Reef Marine Park Authority spokesperson.

- 1. Where is GBRMPA at with its assessment given the wet season is imminent?*
  - On 30 May 2012 Queensland Nickel Pty Ltd applied for a permit to discharge in the Great Barrier Reef Marine Park. To assess the permit application, The Great Barrier Reef Marine Park Authority requested further information from Queensland Nickel Pty Ltd. The information was not supplied within the timeframe, so the application is considered withdrawn.
  - The Great Barrier Reef Marine Park Authority has not received a further application from Queensland Nickel Pty Ltd to discharge into the Marine Park.
  - Queensland Nickel Pty Ltd does not hold a permission under the *Great Barrier Reef Marine Park Act 1975* to discharge into the Marine Park.
  - With the wet season here, GBRMPA are obviously concerned about the risk that the tailing storage facility poses to the Marine Park.
- 2. Has there been any investigation into how the level of the dam was allowed to reach such a crisis point?*



- It is Queensland Nickel's responsibility to manage their production and tailing storage facility. The refinery has known since at least May 2012 that the tailing dam was reaching capacity but has failed to act effectively to deal with the situation.
- GBRMPA are concerned about any proposal to discharge hazardous waste from the tailing storage facility into the Marine Park or nearby coastal wetlands.
- This has been a recurring issue for the refinery, with similar situations occurring in the 2009 and 2011 wet seasons. Queensland Nickel Pty Ltd should develop and implement a sustainable, long-term water management program to guard against it happening again in the future.
- Clearly the health of the Reef is a key concern for us. It's our job to protect the Reef and manage its sustainable use. Preserving water quality is critical for marine life such as seagrass, corals, dugongs and turtles. It's also critical for the industries that rely on the Reef who contribute more than \$5.4 billion to the Australian economy.

Contact:

Great Barrier Reef Marine Park Authority

Media team | (07) 4750 0846 | [media@gbrmpa.gov.au](mailto:media@gbrmpa.gov.au)



8 January 2013

**SUBJECT:** Queensland Nickel

Journalist's details

Daniel Bateman  
Townsville Bulletin  
Phone: 07 4722 4433 or protection of an in  
Email: [Daniel.bateman@news.com.au](mailto:Daniel.bateman@news.com.au)

Enquiry 1 (Monday, 7 January 2013 9:01 AM)

*I am hoping to find out today whether there has been a resolution between QNI and GBRMPA with regard to the release of discharge from tailing dams at the Yabulu refinery?*

- *Has GBRMPA determined whether there is likely to be any adverse impact on the marine park?*
- *If there has not yet been any decisions, is there a deadline GBRMPA is working towards?*

Enquiry 1 Response

The following statement can be attributed to a "Great Barrier Reef Marine Park Authority spokesperson".

With the wet season here, the Great Barrier Reef Marine Park Authority (GBRMPA) are obviously concerned about the risk that the tailing storage facility poses to the Marine Park and the Great Barrier Reef World Heritage Area.

Queensland Nickel Pty Ltd does not hold a permission under the *Great Barrier Reef Marine Park Act 1975* to discharge into the Marine Park.

GBRMPA are concerned about any proposal to discharge hazardous waste from the tailing storage facility into the Marine Park or nearby coastal wetlands.

It is Queensland Nickel's responsibility to manage their production and tailing storage facility. The refinery has known since at least May 2012 that the tailing storage facility was reaching capacity but has failed to act effectively to deal with the situation.

GBRMPA's position is that Queensland Nickel, like any other company or individual, must apply for a permit to discharge waste material to the Marine Park. GBRMPA maintains high standards for any material released into the Marine Park, and this permit application process allows us to properly assess the risks to it.

Clearly the health of the Reef is a key concern for us. It's our job to protect the Reef and manage its sustainable use. Preserving water quality is critical for marine life such as seagrass, corals, dugongs and turtles. It's also critical for the industries that rely on the Reef who contribute more than \$5.4 billion to the Australian economy.



Enquiry 2 (Monday, 7 January 2013 4:04 PM)

*Has QNI applied for a discharge permit? If not, is GBRMPA likely to be taking any action against QNI. If so, what course will it be taking?*

Enquiry 2 Response

The following responses can be attributed to a "Great Barrier Reef Marine Park Authority spokesperson".

Q. Has QNI applied for a discharge permit?

Queensland Nickel Pty Ltd does not hold a permit under the *Great Barrier Reef Marine Park Act 1975* to discharge into the Marine Park.

On 30 May 2012 Queensland Nickel Pty Ltd applied for a permit to discharge into the Great Barrier Reef Marine Park. To assess the permit application, the Great Barrier Reef Marine Park Authority requested further information from Queensland Nickel Pty Ltd. The information was not supplied within the required timeframe, nor did the company publicly advertise its proposal to discharge into marine park as required, so the application was considered withdrawn.

The Great Barrier Reef Marine Park Authority has not received a further application from Queensland Nickel Pty Ltd to discharge into the Marine Park.

Q. If not, is GBRMPA likely to be taking any action against QNI. If so, what course will it be taking?

GBRMPA's position is that contaminated wastewater from Queensland Nickel's tailings dam should not be discharged into the Marine Park, either directly or indirectly.

We are working closely with Queensland Government to ensure the risk of any discharge is minimised.

GBRMPA has made the company aware of its obligations and is monitoring the water quality in Halifax Bay.

Contact:  
Great Barrier Reef Marine Park Authority  
Media team | (07) 4750 0846 | [media@gbbrmpa.gov.au](mailto:media@gbbrmpa.gov.au)

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Tuesday, 8 January 2013 5:38 PM  
**To:** Brown Glen  
**CC:** Davies Emma  
**Subject:** TEP QN received late pm

Glen

QN have submitted their TEP for consideration late today. I am aiming to have it assessed and decided by Friday.

Regards  
Ingrid

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Wednesday, 9 January 2013 8:41 AM

**To:** media

**Subject:** FW: FOR INFO - Media enquiries (Townsville Bulletin - ABC Nth QLD) - Qld Nickel

[SEC=UNCLASSIFIED]

**Attachments:** 130108 FINAL GBRMPA media enquiry - Townsville Bulletin - Queensland Nickel.pdf; 130107 FINAL GBRMPA media enquiry - ABC North QLD - Queensland Nickel.pdf

FYI

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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**Sent:** Tuesday, 8 January 2013 5:35 PM

**To:** Davies Emma

**Subject:** FW: FOR INFO - Media enquiries (Townsville Bulletin - ABC Nth QLD) - Qld Nickel [SEC=UNCLASSIFIED]

---

**From:** Rachel Reese [mailto:Rachel.Reese@gbrmpa.gov.au]

**Sent:** Tuesday, 8 January 2013 5:34 PM

**To:** Fomiatti Minnesma Ingrid

**Subject:** FW: FOR INFO - Media enquiries (Townsville Bulletin - ABC Nth QLD) - Qld Nickel [SEC=UNCLASSIFIED]

Ingrid,

See attached our responses to ABC and Townsville Bulletin.

Many thanks,

**Rachel Reese**

Manager, Major Projects

Environmental Assessment and Management

Great Barrier Reef Marine Park Authority

2-68 Flinders Street

PO Box 1379, Townsville QLD 4810

Ph: (07) 4750 0861

Fax: (07) 4772 5289

Mobile:

Email: [rachel.reese@gbrmpa.gov.au](mailto:rachel.reese@gbrmpa.gov.au)



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**Cc:** GBRMPA Media  
**Subject:** FOR INFO - Media enquiries (Townsville Bulletin - ABC Nth QLD) - Qld Nickel [SEC=UNCLASSIFIED]

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Thanks

Shannon Blunt  
Communications Team Leader  
Communications and Policy Coordination Branch  
Great Barrier Reef Marine Park Authority  
2-68 Flinders St Townsville | PO Box 1379 Townsville QLD 4810  
Phone: (07) 4750 0882  
Fax: (07) 4772 6093  
Email: [Shannon.Blunt@gbrmpa.gov.au](mailto:Shannon.Blunt@gbrmpa.gov.au)

Visit us at [www.gbrmpa.gov.au](http://www.gbrmpa.gov.au)  
Follow us on Facebook at [www.facebook.com/GreatBarrierReefMarinePark](http://www.facebook.com/GreatBarrierReefMarinePark)  
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7 January 2013

**SUBJECT:** Queensland Nickel

Journalist's details

Sam Burgess  
ABC North Queensland  
Phone: 07 4722 3034  
Email: Burgess.Samuel@abc.net.au

Enquiry

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*If you could get me a response – preferably from the minister - that would be great.*

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- 1. Where is GBRMPA at with its assessment given the wet season is imminent?*
  - On 30 May 2012 Queensland Nickel Pty Ltd applied for a permit to discharge in the Great Barrier Reef Marine Park. To assess the permit application, The Great Barrier Reef Marine Park Authority requested further information from Queensland Nickel Pty Ltd. The information was not supplied within the timeframe, so the application is considered withdrawn.
  - The Great Barrier Reef Marine Park Authority has not received a further application from Queensland Nickel Pty Ltd to discharge into the Marine Park.
  - Queensland Nickel Pty Ltd does not hold a permission under the *Great Barrier Reef Marine Park Act 1975* to discharge into the Marine Park.
  - With the wet season here, GBRMPA are obviously concerned about the risk that the tailing storage facility poses to the Marine Park.
- 2. Has there been any investigation into how the level of the dam was allowed to reach such a crisis point?*



- It is Queensland Nickel's responsibility to manage their production and tailing storage facility. The refinery has known since at least May 2012 that the tailing dam was reaching capacity but has failed to act effectively to deal with the situation.
- GBRMPA are concerned about any proposal to discharge hazardous waste from the tailing storage facility into the Marine Park or nearby coastal wetlands.
- This has been a recurring issue for the refinery, with similar situations occurring in the 2009 and 2011 wet seasons. Queensland Nickel Pty Ltd should develop and implement a sustainable, long-term water management program to guard against it happening again in the future.
- Clearly the health of the Reef is a key concern for us. It's our job to protect the Reef and manage its sustainable use. Preserving water quality is critical for marine life such as seagrass, corals, dugongs and turtles. It's also critical for the industries that rely on the Reef who contribute more than \$5.4 billion to the Australian economy.

Contact:

Great Barrier Reef Marine Park Authority

Media team | (07) 4750 0846 | [media@gbrmpa.gov.au](mailto:media@gbrmpa.gov.au)



8 January 2013

**SUBJECT:** Queensland Nickel

Journalist's details

Daniel Bateman  
Townsville Bulletin  
Phone: 07 4722 4433 or protection of an in  
Email: [Daniel.bateman@news.com.au](mailto:Daniel.bateman@news.com.au)

Enquiry 1 (Monday, 7 January 2013 9:01 AM)

*I am hoping to find out today whether there has been a resolution between QNI and GBRMPA with regard to the release of discharge from tailing dams at the Yabulu refinery?*

- *Has GBRMPA determined whether there is likely to be any adverse impact on the marine park?*
- *If there has not yet been any decisions, is there a deadline GBRMPA is working towards?*

Enquiry 1 Response

The following statement can be attributed to a "Great Barrier Reef Marine Park Authority spokesperson".

With the wet season here, the Great Barrier Reef Marine Park Authority (GBRMPA) are obviously concerned about the risk that the tailing storage facility poses to the Marine Park and the Great Barrier Reef World Heritage Area.

Queensland Nickel Pty Ltd does not hold a permission under the *Great Barrier Reef Marine Park Act 1975* to discharge into the Marine Park.

GBRMPA are concerned about any proposal to discharge hazardous waste from the tailing storage facility into the Marine Park or nearby coastal wetlands.

It is Queensland Nickel's responsibility to manage their production and tailing storage facility. The refinery has known since at least May 2012 that the tailing storage facility was reaching capacity but has failed to act effectively to deal with the situation.

GBRMPA's position is that Queensland Nickel, like any other company or individual, must apply for a permit to discharge waste material to the Marine Park. GBRMPA maintains high standards for any material released into the Marine Park, and this permit application process allows us to properly assess the risks to it.

Clearly the health of the Reef is a key concern for us. It's our job to protect the Reef and manage its sustainable use. Preserving water quality is critical for marine life such as seagrass, corals, dugongs and turtles. It's also critical for the industries that rely on the Reef who contribute more than \$5.4 billion to the Australian economy.



Enquiry 2 (Monday, 7 January 2013 4:04 PM)

*Has QNI applied for a discharge permit? If not, is GBRMPA likely to be taking any action against QNI. If so, what course will it be taking?*

Enquiry 2 Response

The following responses can be attributed to a "Great Barrier Reef Marine Park Authority spokesperson".

Q. Has QNI applied for a discharge permit?

Queensland Nickel Pty Ltd does not hold a permit under the *Great Barrier Reef Marine Park Act 1975* to discharge into the Marine Park.

On 30 May 2012 Queensland Nickel Pty Ltd applied for a permit to discharge into the Great Barrier Reef Marine Park. To assess the permit application, the Great Barrier Reef Marine Park Authority requested further information from Queensland Nickel Pty Ltd. The information was not supplied within the required timeframe, nor did the company publicly advertise its proposal to discharge into marine park as required, so the application was considered withdrawn.

The Great Barrier Reef Marine Park Authority has not received a further application from Queensland Nickel Pty Ltd to discharge into the Marine Park.

Q. If not, is GBRMPA likely to be taking any action against QNI. If so, what course will it be taking?

GBRMPA's position is that contaminated wastewater from Queensland Nickel's tailings dam should not be discharged into the Marine Park, either directly or indirectly.

We are working closely with Queensland Government to ensure the risk of any discharge is minimised.

GBRMPA has made the company aware of its obligations and is monitoring the water quality in Halifax Bay.

Contact:  
Great Barrier Reef Marine Park Authority  
Media team | (07) 4750 0846 | [media@gbbrmpa.gov.au](mailto:media@gbbrmpa.gov.au)

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 9:03 AM  
**To:** media  
**Subject:** FW: TEP QN received late pm

FYI

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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---

**From:** Fomiatti Minnesma Ingrid  
**Sent:** Tuesday, 8 January 2013 5:39 PM  
**To:** Brown Glen  
**Cc:** Davies Emma  
**Subject:** TEP QN received late pm

Glen

QN have submitted their TEP for consideration late today. I am aiming to have it assessed and decided by Friday.

Regards  
Ingrid

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 10:27 AM  
**To:** Davies Emma  
**Subject:** FW: Yabulu refinery

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** [redacted] protection of an in

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Michaels Paul  
**Sent:** Wednesday, 9 January 2013 10:15 AM  
**To:** Lutz Megan  
**Subject:** Fwd: Yabulu refinery

Megan, can you call Ken. I am in a manager's meeting until 11am.

Paul Michaels

Director, Media Services

Department of Environment and Heritage Protection

Department of National Parks, Recreation, Sport and Racing

07 3339 5859 /e protection of an inc

[Paul.michaels@ehp.qld.gov.au](mailto:Paul.michaels@ehp.qld.gov.au)

[Media@ehp.qld.gov.au](mailto:Media@ehp.qld.gov.au)

Begin forwarded message:

**From:** Ken Vernon <[Ken.Vernon@ministerial.qld.gov.au](mailto:Ken.Vernon@ministerial.qld.gov.au)>  
**Date:** 9 January 2013 10:10:20 AM AEST  
**To:** "Michaels Paul ([Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au))" <[Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au)>  
**Subject:** FW: Yabulu refinery

Hi Paul – can you phone me to discuss the answer to this one.

ken

---

**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]

**Sent:** Wednesday, 9 January 2013 9:43 AM

**To:** Ken Vernon

**Subject:** Yabulu refinery

G'day Ken,

GBRMPA has informed us it is working with the Queensland Government to ensure the risk of any discharge from Queensland Nickel's Yabulu refinery tailings dams is minimised.

I am hoping to find out today:

<!--[if !supportLists]--> <!--[endif]-->What actions are exactly being taken by the government to reduce this risk?

<!--[if !supportLists]-->- <!--[endif]-->Why has QNI been allowed, effectively, to do nothing with its topped up dams for seven months?

<!--[if !supportLists]-->- <!--[endif]-->What does the Minister see as the solution to this environmental crisis?

My deadline for this story is 4pm today,

Regards

Daniel

**Daniel Bateman** | Journalist

---

### Townsville Bulletin

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 10:40 AM  
**To:** Fomiatti Minnesma Ingrid  
**CC:** media; Sullivan Scott  
**Subject:** FW: Yabulu refinery

Hi Ingrid,

We have received the below enquiry from Townsville Bulletin regarding QN's Yabulu refinery.

I have updated the response from yesterday to show the TEP has now been received. The minister's office would also like us to include what measures the TEP proposes.

Is there anything else you would like to add to the response given the journalist's questions?

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP [yesterday \(8 January\)](#) which proposed various actions to manage the risk of a release from the tailings storage facility . [These actions include reducing the flow into the tailings storage facility during the current wet season and constructing additional storage to reduce the spill risk in the future.](#)

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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**From:** Ken Vernon <[Ken.Vernon@ministerial.qld.gov.au](mailto:Ken.Vernon@ministerial.qld.gov.au)>  
**Date:** 9 January 2013 10:10:20 AM AEST  
**To:** "Michaels Paul ([Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au))" <[Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au)>  
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**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]

**Sent:** Wednesday, 9 January 2013 9:43 AM

**To:** Ken Vernon

**Subject:** Yabulu refinery

G'day Ken,

GBRMPA has informed us it is working with the Queensland Government to ensure the risk of any discharge from Queensland Nickel's Yabulu refinery tailings dams is minimised.

I am hoping to find out today:

What actions are exactly being taken by the government to reduce this risk?

Why has QNI been allowed, effectively, to do nothing with its topped up dams for seven months?

What does the Minister see as the solution to this environmental crisis?

My deadline for this story is 4pm today,

Regards

Daniel

**Daniel Bateman** | Journalist

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### Townsville Bulletin

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

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**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 10:45 AM  
**To:** Davies Emma  
**CC:** media; Sharpe Dean  
**Subject:** RE: Yabulu refinery

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

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Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
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**From:** Ken Vernon <[Ken.Vernon@ministerial.qld.gov.au](mailto:Ken.Vernon@ministerial.qld.gov.au)>  
**Date:** 9 January 2013 10:10:20 AM AEST  
**To:** "Michaels Paul ([Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au))" <[Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au)>  
**Subject:** FW: Yabulu refinery

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ken

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**Sent:** Wednesday, 9 January 2013 9:43 AM  
**To:** Ken Vernon  
**Subject:** Yabulu refinery

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I am hoping to find out today:

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2. Why has QNI been allowed, effectively, to do nothing with its topped up dams for seven months?
3. What does the Minister see as the solution to this environmental crisis?

My deadline for this story is 4pm today,

Regards

Daniel

**Townsville Bulletin**

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 10:54 AM  
**To:** Fomiatti Minnesma Ingrid  
**CC:** Sharpe Dean; media  
**Subject:** RE: Yabulu refinery

Hi Ingrid,

A couple of further changes - are you happy with the below?

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

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The department is reviewing the TEP as a matter of urgency.

**ENDS**

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Fomiatti Minnesma Ingrid  
**Sent:** Wednesday, 9 January 2013 10:45 AM  
**To:** Davies Emma  
**Cc:** media; Sharpe Dean  
**Subject:** RE: Yabulu refinery

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Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
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**Cc:** media; Sullivan Scott  
**Subject:** FW: Yabulu refinery

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storage facility . These actions include reducing the flow into the tailings storage facility during the current wet season and constructing additional storage to reduce the spill risk in the future.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Ken Vernon <[Ken.Vernon@ministerial.qld.gov.au](mailto:Ken.Vernon@ministerial.qld.gov.au)>  
**Date:** 9 January 2013 10:10:20 AM AEST  
**To:** "Michaels Paul ([Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au))" <[Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au)>  
**Subject: FW: Yabulu refinery**

Hi Paul – can you phone me to discuss the answer to this one.  
ken

---

**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]  
**Sent:** Wednesday, 9 January 2013 9:43 AM  
**To:** Ken Vernon  
**Subject:** Yabulu refinery

G'day Ken,

GBRMPA has informed us it is working with the Queensland Government to ensure the risk of any discharge from Queensland Nickel's Yabulu refinery tailings dams is minimised.

I am hoping to find out today:

1. What actions are exactly being taken by the government to reduce this risk?
2. Why has QNI been allowed, effectively, to do nothing with its topped up dams for seven months?
3. What does the Minister see as the solution to this environmental crisis?

My deadline for this story is 4pm today,

Regards

Daniel

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**  
198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810



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**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 11:13 AM  
**To:** Davies Emma  
**CC:** Sharpe Dean  
**Subject:** RE: Yabulu refinery

see below – just don't like "urgency" ( looks like we are panicking) how about priority?

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Wednesday, 9 January 2013 10:55 AM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** Sharpe Dean; media  
**Subject:** RE: Yabulu refinery

**Hi Ingrid,**

**A couple of further changes - are you happy with the below?**

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP [yesterday \(8 January\)](#) which proposed various actions to manage the risk of a release from the tailings storage facility . [These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.](#)

[The department is reviewing the TEP as a priority](#)

**ENDS**

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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**From:** Fomiatti Minnesma Ingrid  
**Sent:** Wednesday, 9 January 2013 10:45 AM  
**To:** Davies Emma  
**Cc:** media; Sharpe Dean  
**Subject:** RE: Yabulu refinery

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

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Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP [yesterday \(8 January\)](#) which proposed various actions to manage the risk of a release from the tailings storage facility . [These actions include diversion of stormwater away from the Tailings storage facility and thereby reducing water inflows into the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.](#)

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Wednesday, 9 January 2013 10:40 AM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** media; Sullivan Scott  
**Subject:** FW: Yabulu refinery

Hi Ingrid,

We have received the below enquiry from Townsville Bulletin regarding QN's Yabulu refinery.

I have updated the response from yesterday to show the TEP has now been received. The minister's office would also like us to include what measures the TEP proposes.

Is there anything else you would like to add to the response given the journalist's questions?

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

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Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP [yesterday \(8 January\)](#) which proposed various actions to manage the risk of a release from the tailings storage facility . [These actions include reducing the flow into the tailings storage facility during the current wet season and constructing additional storage to reduce the spill risk in the future.](#)

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Ken Vernon <[Ken.Vernon@ministerial.qld.gov.au](mailto:Ken.Vernon@ministerial.qld.gov.au)>  
**Date:** 9 January 2013 10:10:20 AM AEST  
**To:** "Michaels Paul ([Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au))"  
<[Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au)>  
**Subject:** FW: Yabulu refinery

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ken

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**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]  
**Sent:** Wednesday, 9 January 2013 9:43 AM  
**To:** Ken Vernon  
**Subject:** Yabulu refinery

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I am hoping to find out today:

1. What actions are exactly being taken by the government to reduce this risk?
2. Why has QNI been allowed, effectively, to do nothing with its topped up dams for seven months?
3. What does the Minister see as the solution to this environmental crisis?

My deadline for this story is 4pm today,

Regards

Daniel

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Wednesday, 9 January 2013 11:35 AM

**To:** Brown Glen

**CC:** media; Corro EHP ESR DDG; White Kelsey

**Subject:** Media response: Queensland Nickel's Yabulu refinery - Townsville Bulletin

**Attachments:** 1-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_Townsville\_Bulletin.doc

Hi Glen,

For your approval - media response attached regarding Queensland Nickel's Yabulu refinery.

Approved by A/ED Ingrid Fomiatti Minnesma.

The journalist's deadline is later today but the Minister's office has requested this one ASAP.

Thanks,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b>	

**Date:** 9 January 2013

**For:** Townsville Bulletin

**Deadline:** ASAP

**Issue:** Queensland Nickel Yabulu refinery

**Questions:**

1. What actions are exactly being taken by the government to reduce this risk?
2. Why has QNI been allowed, effectively, to do nothing with its topped up dams for seven months?
3. What does the Minister see as the solution to this environmental crisis?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP yesterday (8 January) which proposed various actions to manage the risk of a release from the tailings storage facility. These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

The department is reviewing the TEP as a matter of priority.

Queensland Nickel requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) should it choose to use its ocean outfall pipeline.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Brown Glen [Glen.Brown@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 11:38 AM  
**To:** Davies Emma  
**CC:** media; Corro EHP ESR DDG; White Kelsey  
**Subject:** RE: Media response: Queensland Nickel's Yabulu refinery - Townsville Bulletin

[Fine by me.](#)

---

**From:** Davies Emma  
**Sent:** Wednesday, 9 January 2013 11:35 AM  
**To:** Brown Glen  
**Cc:** media; Corro EHP ESR DDG; White Kelsey  
**Subject:** Media response: Queensland Nickel's Yabulu refinery - Townsville Bulletin

Hi Glen,

For your approval - media response attached regarding Queensland Nickel's Yabulu refinery.

Approved by A/ED Ingrid Fomiatti Minnesma.

The journalist's deadline is later today but the Minister's office has requested this one ASAP.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 11:42 AM  
**To:** Ken Vernon; 'Brooke Hargraves'  
**CC:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu refinery  
**Attachments:** 1-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_Townsville\_Bulletin.doc

Hi Ken/Brooke,

Attached is an updated response to the Yabulu refinery. This has been updated to reflect that we have now received the TEP and are assessing it. Updated response has been approved by Glen Brown.

Cheers,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** [protection of an in

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

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---

**From:** Michaels Paul  
**Sent:** Wednesday, 9 January 2013 10:15 AM  
**To:** Lutz Megan  
**Subject:** Fwd: Yabulu refinery

Megan, can you call Ken. I am in a manager's meeting until 11am.

Paul Michaels

Director, Media Services

Department of Environment and Heritage Protection

Department of National Parks, Recreation, Sport and Racing

07 3339 5859 / [e protection of an ind

[Paul.michaels@ehp.qld.gov.au](mailto:Paul.michaels@ehp.qld.gov.au)

[Media@ehp.qld.gov.au](mailto:Media@ehp.qld.gov.au)

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**Subject:** FW: Yabulu refinery

Hi Paul – can you phone me to discuss the answer to this one.

ken

**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]

**Sent:** Wednesday, 9 January 2013 9:43 AM

**To:** Ken Vernon

**Subject:** Yabulu refinery

G'day Ken,

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I am hoping to find out today:

<!--[if !supportLists]-->- <!--[endif]-->What actions are exactly being taken by the government to reduce this risk?

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<!--[if !supportLists]-->- <!--[endif]-->What does the Minister see as the solution to this environmental crisis?

My deadline for this story is 4pm today,

Regards

Daniel

**Daniel Bateman** | Journalist

---

### Townsville Bulletin

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 [protection of an ii](#) | Fax: +61 7 4722 4559

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<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/DDG Glen Brown, A/ED Ingrid Fomiatti Minnesma	

**Date:** 9 January 2013

**For:** Townsville Bulletin

**Deadline:** ASAP

**Issue:** Queensland Nickel Yabulu refinery

**Questions:**

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The department is reviewing the TEP as a matter of priority.

Queensland Nickel requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) should it choose to use its ocean outfall pipeline.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

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**Sent:** Wednesday, 9 January 2013 11:42 AM  
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**CC:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu refinery  
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Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** [redacted]

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

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Department of Environment and Heritage Protection

Department of National Parks, Recreation, Sport and Racing

07 3339 5859 / [redacted]

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[Media@ehp.qld.gov.au](mailto:Media@ehp.qld.gov.au)

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**To:** Ken Vernon

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**Daniel Bateman** | Journalist

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<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/DDG Glen Brown, A/ED Ingrid Fomiatti Minnesma	

**Date:** 9 January 2013

**For:** Townsville Bulletin

**Deadline:** ASAP

**Issue:** Queensland Nickel Yabulu refinery

**Questions:**

1. What actions are exactly being taken by the government to reduce this risk?
2. Why has QNI been allowed, effectively, to do nothing with its topped up dams for seven months?
3. What does the Minister see as the solution to this environmental crisis?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

Queensland Nickel has submitted a corrective action plan to EHP to address the water management issues at the site and this plan has been reviewed and comments have been provided back to Queensland Nickel.

Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP yesterday (8 January) which proposed various actions to manage the risk of a release from the tailings storage facility. These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

The department is reviewing the TEP as a matter of priority.

Queensland Nickel requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) should it choose to use its ocean outfall pipeline.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Ken Vernon [Ken.Vernon@ministerial.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 1:40 PM  
**To:** Lutz Megan  
**CC:** media  
**Subject:** RE: Yabulu refinery

The Yabulu reply has been approved to go. Can you also forward it to Kerri-anne Mesner of APN at: [kerri-anne.mesner@capnews.com.au](mailto:kerri-anne.mesner@capnews.com.au)

Thanks - ken

---

**From:** Lutz Megan [mailto:Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 11:43 AM  
**To:** Ken Vernon; Brooke Hargraves  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu refinery

Hi Ken/Brooke,

Attached is an updated response to the Yabulu refinery. This has been updated to reflect that we have now received the TEP and are assessing it. Updated response has been approved by Glen Brown.

Cheers,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [protection of an individual's privacy]  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12, 400 George Street, Brisbane  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)  
[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Michaels Paul  
**Sent:** Wednesday, 9 January 2013 10:15 AM  
**To:** Lutz Megan  
**Subject:** Fwd: Yabulu refinery

Megan, can you call Ken. I am in a manager's meeting until 11am.

Paul Michaels  
Director, Media Services  
Department of Environment and Heritage Protection  
Department of National Parks, Recreation, Sport and Racing  
07 3339 5859 / [protection of an individual's privacy]  
[Paul.michaels@ehp.qld.gov.au](mailto:Paul.michaels@ehp.qld.gov.au)  
[Media@ehp.qld.gov.au](mailto:Media@ehp.qld.gov.au)

Begin forwarded message:

**From:** Ken Vernon <[Ken.Vernon@ministerial.qld.gov.au](mailto:Ken.Vernon@ministerial.qld.gov.au)>  
**Date:** 9 January 2013 10:10:20 AM AEST  
**To:** "Michaels Paul ([Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au))" <[Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au)>  
**Subject:** FW: Yabulu refinery

Hi Paul – can you phone me to discuss the answer to this one.

ken

---

**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]  
**Sent:** Wednesday, 9 January 2013 9:43 AM  
**To:** Ken Vernon  
**Subject:** Yabulu refinery

G'day Ken,

GBRMPA has informed us it is working with the Queensland Government to ensure the risk of any discharge from Queensland Nickel's Yabulu refinery tailings dams is minimised.

I am hoping to find out today:

1. <!--[if !supportLists]--><!--[endif]-->What actions are exactly being taken by the government to reduce this risk?
2. <!--[if !supportLists]--><!--[endif]-->Why has QNI been allowed, effectively, to do nothing with its topped up dams for seven months?
3. <!--[if !supportLists]--><!--[endif]-->What does the Minister see as the solution to this environmental crisis?

My deadline for this story is 4pm today,

Regards

Daniel

**Daniel Bateman** | Journalist

---

#### Townsville Bulletin

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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RTI DL Release

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Hi Ken/Brooke,

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Cheers,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [redacted]  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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Paul Michaels  
Director, Media Services  
Department of Environment and Heritage Protection  
Department of National Parks, Recreation, Sport and Racing  
07 3339 5859 / [redacted]  
[Paul.michaels@ehp.qld.gov.au](mailto:Paul.michaels@ehp.qld.gov.au)  
[Media@ehp.qld.gov.au](mailto:Media@ehp.qld.gov.au)

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**To:** "Michaels Paul ([Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au))" <[Paul.Michaels@ehp.qld.gov.au](mailto:Paul.Michaels@ehp.qld.gov.au)>  
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Hi Paul – can you phone me to discuss the answer to this one.

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**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]  
**Sent:** Wednesday, 9 January 2013 9:43 AM  
**To:** Ken Vernon  
**Subject:** Yabulu refinery

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My deadline for this story is 4pm today,

Regards

Daniel

**Daniel Bateman** | Journalist

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#### Townsville Bulletin

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Wednesday, 9 January 2013 1:52 PM

**To:** Bateman, Daniel

**CC:** media

**Subject:** Media response: Queensland Nickel Yabulu refinery update - Townsville Bulletin

**Attachments:** 2-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_Townsville\_Bulletin.doc

Hi Daniel,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

Level 12 | 400 George Street | Brisbane

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RTI DL Release

# Media response

**Re:** Queensland Nickel Yabulu refinery update

**Date:** 9 January 2013

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

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The department is reviewing the TEP as a matter of priority.

Queensland Nickel requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) should it choose to use its ocean outfall pipeline.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Davies Emma  
**Sent:** Wednesday, 9 January 2013 1:52 PM  
**To:** Bateman, Daniel  
**CC:** media  
**Subject:** Media response: Queensland Nickel Yabulu refinery update - Townsville Bulletin  
**Attachments:** 2-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_Townsville\_Bulletin.doc

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Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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RTI DL Release

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**From:** Ken Vernon [Ken.Vernon@ministerial.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 1:54 PM  
**To:** Davies Emma  
**Subject:** RE: Media response: Queensland Nickel Yabulu refinery update - Townsville Bulletin

Thanks – can you also send it to: [Jamie.rule@abc.net.au](mailto:Jamie.rule@abc.net.au)

Thanks - ken

---

**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 1:53 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** Media response: Queensland Nickel Yabulu refinery update - Townsville Bulletin

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Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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RTI DL Release

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Wednesday, 9 January 2013 1:54 PM

**To:** kerri-anne.mesner@capnews.com.au

**CC:** media

**Subject:** Media response: Queensland Nickel Yabulu refinery update

**Attachments:** 2-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update.doc

Hi Kerri-anne,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

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**From:** Davies Emma  
**Sent:** Wednesday, 9 January 2013 1:54 PM  
**To:** kerri-anne.mesner@capnews.com.au  
**CC:** media  
**Subject:** Media response: Queensland Nickel Yabulu refinery update  
**Attachments:** 2-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update.doc

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Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Wednesday, 9 January 2013 1:58 PM

**To:** jamie.rule@abc.net.au

**CC:** media

**Subject:** Media response: Queensland Nickel Yabulu refinery update

**Attachments:** 2-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update.doc

Hi Jamie,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

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The department is reviewing the TEP as a matter of priority.

Queensland Nickel requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) should it choose to use its ocean outfall pipeline.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 2:31 PM  
**To:** Davies Emma  
**CC:** Ken Vernon; media  
**Subject:** RE: Media response: Queensland Nickel Yabulu refinery update - Townsville Bulletin

Can you also send this to John McCarthy please Emma?

His email is [john.mccarthy@news.com.au](mailto:john.mccarthy@news.com.au)

Thanks,

B

Description: Brookes signature



---

**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Wednesday, 9 January 2013 1:53 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** Media response: Queensland Nickel Yabulu refinery update - Townsville Bulletin

Hi Daniel,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12 | 400 George Street | Brisbane  
**Tel** 07 3339 5830  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)  
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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Wednesday, 9 January 2013 2:34 PM

**To:** john.mccarthy@news.com.au

**CC:** media

**Subject:** Media response: Queensland Nickel Yabulu refinery update

**Attachments:** 2-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update.doc

Hi John,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

Level 12 | 400 George Street | Brisbane

**Tel** 07 3339 5830

[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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RTI DL Release

# Media response

**Re:** Queensland Nickel Yabulu refinery update

**Date:** 9 January 2013

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to engage with Queensland Nickel to address water management issues at Queensland Nickel's Yabulu Refinery.

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The department is reviewing the TEP as a matter of priority.

Queensland Nickel requires a permit from the Great Barrier Reef Marine Park Authority (GBRMPA) should it choose to use its ocean outfall pipeline.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Wednesday, 9 January 2013 4:20 PM

**To:** berry@aab.com.au

**CC:** media

**Subject:** Media response: Queensland Nickel Yabulu refinery update

**Attachments:** 2-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update.doc

Hi Petrina,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

Level 12 | 400 George Street | Brisbane

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RTI DL Release

# Media response

**Re:** Queensland Nickel Yabulu refinery update

**Date:** 9 January 2013

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Wednesday, 9 January 2013 4:20 PM

**To:** berry@aab.com.au

**CC:** media

**Subject:** Media response: Queensland Nickel Yabulu refinery update

**Attachments:** 2-KEEPER-1964679-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update.doc

Hi Petrina,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

Level 12 | 400 George Street | Brisbane

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RTI DL Release

# Media response

**Re:** Queensland Nickel Yabulu refinery update

**Date:** 9 January 2013

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

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**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 12:55 PM  
**To:** Michaels Paul  
**CC:** media; Ken Vernon  
**Subject:** FW: Yabulu and s.73 Irrelevant information

**Importance:** High  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi guys,

Can we get a response together for Sarah? Looks to be pretty straight forward, her deadline is 4pm.

Cheers,  
Brooke

Description: Brookes signature



---

**From:** Elks, Sarah [mailto:elks@theaustralian.com.au]  
**Sent:** Thursday, 10 January 2013 12:45 PM  
**To:** Brooke Hargraves  
**Subject:** Yabulu and 73 Irrelevant information  
**Importance:** High

Hi Brooke,

Thanks for your time on the phone. As discussed, I'm working on two North Queensland stories at the moment (the second – vant ir Irrelevant inform – is not so urgent). The deadline for the first tranche of questions, about Yabulu, is 4pm today because the story is for tomorrow's paper. The 73 Irrelevant information answers I don't need until tomorrow. Although if they're ready earlier, that'd be great too. Thanks!

Can you please send me through the most recent statements on the Yabulu situation?

- Is Queensland Nickel in breach of its development approval?
- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time frame?
- Was there a specific breach before Christmas?

s.73 Irrelevant information

Thanks,

Sarah

**Sarah Elks**  
The Australian

M: +61 protection of an i  
W: +61 7 3666 7473

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 1:27 PM  
**To:** Sharpe Dean  
**CC:** media; Fomiatti Minnesma Ingrid  
**Subject:** FW: Yabulu and s.73 Irrelevant information

**Importance:** High

Hi Dean,

We have received a media enquiry from The Australian regarding Yabulu.

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection was advised by Queensland Nickel on 21 December 2012 that the refinery's spill risk had exceeded one percent.

This is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a revised Transitional Environmental Program (TEP) to EHP on Tuesday (8 January) which proposed various actions to reduce the risk of a release from the tailings storage facility. These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

The department is reviewing the TEP as a matter of priority.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Brooke Hargraves [mailto:Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 12:56 PM  
**To:** Michaels Paul  
**Cc:** media; Ken Vernon  
**Subject:** FW: Yabulu and 73 Irrelevant informatio  
**Importance:** High

Hi guys,

Can we get a response together for Sarah? Looks to be pretty straight forward, her deadline is 4pm.

Cheers,  
Brooke

Description: Brookes signature



---

**From:** Elks, Sarah [mailto:elkss@theaustralian.com.au]  
**Sent:** Thursday, 10 January 2013 12:45 PM  
**To:** Brooke Hargraves  
**Subject:** Yabulu and s.73 Irrelevant informatio  
**Importance:** High

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- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time  
frame?
- Was there a specific breach before Christmas?

s.73 Irrelevant information

Thanks,

Sarah

**Sarah Elks**  
The Australian  
M: +61 s.73 Irrelevant informatio  
W: +61 7 3666 7473

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**From:** Sharpe Dean [Dean.Sharpe@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 1:52 PM  
**To:** Davies Emma  
**CC:** Fomiatti Minnesma Ingrid  
**Subject:** FW: Yabulu and [s.73 Irrelevant information](#)

**Importance:** High

Emma

After speaking with Ingrid I have made some minor changes to your version as per below:

The Department of Environment and Heritage Protection (EHP) was advised by Queensland Nickel on 21 December 2012 that the refinery's spill risk had exceeded one percent.

This is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and subsequently a revised version of the TEP was submitted on Tuesday (8 January) which proposed various actions to reduce the risk of a release from the tailings storage facility. These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

The department is reviewing the TEP as a matter of priority.

If you have any questions please call me.

Regards

Dean Sharpe  
A/Manager Mining & Heavy Industry, Northern Region  
Mining & Heavy Industry, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street, Cairns QLD 4870  
GPO Box 937, Cairns QLD 4870  
**Telephone:** 07 4222 5325  
**Facsimile:** 07 4222 5070  
**Email:** [dean.sharpe@ehp.qld.gov.au](mailto:dean.sharpe@ehp.qld.gov.au)  
**Website:** [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Thursday, 10 January 2013 1:27 PM  
**To:** Sharpe Dean  
**Cc:** media; Fomiatti Minnesma Ingrid  
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**Importance:** High

Hi Dean,

We have received a media enquiry from The Australian regarding Yabulu.

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

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Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Brooke Hargraves [mailto:Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 12:56 PM  
**To:** Michaels Paul  
**Cc:** media; Ken Vernon  
**Subject:** FW: Yabulu and 73 Irrelevant informatio  
**Importance:** High

Hi guys,

Can we get a response together for Sarah? Looks to be pretty straight forward, her deadline is 4pm.

Cheers,  
Brooke

Description: Brookes signature



---

**From:** Elks, Sarah [mailto:elkss@theaustralian.com.au]  
**Sent:** Thursday, 10 January 2013 12:45 PM  
**To:** Brooke Hargraves  
**Subject:** Yabulu and 73 Irrelevant informatio

**Importance:** High

Hi Brooke,

Thanks for your time on the phone. As discussed, I'm working on two North Queensland stories at the moment (the second – **Irrelevant information** – is not so urgent). The deadline for the first tranche of questions, about Yabulu, is 4pm today because the story is for tomorrow's paper. The **s.73 Irrelevant information** answers I don't need until tomorrow. Although if they're ready earlier, that'd be great too. Thanks!

Can you please send me through the most recent statements on the Yabulu situation?

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- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time frame?
- Was there a specific breach before Christmas?

s.73 Irrelevant information

Thanks,

Sarah

**Sarah Elks**

The Australian

M: +61 **Irrelevant information**

W: +61 7 3666 7473

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Thursday, 10 January 2013 2:06 PM

**To:** Brown Glen

**CC:** Corro EHP ESR DDG; media; White Kelsey

**Subject:** Media response: follow up questions Queensland Nickel Yabulu refinery

**Attachments:** 1-KEEPER-1969824-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_The\_Australian.doc

Hi Glen,

For your approval - attached is a media response regarding follow up questions on Queensland Nickel's refinery.

Approved by A/ED Ingrid Fomiatti Minnesma and Dean Sharpe.

Deadline is 4pm today.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/ED Ingrid Fomiatti Minnesma, Dean Sharpe	

**Date:** 10 January 2013

**For:** Sarah Elks  
The Australian

**Deadline:** 4pm 10 January 2013

**Issue:** Queensland Nickel Yabulu update

**Questions:**

- Is Queensland Nickel in breach of its development approval?
- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time frame?
- Was there a specific breach before Christmas?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) was advised by Queensland Nickel on 21 December 2012 that the refinery's spill risk had exceeded one percent.

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These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

The department is reviewing the TEP as a matter of priority.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 2:30 PM  
**To:** 'Brooke Hargraves'; Ken Vernon  
**CC:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu and s.73 Irrelevant information  
**Attachments:** 1A-KEEPER-1969824-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_The\_Australian.doc

**Importance:** High

Hi Brooke/Ken

For your approval please - attached is a response on Yabulu for the Australian. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Cheers,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** [protection of an ir

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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---

**From:** Brooke Hargraves [mailto:Brooke.Hargraves@ministerial.qld.gov.au]

**Sent:** Thursday, 10 January 2013 12:56 PM

**To:** Michaels Paul

**Cc:** media; Ken Vernon

**Subject:** FW: Yabulu s.73 Irrelevant information

**Importance:** High

Hi guys,

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Cheers,

Brooke

Description: Brookes signature



---

**From:** Elks, Sarah [mailto:elkss@theaustralian.com.au]  
**Sent:** Thursday, 10 January 2013 12:45 PM  
**To:** Brooke Hargraves  
**Subject:** Yabulu [s.73 Irrelevant information]  
**Importance:** High

Hi Brooke,

Thanks for your time on the phone. As discussed, I'm working on two North Queensland stories at the moment (the second –vant ir Irrelevant inform – is not so urgent). The deadline for the first tranche of questions, about Yabulu, is 4pm today because the story is for tomorrow's paper. The [73 Irrelevant informatio] answers I don't need until tomorrow. Although if they're ready earlier, that'd be great too. Thanks!

Can you please send me through the most recent statements on the Yabulu situation?

- Is Queensland Nickel in breach of its development approval?
- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time frame?
- Was there a specific breach before Christmas?

s.73 Irrelevant information

Thanks,

Sarah

**Sarah Elks**

The Australian

M: +61 [protection of an i]

W: +61 7 3666 7473

E: [elkss@theaustralian.com.au](mailto:elkss@theaustralian.com.au) [Subscribe to The Australian](#) [Follow us on Twitter](#) [Sign up to daily news alerts](#)

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<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/ED Ingrid Fomiatti Minnesma, Dean Sharpe	

**Date:** 10 January 2013

**For:** Sarah Elks  
The Australian

**Deadline:** 4pm 10 January 2013

**Issue:** Queensland Nickel Yabulu update

**Questions:**

- Is Queensland Nickel in breach of its development approval?
- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time frame?
- Was there a specific breach before Christmas?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) was advised by Queensland Nickel on 21 December 2012 that the refinery's spill risk had exceeded one percent.

This is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and a subsequent revised version of the TEP on Tuesday (8 January) which has proposed various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

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**From:** Lutz Megan  
**Sent:** Thursday, 10 January 2013 2:30 PM  
**To:** Brooke Hargraves; Ken Vernon  
**CC:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu and s.73 Irrelevant information  
**Attachments:** 1A-KEEPER-1969824-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_The\_Australian.doc

**Importance:** High

Hi Brooke/Ken

For your approval please - attached is a response on Yabulu for the Australian. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Cheers,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** protection of an in  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12, 400 George Street, Brisbane  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)  
[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Brooke Hargraves [mailto:Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 12:56 PM  
**To:** Michaels Paul  
**Cc:** media; Ken Vernon  
**Subject:** FW: Yabulu and 73 Irrelevant informati  
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Brooke

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**Sarah Elks**  
The Australian  
M: +61 protection of an i  
W: +61 7 3666 7473

E: [elkss@theaustralian.com.au](mailto:elkss@theaustralian.com.au) [Subscribe to The Australian](#) [Follow us on Twitter](#) [Sign up to daily news alerts](#)

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the Queensland Government.

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**From:** Ken Vernon [Ken.Vernon@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 2:39 PM  
**To:** Michaels Paul; media  
**CC:** Brooke Hargraves  
**Subject:** FW: Clive Palmer Clarifies Misleading Reporting On Tailings Fears  
**Attachments:** image001.emz; image003.emz; image002.emz; image001.emz

Jamie wants to know if we can in any way verify Professor Palmers assertion that the content of the tailings storage facility at Yabulu is currently 22% per cent down on the figure of July last year as implied in the media release by Professor Palmer below.

I have told the journalist I am not sure we are in any position to be able to verify that, but that we will try.

His deadline is 4pm.

kenV

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**From:** Jamie Rule [mailto:Rule.Jamie@abc.net.au]  
**Sent:** Thursday, 10 January 2013 2:27 PM  
**To:** Ken Vernon  
**Subject:** FW: Clive Palmer Clarifies Misleading Reporting On Tailings Fears

And this one which i think is the same but without the media critique'

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**From:** Qld News  
**Sent:** Thursday, 10 January 2013 2:08 PM  
**To:** Jamie Rule; Natalie Poyhonen  
**Subject:** FW: Clive Palmer Clarifies Misleading Reporting On Tailings Fears

---

**From:** Cassie Hennessy [mailto:cassie@crookgroup.com.au]  
**Sent:** Thursday, 10 January 2013 12:50 PM  
**Subject:** Clive Palmer Clarifies Misleading Reporting On Tailings Fears

Please use this version

**MEDIA RELEASE**  
**JANUARY 10, 2013**

## **Professor Clive Palmer Clears Up Misleading Reporting On Tailings Fears**

Queensland Nickel Chairman Professor Clive Palmer his hit back at misleading reports in the Townsville media regarding wastewater from the Yabulu Refinery.

"An article in the Townsville Bulletin published on 9 January 2013 in relation to our tailings facility contained a lot of inaccurate and false information," Professor Palmer said.

"Firstly, the tailing facility is now approximately 2,000 million litres less than in July 2012, a reduction of 22 per cent

"This is being achieved by the diligent and hard work of our staff who need to be congratulated."

#### **About Queensland Nickel Group**

Queensland Nickel operates the Yabulu Refinery, located 25 kilometres north-west of Townsville, in Queensland, Australia. Yabulu Refinery is a leader in the production and marketing of high quality nickel and cobalt, processing nickel and cobalt-bearing laterite ores purchased from third party mines in New Caledonia, Indonesia and the Philippines. Yabulu Refinery produces approximately 35,000 tonnes of nickel per year for the world markets and has around 1600 employees and contractors. The Refinery is owned and operated by companies wholly owned by Professor Clive Palmer.

#### **For further information contact**

Andrew Crook

Mb: protection of an in

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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 2:47 PM  
**To:** Fomiatti Minnesma Ingrid; Sharpe Dean  
**CC:** media  
**Subject:** FW: Clive Palmer Clarifies Misleading Reporting On Tailings Fears  
**Attachments:** image001.emz; image003.emz; image002.emz; image001.emz

Hi Ingrid, Dean,

See enquiry from ABC below regarding statement from Clive Palmer.

Are we able to verify the 22% figure?

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12 | 400 George Street | Brisbane  
**Tel** 07 3339 5830  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)  
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**Sent:** Thursday, 10 January 2013 12:50 PM  
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Please use this version

**MEDIA RELEASE**  
**JANUARY 10, 2013**



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Queensland Nickel Chairman Professor Clive Palmer has hit back at misleading reports in the Townsville media regarding wastewater from the Yabulu Refinery.

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“Firstly, the tailing facility is now approximately 2,000 million litres less than in July 2012, a reduction of 22 per cent

“This is being achieved by the diligent and hard work of our staff who need to be congratulated.”

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RTI DL Release

**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 2:49 PM  
**To:** Lutz Megan  
**CC:** media  
**Subject:** RE: Yabulu and s.73 Irrelevant information

Hi Megan,

Sarah has also come back with a follow up questions re:

What's the exact bit of legislation that sets out what the plant's licensing arrangement is?  
What is the time frame? What happens if they can't within that time frame?

Cheers,  
Brooke

Description: Brookes signature



---

**From:** Lutz Megan [mailto:Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 2:31 PM  
**To:** Brooke Hargraves; Ken Vernon  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu and 73 Irrelevant information  
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Hi Brooke/Ken

For your approval please - attached is a response on Yabulu for the Australian. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Cheers,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** protection of an in

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

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Level 12, 400 George Street, Brisbane

[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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- Was there a specific breach before Christmas?

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Thanks,

Sarah

**Sarah Elks**

The Australian

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**From:** Bateman, Daniel [daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.

I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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Sarah

**Sarah Elks**

The Australian

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W: +61 7 3666 7473

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**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 3:08 PM  
**To:** Lutz Megan  
**CC:** media  
**Subject:** RE: Yabulu and s.73 Irrelevant information

That's good to go thanks Megan.

Description: Brookes signature



---

**From:** Lutz Megan [mailto:Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 2:31 PM  
**To:** Brooke Hargraves; Ken Vernon  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu and 73 Irrelevant informatio  
**Importance:** High

Hi Brooke/Ken

For your approval please - attached is a response on Yabulu for the Australian. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Cheers,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** protection of an ir  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12, 400 George Street, Brisbane  
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---

**From:** Brooke Hargraves [<mailto:Brooke.Hargraves@ministerial.qld.gov.au>]  
**Sent:** Thursday, 10 January 2013 12:56 PM  
**To:** Michaels Paul  
**Cc:** media; Ken Vernon  
**Subject:** FW: Yabulu and 73 Irrelevant informatio  
**Importance:** High

Hi guys,

Can we get a response together for Sarah? Looks to be pretty straight forward, her deadline is 4pm.

Cheers,  
Brooke

Description: Brookes signature



---

**From:** Elks, Sarah [<mailto:elkss@theaustralian.com.au>]  
**Sent:** Thursday, 10 January 2013 12:45 PM  
**To:** Brooke Hargraves  
**Subject:** Yabulu and 73 Irrelevant information  
**Importance:** High

Hi Brooke,

Thanks for your time on the phone. As discussed, I'm working on two North Queensland stories at the moment (the second – Irrelevant information – is not so urgent). The deadline for the first tranche of questions, about Yabulu, is 4pm today because the story is for tomorrow's paper. The 73 Irrelevant information answers I don't need until tomorrow. Although if they're ready earlier, that'd be great too. Thanks!

Can you please send me through the most recent statements on the Yabulu situation?

- Is Queensland Nickel in breach of its development approval?
- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time frame?
- Was there a specific breach before Christmas?

s.73 Irrelevant information

Thanks,

Sarah

**Sarah Elks**

The Australian

M: +61 7 3666 7473

W: +61 7 3666 7473

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**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]

**Sent:** Thursday, 10 January 2013 3:31 PM

**To:** elkss@theaustralian.com.au

**CC:** media

**Subject:** FW: Yabulu and s.73 Irrelevant information

**Attachments:** 2-KEEPER-1969824-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_The\_Australian.doc

Hi Sarah,

Please find attached a response from the Department of Environment and Heritage Protection on the Yabulu refinery. We will get you information on s.73 Irrelevant information tomorrow.

Kind regards,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5831

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Elks, Sarah [mailto:elkss@theaustralian.com.au]

**Sent:** Thursday, 10 January 2013 12:45 PM

**To:** Brooke Hargraves

**Subject:** Yabulu and 73 Irrelevant information

**Importance:** High

Hi Brooke,

Thanks for your time on the phone. As discussed, I'm working on two North Queensland stories at the moment (the second – want i Irrelevant inform – is not so urgent). The deadline for the first tranche of questions, about Yabulu, is 4pm today because the story is for tomorrow's paper. The 73 Irrelevant information answers I don't need until tomorrow. Although if they're ready earlier, that'd be great too. Thanks!

Can you please send me through the most recent statements on the Yabulu situation?

- Is Queensland Nickel in breach of its development approval?
- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time frame?
- Was there a specific breach before Christmas?

s.73 Irrelevant information

Thanks,

Sarah

**Sarah Elks**  
The Australian

M: +61 protection of an i

W: +61 7 3666 7473

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RTI DL Release

# Media response

**Re:** Queensland Nickel Yabulu refinery

**For:** Sarah Elks – The Australian

**Date:** 10 January 2013

***Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection***

The Department of Environment and Heritage Protection (EHP) was advised by Queensland Nickel on 21 December 2012 that the refinery's spill risk had exceeded one percent.

This is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and a subsequent revised version of the TEP on Tuesday (8 January) which has proposed various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Bateman, Daniel [daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:53 PM  
**To:** Davies Emma  
**Subject:** RE: Yabulu dam level

Thanks Emma,

6pm, if that works?

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 3:48 PM  
**To:** Bateman, Daniel  
**Subject:** RE: Yabulu dam level

Hi Daniel,

We are working on getting you a response as soon as possible.

What is your deadline?

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.  
I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Thursday, 10 January 2013 3:59 PM

**To:** Brown Glen

**CC:** media; White Kelsey; Corro EHP ESR DDG

**Subject:** Media response: Yabulu spill risk and water levels - Townsville Bulletin

**Attachments:** 1-KEEPER-1970170-Media\_response\_\_Queensland\_Nickel\_Yabulu\_update\_-\_Townsville\_Bulletin.doc

Hi Glen,

For your approval - attached is a media response for Townsville Bulletin regarding Yabulu.

Approved by A/ED Ingrid Fomiatti Minnesma.

Deadline is 6pm today.

Thanks,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> ED Ingrid Fomiatti Minnesma	

**Date:** 10 January 2013

**For:** Daniel Bateman  
Townsville Bulletin

**Deadline:** 4pm 10 January 2013

**Issue:** Queensland Nickel Yabulu update

**Questions:**

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.

I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

While the Department of Environment and Heritage Protection (EHP) is aware that the spill risk for the Yabulu refinery tailings dam has dropped significantly since July 2012, the department is unable to verify the exact decrease in water levels at the tailings dam.

The current spill risk does however exceed one percent which is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and a subsequent revised version of the TEP on Tuesday (8 January) which has proposed various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Bateman, Daniel [daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 4:02 PM  
**To:** Davies Emma  
**Subject:** RE: Yabulu dam level

You're a champ, Emma.

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

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**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 4:01 PM  
**To:** Bateman, Daniel  
**Subject:** RE: Yabulu dam level

Will definitely try! I'm thinking it should be possible but will let you know if there are any issues.

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:53 PM  
**To:** Davies Emma  
**Subject:** RE: Yabulu dam level

Thanks Emma,

6pm, if that works?

Dan

**Daniel Bateman** | Journalist

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**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]

**Sent:** Thursday, 10 January 2013 3:48 PM

**To:** Bateman, Daniel

**Subject:** RE: Yabulu dam level

Hi Daniel,

We are working on getting you a response as soon as possible.

What is your deadline?

Thanks,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]

**Sent:** Thursday, 10 January 2013 3:01 PM

**To:** media

**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.

I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

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**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 4:04 PM  
**To:** Davies Emma; Sharpe Dean  
**Subject:** Fw: Spill Risk Assessment

---

**From:** Lukacs, George [mailto:George.Lukacs@qni.com.au]  
**Sent:** Thursday, January 10, 2013 04:01 PM  
**To:** Fomiatti Minnesma Ingrid  
**Subject:** FW: Spill Risk Assessment

Ingrid,

Please see confirmation from external consultants (Gilbert and Associates) of revised spill risk.

George

**George Lukacs** | Director – Environment and Sustainability  
**QUEENSLAND NICKEL PTY LTD**  
Greenvale Street, Yabulu QLD 4818  
P > +61 7 4720 6422 | F > +61 7 4751 1208 | M > +61 7 4751 1208  
E > [George.Lukacs@qni.com.au](mailto:George.Lukacs@qni.com.au)

---

**From:** Lindsay Gilbert [mailto:lindsay@gilbertandassociates.net.au]  
**Sent:** Thursday, 10 January 2013 11:08 AM  
**To:** Lukacs, George  
**Cc:** Fulton, Ian; 'Ian Lenane'  
**Subject:** RE: Spill Risk Assessment

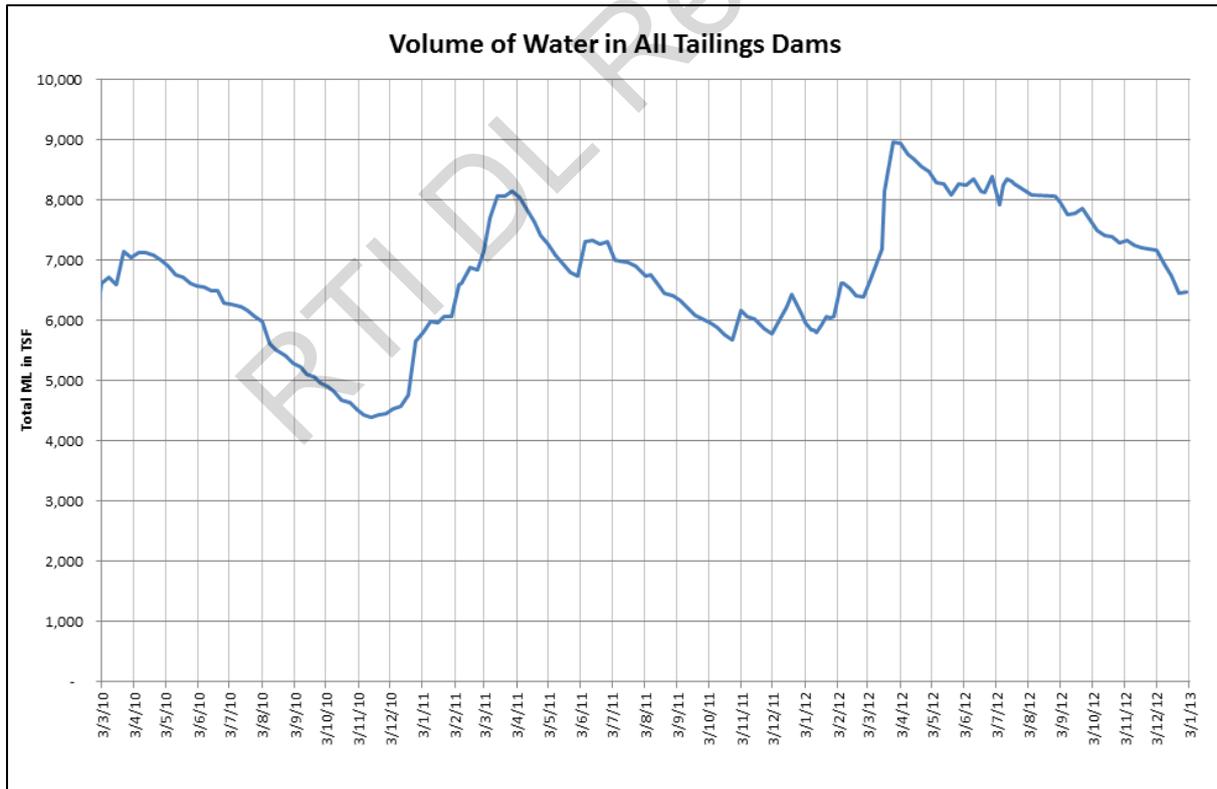
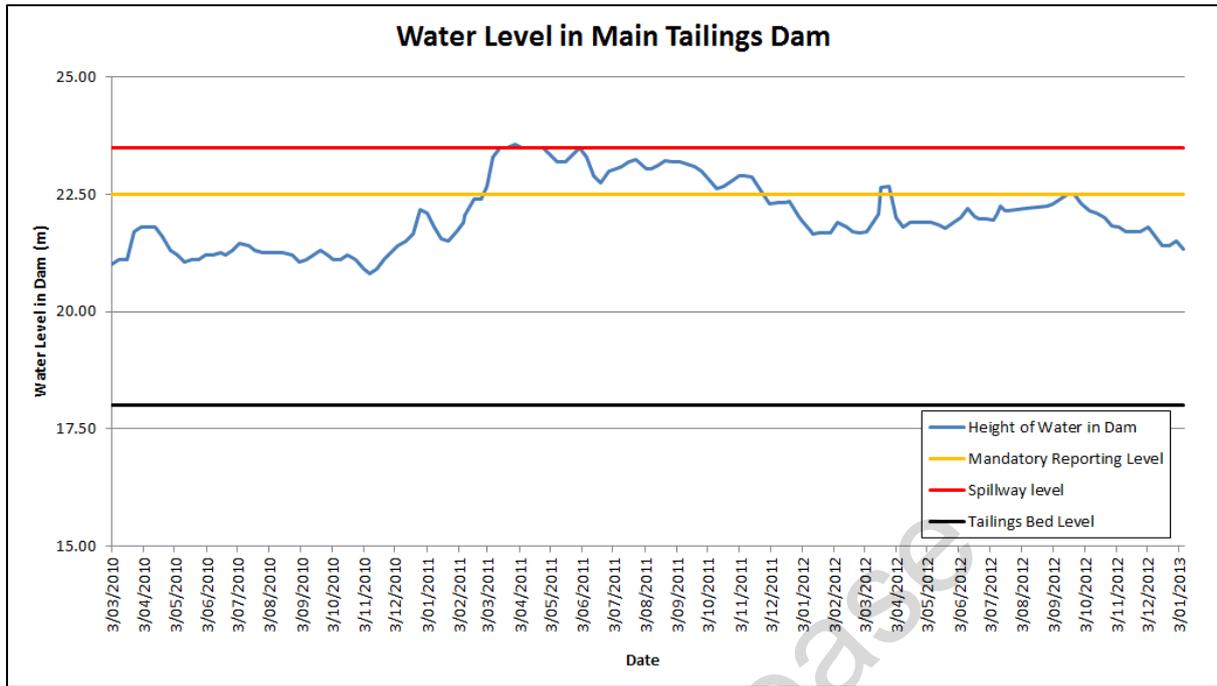
Hi George,

As requested we have re-run the Yabulu Spill Risk model and estimate the spill risk as at the 1 January 2013 for the period 1 January 2013 to 1 November 2013 was between 3 and 4 %. This incorporates the estimated effect of the CAP and the diversion of Duck Pond flow to the Levee Banks. It represents a significant reduction on our estimate as at 1 November 2012 which was about 12%. The dominant reason for the reduction is the significant drop in water levels in the Tailings Storage Facility and Evaporation Ponds. Particularly significant is Cell 3 of the TSF which has dropped by about 300mm and the Evaporation Pond Cells which have dropped by between 400 and 500mm.

Regards

**Lindsay Gilbert**  
Director  
Gilbert & Associates Pty Ltd  
PO Box 2143, Toowong QLD 4066  
(p): 07 3367 2388  
(m): 78B(2) Disclosure I

Annexure B



**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 4:04 PM  
**To:** Davies Emma; Sharpe Dean  
**Subject:** Fw: Spill risk  
**Attachments:** Annexure B.docx

Emma and dean info from qn. ingrid

---

**From:** Lukacs, George [mailto:George.Lukacs@qni.com.au]  
**Sent:** Thursday, January 10, 2013 04:00 PM  
**To:** Fomiatti Minnesma Ingrid  
**Subject:** Spill risk

Ingrid,

Please see water level reductions (attached).

George

**George Lukacs** | Director – Environment and Sustainability  
**QUEENSLAND NICKEL PTY LTD**

Greenvale Street, Yabulu QLD 4818

P > +61 7 4720 6422 | F > +61 7 4751 1208 | M > +61 B(2) Disclosure

E > [George.Lukacs@qni.com.au](mailto:George.Lukacs@qni.com.au)

RTI DL Release

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 4:23 PM  
**To:** Davies Emma; Sharpe Dean  
**Subject:** Fw: Volume reduction in TSF

Emma exact figures. I have confirmed with qn that these can be used in media statement

Cheers  
Ingrid

---

**From:** Lukacs, George [mailto:George.Lukacs@qni.com.au]  
**Sent:** Thursday, January 10, 2013 04:20 PM  
**To:** Fomiatti Minnesma Ingrid  
**Subject:** Volume reduction in TSF

Ingrid,

The exact change from 1<sup>st</sup> July to 31 December is a reduction of 22% - from 8350ML to 6480ML (a change of 1870ML).

It has since gone down further.

George

**George Lukacs** | Director – Environment and Sustainability

**QUEENSLAND NICKEL PTY LTD**

Greenvale Street, Yabulu QLD 4818

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E > [George.Lukacs@qni.com.au](mailto:George.Lukacs@qni.com.au)

RTI DL Release

**From:** White Kelsey [Kelsey.White@ehp.qld.gov.au]

**Sent:** Thursday, 10 January 2013 4:36 PM

**To:** Davies Emma

**CC:** Brown Glen

**Subject:** FW: Media response: follow up questions Queensland Nickel Yabulu refinery

**Attachments:** 1-KEEPER-1969824-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_update\_-\_The\_Australian.doc

Hi Emma,

Approved by A/DDG ESR.

Regards

*Kelsey White*

3330 5719

---

**From:** Davies Emma

**Sent:** Thursday, 10 January 2013 2:07 PM

**To:** Brown Glen

**Cc:** Corro EHP ESR DDG; media; White Kelsey

**Subject:** Media response: follow up questions Queensland Nickel Yabulu refinery

Hi Glen,

For your approval - attached is a media response regarding follow up questions on Queensland Nickel's refinery.

Approved by A/ED Ingrid Fomiatti Minnesma and Dean Sharpe.

Deadline is 4pm today.

Thanks,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

Level 12 | 400 George Street | Brisbane

**Tel** 07 3339 5830

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/ED Ingrid Fomiatti Minnesma, Dean Sharpe	

**Date:** 10 January 2013

**For:** Sarah Elks  
The Australian

**Deadline:** 4pm 10 January 2013

**Issue:** Queensland Nickel Yabulu update

**Questions:**

- Is Queensland Nickel in breach of its development approval?
- If so, what penalties/punishment does the company face? Or does it simply have to remedy the breach within a time frame?
- Was there a specific breach before Christmas?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) was advised by Queensland Nickel on 21 December 2012 that the refinery's spill risk had exceeded one percent.

This is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and a subsequent revised version of the TEP on Tuesday (8 January) which proposed various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

The department is reviewing the TEP as a matter of priority.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** White Kelsey [Kelsey.White@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 4:41 PM  
**To:** Davies Emma  
**Subject:** RE: Media response: Yabulu spill risk and water levels - Townsville Bulletin

Hi Emma,

Approved by A/DDG ESR.

Regards

*Kelsey White*  
3330 5719

---

**From:** Davies Emma  
**Sent:** Thursday, 10 January 2013 4:00 PM  
**To:** Brown Glen  
**Cc:** media; White Kelsey; Corro EHP ESR DDG  
**Subject:** Media response: Yabulu spill risk and water levels - Townsville Bulletin

Hi Glen,

For your approval - attached is a media response for Townsville Bulletin regarding Yabulu.

Approved by A/ED Ingrid Fomiatti Minnesma.

Deadline is 6pm today.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Lutz Megan  
**Sent:** Thursday, 10 January 2013 4:44 PM  
**To:** Brooke Hargraves; Ken Vernon  
**CC:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu dam level  
**Attachments:** 3-KEEPER-1970170-Media\_response\_\_Queensland\_Nickel\_Yabulu\_update\_-\_Townsville\_Bulletin.doc

Hi Brooke/Ken,

For your approval please - attached is a proposed response to the below enquiry from the Townsville Bulletin. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Deadline is 6pm.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [protection of an in  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.  
I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**  
198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810  
Phone: +61 7 4722 4433 | Mobile: +61 [protection of an] | Fax: +61 7 4722 4559  
Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/DDG Glen Brown, ED Ingrid Fomiatti Minnesma	

**Date:** 10 January 2013

**For:** Daniel Bateman  
Townsville Bulletin

**Deadline:** 4pm 10 January 2013

**Issue:** Queensland Nickel Yabulu update

**Questions:**

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.

I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

While the Department of Environment and Heritage Protection (EHP) is aware that the spill risk for the Yabulu refinery tailings dam has dropped significantly since July 2012, the department is unable to verify the exact decrease in water levels at the tailings dam.

The current spill risk does however exceed one percent which is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and a subsequent revised version of the TEP on Tuesday (8 January) which has proposed various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 4:45 PM  
**To:** 'Brooke Hargraves'; Ken Vernon  
**CC:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu dam level  
**Attachments:** 3-KEEPER-1970170-Media\_response\_\_Queensland\_Nickel\_Yabulu\_update\_-\_Townsville\_Bulletin.doc

Hi Brooke/Ken,

For your approval please - attached is a proposed response to the below enquiry from the Townsville Bulletin. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Deadline is 6pm.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [redacted]  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.  
I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**  
198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810  
Phone: +61 7 4722 4433 | Mobile: +61 [redacted] | Fax: +61 7 4722 4559  
Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/DDG Glen Brown, ED Ingrid Fomiatti Minnesma	

**Date:** 10 January 2013

**For:** Daniel Bateman  
Townsville Bulletin

**Deadline:** 4pm 10 January 2013

**Issue:** Queensland Nickel Yabulu update

**Questions:**

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.

I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

While the Department of Environment and Heritage Protection (EHP) is aware that the spill risk for the Yabulu refinery tailings dam has dropped significantly since July 2012, the department is unable to verify the exact decrease in water levels at the tailings dam.

The current spill risk does however exceed one percent which is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and a subsequent revised version of the TEP on Tuesday (8 January) which has proposed various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]

**Sent:** Thursday, 10 January 2013 5:01 PM

**To:** Lutz Megan; media

**CC:** Michaels Paul

**Subject:** FW: To our stakeholder, community partners and elected representatives: Queensland Nickel Open Letter to Editor Townsville Bulletin

Hi Megan,

As discussed, please see below- FYI.

Description: Brookes signature



## Media Release

10 January 2013

### An Open Letter to the Editor, Townsville Bulletin

It was disappointing to read your inaccurate and irresponsible report of 9 January 2013 regarding Queensland Nickel's (QN) management of its Tailings Storage Facility at Yabulu. The actual situation is that since the end of July 2012 approximately 2,000 mega litres of water have been reduced from the facility without any discharge. This reduction is due to a combination of improved water management approaches at the plant and less than normal rainfall. The water level has dropped by approximately 22% during this period and is now well below the dam wall level. Also, at no time during this period has the Great Barrier Reef Marine Park Authority (GBRMPA) complained to QN about the level of water in the facility.

Contrary to assertions, QN has been actively engaged with regulators on this issue for many months. In this context, QN has also been working closely and co-operatively with an Independent Science Panel, which was established at the specific request of GBRMPA in mid-2012. This panel of independent experts, including representatives of GBRMPA and the Queensland Department of Environment and Heritage Protection (EHP) completed its report in December 2012, the contents of which GBRMPA is very much aware. Following their regular on-site meeting today, members of the panel toured the facility and noted the current situation with regard to the dam levels.

QN did not complete an application to GBRMPA to discharge water through our approved ocean outfall pipe last year as it considered that the water management initiatives which we have undertaken, and a dryer than usual wet season forecast, meant that no discharge will be required this wet season.

QN is also complying with all relevant State Government legislation through, in particular, the submission of a Transitional

Environmental Program to EHP. This program is currently being considered by EHP.

Yours sincerely,

**Phil Collins**  
Managing Director QN

---

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 5:21 PM  
**To:** 'Brooke Hargraves'; 'Ken Vernon'  
**CC:** media; Waters Kerry  
**Subject:** RE: Yabulu dam level  
**Attachments:** 5-KEEPER-1970170-Media\_response\_\_Queensland\_Nickel\_Yabulu\_update\_-\_Townsville\_Bulletin.doc

Hi Brooke, Ken,

Updated version as discussed.

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Lutz Megan  
**Sent:** Thursday, 10 January 2013 4:45 PM  
**To:** 'Brooke Hargraves'; Ken Vernon  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu dam level

Hi Brooke/Ken,

For your approval please - attached is a proposed response to the below enquiry from the Townsville Bulletin. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Deadline is 6pm.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** protection of an ir  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.  
I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

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<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b> A/DDG Glen Brown, ED Ingrid Fomiatti Minnesma	

**Date:** 10 January 2013

**For:** Daniel Bateman  
Townsville Bulletin

**Deadline:** 4pm 10 January 2013

**Issue:** Queensland Nickel Yabulu update

**Questions:**

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.

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**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is aware that the spill risk for the Yabulu refinery tailings dam has dropped significantly since July 2012, however the current spill risk does still exceed one percent, which is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and a subsequent revised version of the TEP on Tuesday (8 January) which has proposed various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Ken Vernon [Ken.Vernon@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 5:26 PM  
**To:** Davies Emma  
**CC:** Brooke Hargraves  
**Subject:** RE: Yabulu dam level

That is good to go – thanks Em

---

**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 5:21 PM  
**To:** Brooke Hargraves; Ken Vernon  
**Cc:** media; Waters Kerry  
**Subject:** RE: Yabulu dam level

Hi Brooke, Ken,

Updated version as discussed.

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Lutz Megan  
**Sent:** Thursday, 10 January 2013 4:45 PM  
**To:** 'Brooke Hargraves'; Ken Vernon  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu dam level

Hi Brooke/Ken,

For your approval please - attached is a proposed response to the below enquiry from the Townsville Bulletin. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Deadline is 6pm.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [redacted] protection of an in  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12, 400 George Street, Brisbane

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**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent. I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

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**Townsville Bulletin**

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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 5:28 PM  
**To:** Ken Vernon  
**CC:** 'Brooke Hargraves'; media  
**Subject:** RE: Yabulu dam level

Great - will send now.

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12 | 400 George Street | Brisbane  
**Tel** 07 3339 5830  
[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)  
[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Ken Vernon [mailto:Ken.Vernon@ministerial.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 5:26 PM  
**To:** Davies Emma  
**Cc:** Brooke Hargraves  
**Subject:** RE: Yabulu dam level

That is good to go – thanks Em

---

**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 5:21 PM  
**To:** Brooke Hargraves; Ken Vernon  
**Cc:** media; Waters Kerry  
**Subject:** RE: Yabulu dam level

Hi Brooke, Ken,

Updated version as discussed.

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**Sent:** Thursday, 10 January 2013 4:45 PM  
**To:** 'Brooke Hargraves'; Ken Vernon  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu dam level

Hi Brooke/Ken,

For your approval please - attached is a proposed response to the below enquiry from the Townsville Bulletin. Response has been approved by Glen Brown and Ingrid Fomiatti Minnesma.

Deadline is 6pm.

Thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** [protection of an in

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]

**Sent:** Thursday, 10 January 2013 3:01 PM

**To:** media

**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.

I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 [protection of an in] | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Thursday, 10 January 2013 5:31 PM  
**To:** Bateman, Daniel  
**CC:** media  
**Subject:** RE: Yabulu dam level  
**Attachments:** 6-KEEPER-1970170-Media\_response\_\_Queensland\_Nickel\_Yabulu\_update\_-\_Townsville\_Bulletin.doc

Hi Dan,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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Cheers

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogen Street (PO Box 587), Townsville, QLD, 4810  
Phone: +61 7 4722 4433 | Mobile: +61 protection of an it | Fax: +61 7 4722 4559  
Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)





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Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
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[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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Dan

**Daniel Bateman** | Journalist

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**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810  
Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559  
Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)





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# Media response

**Re:** Queensland Nickel Yabulu refinery

**For:** Daniel Bateman  
Townsville Bulletin

**Date:** Thursday 10 January 2013

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is aware that the spill risk for the Yabulu refinery tailings dam has dropped significantly since July 2012, however the current spill risk does still exceed one percent, which is a breach of Queensland Nickel's development approval.

As a result of the breach, Queensland Nickel submitted a draft Transitional Environmental Program (TEP) to EHP on 24 December 2012 and a subsequent revised version of the TEP on Tuesday (8 January) which has proposed various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk in the future.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

# Notice

## Transitional environmental programs

### Decision to grant an approval for a draft transitional environmental program

*This statutory notice is issued by the administering authority pursuant to section 340 of the Environmental Protection Act 1994, to advise you of a decision or action.*

Your reference : NR0404DA  
Our reference : MAN16200

Queensland Nickel Pty Ltd  
153-205 Gooding Drive  
MERRIMAC QLD 4226

c/c  
Queensland Nickel Pty Ltd  
PMB 5  
TOWNSVILLE QLD 4810

Attention: Mr Ian Ferguson,

**Re: Application for an approval for a transitional environmental program (TEP) for reducing environmental harm and transitioning to compliance with the spill risk requirements of Development Approval NR0404 at Queensland Nickel Pty Ltd, Greenvale Street, Yabulu QLD 4810.**

Thank you for your application for an approval for a transitional environmental program.

Your application, which was received by this office on 8 January 2013, has been approved with conditions.

A copy of the certificate of approval, which includes the schedule of conditions, is attached.

The reasons for the decision are:

- The conditions have been added to ensure that the transitional environmental program provides appropriate protection of the environment in relation to the activities authorised under the transitional environmental program.

Fees apply for the assessment of a draft transitional environmental program and any subsequent annual returns. The fees are outlined in the attached operational policy Transitional Environmental Program Fees (EM335).

A total fee of \$1358.50 has been determined as appropriate for the assessment of your draft transitional environmental program in line with the above mentioned operational policy.

A fee of \$1358.50 is payable and an invoice will follow shortly.

You may apply to the chief executive for a review of this decision within 10 business days of receiving this

Decision notice regarding a transitional environmental program

notice. You may also appeal against this decision to the Planning and Environment Court.

The information sheet—Internal review and appeal to Planning and Environment Court (EM1866) outlining the review and appeal processes under the *Environmental Protection Act 1994* is attached. This information is intended as a guide only. You may have other legal rights and obligations.

Should you have any queries in relation to this notice, Chris Wake on telephone (07) 4722 5371 would be happy to assist you.

s.78B(2) Disclosure log

Signature

11/1/13

Date

Dean Sharpe  
 A/Manager Mining and Industry - Northern  
 Delegate of the chief executive  
*Environmental Protection Act 1994*

**Enquiries:**  
 Department of Environment and Heritage  
 Protection (Townsville)  
 Phone: (07) 4722 5353  
 Fax: (07) 4722 5351

**Attachments**

Certificate of approval

Information sheet—Internal review and appeal to Planning and Environment Court (EM1866)

RTI DL Release

# Notice

*Environmental Protection Act 1994*

## Transitional environmental program certificate of approval number MAN16200

*This certificate of approval is issued by the administering authority pursuant to section 339 of the Environmental Protection Act 1994. A transitional environmental program is a specific program that, when approved, achieves compliance with the Environmental Protection Act 1994 for the matters dealt with by the program by reducing environmental harm, or detailing the transition to an environmental standard.*

Under the provisions of the *Environmental Protection Act 1994*, this certificate of approval is hereby granted to:

Queensland Nickel Pty Ltd  
153-205 Gooding Drive  
MERRIMAC QLD 4226

approving the draft transitional environmental program; titled *Transitional Environmental Program (TEP) Water* for reducing environmental harm and transitioning to compliance with the spill risk requirements of Development Approval NR0404 at Queensland Nickel Pty Ltd, Greenvale Street, Yabulu QLD 4810.

The draft transitional environmental program, dated 8 January 2013, was received by this office on 8 January 2013.

The draft transitional environmental program is approved subject to the following conditions:

### MONITORING AND REPORTING

- (1) The holder of this certificate of approval must submit a final completion report demonstrating compliance with the transitional environmental program and the conditions of this certificate of approval by 16 December 2013.
- (2) Copies of monitoring results and documents required to be prepared under this approved transitional environmental program must be provided to any authorised person or the administering authority on request.
- (3) Where the approved transitional environmental program provides for things to be done or objectives to be achieved prior to 2 December 2013, then such periods as provided for in the program apply.

### RELEASE OF CONTAMINANTS

- (4) Notwithstanding any other condition of this certificate of approval or the contents of the approved transitional environmental program, the direct or indirect release of contaminants to waters must not cause environmental harm in the receiving environment.
- (5) The concentration of total ammonia must be less than 25mg/L when measured at the levee bank overflow sampling point identified in Schedule 4B Figure 3 site plan 410-0000-024 of Development Approval NR0404.

The transitional environmental program remains in force until 2 December 2013.

## Transitional environmental program certificate of approval

In any case where conditions are imposed upon a certificate of approval, you may apply to the administering authority for a review of the decision. You may also appeal against the decision to the Planning and Environment Court.

Information relating to a review of decisions or appeals under the Environmental Protection Act is included with this notice. This information is intended as a guide only. You may have other legal rights and obligations.

Should you have any queries in relation to this notice, Chris Wake of the Department of Environment and Heritage Protection on phone number (07) 4722 5371 would be happy to assist you.

s.78B(2) Disclosure log  
Signature

11/1/13  
Date

Dean Sharpe  
A/Manager Mining and Industry - Northern  
Department of Environment and Heritage Protection

**Enquiries:**  
Department of Environment and Heritage  
Protection  
Phone: **(07) 4722 5353**  
Fax: (07) 4722 5351

RTI DL Released



Department of  
**Environment and  
Heritage Protection**

Ref NOR/045358

11 January 2013

Mr Ian Ferguson  
Managing Director – Operations  
Queensland Nickel Pty Ltd  
PMB 5  
TOWNSVILLE QLD 4810

Dear Mr Ferguson

I refer to the draft Transitional Environmental Program (TEP) submitted by Queensland Nickel Pty Ltd (QN) to the Department of Environment and Heritage Protection (EHP) on 8 January 2013.

EHP has completed its assessment of the draft TEP and has decided to approve the program with conditions. A decision notice and certificate of approval, including the relevant conditions, is attached to this letter.

In addition to the approval documents attached, I draw your attention to the *Environmental Protection (Water) Policy 2009* and specifically to the management hierarchy for waters outlined within this policy. QN must have due regard to the provisions of this policy in undertaking activities under the TEP.

In relation to the emergency provisions of the Corrective Action Plan I refer you to EHP's previous comments and highlight that QN must have due regard to these comments in accordance with the Development Approval provisions.

Should you have any further enquiries, please contact Mr Chris Wake, Principal Environmental Officer of the department on telephone (07) 4722 5371.

Yours sincerely

s.78B(2) Disclosure log

Dean Sharpe  
**A/Manager Mining & Heavy Industry, Northern Region  
Environmental Services and Regulation  
Department of Environment and Heritage Protection**

Enc 1 – TEP Approval documents

# Information sheet

*Environmental Protection Act 1994*

## **Internal review and appeal to Planning and Environment Court**

*This information sheet forms part of an information notice under the Environmental Protection Act 1994. It gives a summary of the process for review and appeal to the Planning and Environment Court under the Environmental Protection Act and subordinate legislation. Refer to ss. 519 - 539 and schedule 2 of the Environmental Protection Act for complete information about the process for internal review and appeal to the Planning and Environment Court.*

### **Introduction**

The *Environmental Protection Act 1994* (EP Act) provides for a right of internal review and appeal against certain decisions made under the EP Act. Decisions that can be reviewed or appealed are listed in schedule 2 of the EP Act and within certain sections of the regulations and subordinate legislation<sup>1</sup> made under the EP Act. The EP Act also provides that a dissatisfied person for a review decision, other than those listed in part 1 of schedule 2 of the EP Act<sup>2</sup>, may appeal the decision to the Planning and Environment Court (the Court).

### **Summary of the process for internal review and appeal to the Court**

#### **Chapter 11, Part 3 of the EP Act**

#### **Division 1 — Interpretation**

##### **Section 519 Original decisions**

- 1) A decision mentioned in schedule 2 is an 'original decision'.
- 2) A decision under an environmental protection policy or regulation that the policy or regulation declares to be a decision to which this part applies is also an 'original decision'.

##### **Section 520 Dissatisfied person**

This section nominates the dissatisfied person for an original or review decision.

#### **Division 2 — Internal review of decisions**

##### **Section 521 Procedure for review**

- 1) A dissatisfied person may apply for a review of an original decision.
- 2) The application must—
  - a) be made in the approved form to the administering authority within—
    - i) 10 business days<sup>3</sup> after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the 'review date'); or
    - ii) the longer period the authority in special circumstances allows ; and
  - b) be supported by enough information to enable the authority to decide the application.
- 3) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision—

Information sheet

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Internal review and appeal to Planning and Environment Court

- a) notice of the application (the 'review notice');
- b) a copy of the application and supporting documents.
- 4) The review notice must inform the recipient that submission on the application may be made to the administering authority within five business days after the application is made to the authority.
- 5) If the administering authority is satisfied the applicant has complied with subsection (2) and (3), the authority must, within 10 business days after receiving the application—
  - a) review the original decision;
  - b) consider any submissions properly made by a recipient of the review notice; and
  - c) make a decision (the 'review decision') to—
    - i) confirm or revoke the original decision; or
    - ii) vary the original decision in a way the administering authority considers appropriate.
- 6) The application does not stay the original decision.
- 7) The application must not be dealt with by—
  - a) the person who made the original decision; or
  - b) a person in a less senior office than the person who made the original decision.
- 8) Within 10 business days after making the review decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- 9) The notice must—
  - a) include the reasons for the review decision; and
  - b) inform the person of their right of appeal against the decision.
- 10) If the administering authority does not comply with subsections (5) or (8), the authority is taken to have made a decision confirming the original decision.
- 11) Subsection (7) applies despite the *Acts Interpretation Act 1954*, section 27A.
- 12) This section does not apply to an original decision made by—
  - a) for a matter, the administration and enforcement of which has been devolved to a local government, the local government itself or the chief executive officer of the local government personally; or
  - b) for another matter — the chief executive personally.
- 13) Also, this section does not apply to an original decision to issue a clean-up notice.

**Section 522 Stay of operation of original decisions**

- 1) If an application is made for review of an original decision, the applicant may immediately apply for a stay of the decision to—
  - a) for an original decision mentioned in schedule 2, part 1—the Land Court; or
  - b) for an original decision mentioned in schedule 2, part 2—the Court.
- 2) The Land Court or the Court may stay the decision to secure the effectiveness of the review and any later appeal to the Land Court or the Court.

## Internal review and appeal to Planning and Environment Court

---

- 3) A stay may be given on conditions the Land Court or the Court considers appropriate and has effect for the period stated by the Land Court or the Court.
- 4) The period of a stay must not extend past the time when the administering authority reviews the decision and any later period the Land Court or the Court allows the applicant to enable the applicant to appeal against the review decision.

### Division 4 — Appeals to Court

#### Section 531 Who may appeal

- 1) A dissatisfied person who is dissatisfied with a review decision, other than a review decision to which subdivision 1<sup>4</sup> applies, may appeal against the decision to the Court.
- 2) The chief executive may appeal against another administering authority's decision (whether an original or review decision) to the Court.
- 3) A dissatisfied person who is dissatisfied with an original decision to which s. 521 does not apply may appeal against the decision to the Court.

#### Section 532 How to start appeal

- 1) An appeal is started by—
  - a) filing written notice of appeal with the registrar of the Court; and
  - b) complying with rules of court applicable to the appeal.
- 2) The notice of appeal must be filed—
  - a) if the appellant is the chief executive—within 33 business days after the decision is made or taken to have been made; or
  - b) if the appellant is not the chief executive—within 22 business days after the day the appellant receives notice of the decision or the decision is taken to have been made.
- 3) The Court may at any time extend the period for filing the notice of appeal.
- 4) The notice of appeal must state fully the grounds of the appeal and the facts relied on.

#### Section 533 Appellant to give notice of appeal to other parties

- 1) Within 8 business days after filing the notice of appeal, the appellant must serve notice of the appeal on—
  - a) if the appellant is the chief executive—all persons who were given notice of the original decision; or
  - b) if the appellant is not the chief executive—the other persons who were given notice of the original decision.
- 2) The notice must inform the persons that, within 10 business days after service of the notice of appeal, they may elect to become a respondent to the appeal by filing in the Court a notice of election under rules of court.

#### Section 534 Persons may elect to become respondents to appeal

A person who properly files in the Court a notice of election becomes a respondent to the appeal.

#### Section 535 Stay of operation of decisions

- 1) The Court may grant a stay of a decision appealed against to secure the effectiveness of the appeal.

## Internal review and appeal to Planning and Environment Court

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- 2) A stay may be granted on conditions the Court considers appropriate and has effect for the period stated by the Court.
- 3) The period of a stay must not extend past the time when the Court decides the appeal.
- 4) An appeal against a decision does not affect the operation or carrying out of the decision unless the decision is stayed.

### Section 535A Stay of decision to issue a clean-up notice

- 5) This section applies to an application under section 535 for a stay of a decision to issue a clean-up notice.
- 6) In deciding the application, the Court must have regard to—
  - a) the quantity and quality of contamination of the environment that is likely to be caused if the stay is granted; and
  - b) the proximity of the place at or from which the contamination incident is happening or happened to a place with environmental values that may be adversely affected by the contamination.

### Section 536 Hearing procedures

- 1) The procedure for an appeal is to be in accordance with the rules of court applicable to the appeal or, if the rules make no provision or insufficient provision, in accordance with directions of the judge.
- 2) An appeal is by way of rehearing, unaffected by the administering authority's decision.

### Section 537 Assessors

If the judge hearing an appeal is satisfied the appeal involves a question of special knowledge and skill, the judge may appoint one or more assessors to help the judge in deciding the appeal.

### Section 538 Appeals may be heard with planning appeals

- 1) This section applies if—
  - a) a person appeals against an administering authority's decision (whether an original or review decision) to refuse to grant a registration certificate or to accredit an environmental risk management plan (ERMP); and
  - b) a person appeals against the assessment manager's decision under the *Sustainable Planning Act 2009* about a planning or development matter for the premises to which the certificate or the ERMP or the application for the certificate relates.
- 2) On the application of a party to either of the appeals, the Court may order—
  - a) the appeals to be heard together or one immediately after the other; or
  - b) one appeal to be stayed until the other has been decided.
- 3) The application may be made—
  - a) by an appellant when starting an appeal or at any time before the appeals are decided; or
  - b) by another party at any time before the appeals are decided.
- 4) This section applies even though the parties, or all of the parties, to the appeals are not the same.

### Section 539 Powers of Court on appeal

- 1) In deciding an appeal, the Court may—

**Information sheet**

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**Internal review and appeal to Planning and Environment Court**

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- a) confirm the decision appealed against; or
  - b) vary the decision appealed against; or
  - c) set aside the decision appealed against and make a decision in substitution for the decision set aside.
- 2) If on appeal the Court acts under subsection (1)(b) or (c), the decision is taken, for this Act (other than this part), to be that of the administering authority.

**Further information**

The latest version of this publication can be found at <[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)>. Note: where available, the publication number (e.g. EM1866 for this document) can be used as a search term.

---

<sup>1</sup> The original decisions under the subordinate legislation are subject to change. As at 11 May 2010 they are listed in:

- Regulation 110 of the Environmental Protection Regulation 2008; and
- Regulation 68C of the Environmental Protection (Waste Management) Regulation 2000.

<sup>2</sup> An appeal may be made to the Land Court for original decisions in part 1 of schedule 2.

<sup>3</sup> Under the *Environmental Protection Act 1994* "business days does not include a business day between 26 December and 1 January in the following year".

<sup>4</sup> Subdivision 1 is about appeals to the Land Court and information about this is contained in ss. 519 - 539.

# Operational policy

## Fees

### Transitional environmental program fees

*Operational policies provide a framework for consistent application and interpretation of legislation by the Department of Environment and Heritage Protection. Operational policies will not be applied inflexibly to all circumstances. Individual circumstances may require an alternative application of policy. This policy concerns r. 140 of the Environmental Protection Regulation 2008.*

#### Policy issue

What are the administering authority<sup>1</sup> fees for considering a transitional environmental program (TEP)?

#### Background

Section 334 of the *Environmental Protection Act 1994* (EP Act) provides for the administering authority to charge a person or public authority for submitting a draft TEP for approval.

Regulation 140(1) of the Environmental Protection Regulation 2008 (EP Reg) prescribes that the fees for consideration of a draft TEP or an amendment of an approval for a TEP is the amount that:

- the authority considers to be reasonable
- is not more than the reasonable cost of deciding the application for approval of the program or the amendment of the approval.

Regulation 140(3) of the EP Reg prescribes that the fees for assessing the holder's annual returns and monitoring compliance with the program is the amount that:

- the authority considers to be reasonable
- is not more than the reasonable cost of the assessment and monitoring.

#### Determination

Fees for the assessment of a draft TEP are a minimum of \$388.50 (includes GST), plus an additional \$194.00 per hour (includes GST) or part thereof, charged after the first two hours.

Fees for assessment of a TEP annual return and monitoring of a compliance program of a draft TEP are a minimum of \$388.50 (includes GST), plus an additional \$194.00 per hour (includes GST), or part thereof, charged after the first two hours plus any reasonable costs for analysis and travel.

The reasonable cost of analysis cost will be the actual cost of the analysis to the department, plus GST.

The reasonable cost of travel will be the cost of travel<sup>2</sup>, plus GST.

---

<sup>1</sup> The Department of Environment and Heritage Protection (EHP) is the administering authority under the *Environmental Protection Act 1994*.

The fee for assessing an application to amend a TEP is \$199.10 (includes GST).

### **Other issues to consider**

The person having a draft TEP considered should be advised at the time of approval of the TEP that the administering authority will require payment of a fee for assessment of the annual return and monitoring compliance of the TEP.

### **Further information**

The latest version of this publication can be found at <[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)> using the publication number EM335 as a search term.

### **Disclaimer:**

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Heritage Protection should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

### **Approved by:**

Omar Ameer  
Director, Environmental Regulatory Practice  
Department of Environment and Heritage Protection  
Date: 4 October 2012

### **Enquiries:**

Permit and Licence Management  
Ph: 13 QGOV (13 74 68)  
Fax: (07) 3896 3342  
Email: [palm@ehp.qld.gov.au](mailto:palm@ehp.qld.gov.au)

---

The reasonable cost of travel will be calculated as outlined in s. 4 (employees who choose to use their own vehicles) of the schedule in the Queensland Government *Directive No. 14/10 Motor Vehicle Allowances September 2010*, issued by the Attorney-General and Minister for Industrial Relations. For a motor vehicle this is set at 37.5 cents per kilometre.

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]

**Sent:** Friday, 11 January 2013 2:28 PM

**To:** Davies Emma

**Subject:** FW: QNI Yabulu refinery TEP

**Attachments:** SKMBT\_C45213011114050.pdf; SKMBT\_C45213011114070.pdf; SKMBT\_C45213011114080.pdf; SKMBT\_C45213011114081.pdf; SKMBT\_C45213011114040.pdf

FYI TEP for GBRMPA has just been signed

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870

**Telephone:** 07 4222 5337

**Facsimile:** 07 4222 5070

**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)

You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Sharpe Dean

**Sent:** Friday, 11 January 2013 2:26 PM

**To:** George.Lukacs@qni.com.au

**Cc:** Fomiatti Minnesma Ingrid; Wake Chris; Collins Tanya

**Subject:** QNI Yabulu refinery TEP

George

Please find attached the Certificate of Approval and Decision to Grant and cover letter relating to the Transitional Environmental Program lodged by Queensland Nickel on 8 January 2013 for the Yabulu refinery in Townsville.

If you have any questions in relation to the documents attached please do not hesitate to call me on the number listed below.

Original documents to follow in mail.

Regards

Dean Sharpe

A/Manager Mining & Heavy Industry, Northern Region

Mining & Heavy Industry, Northern Region

Department of Environment and Heritage Protection

5b Sheridan Street, Cairns QLD 4870

GPO Box 937, Cairns QLD 4870

**Telephone:** 07 4222 5325

**Facsimile:** 07 4222 5070

**Email:** [dean.sharpe@ehp.qld.gov.au](mailto:dean.sharpe@ehp.qld.gov.au)

**Website:** [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 10:55 AM  
**To:** Fomiatti Minnesma Ingrid  
**CC:** media; Sharpe Dean  
**Subject:** Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin  
**Attachments:** 1-KEEPER-1972519-Media\_response\_\_Queensland\_Nickel\_Yabulu\_TEP\_approved\_-\_Townsville\_Bulletin.doc

Hi Ingrid,

As discussed - media response for Townsville Bulletin attached for your approval.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b>	

**Date:** 14 January 2013

**For:** Daniel Bateman  
Townsville Bulletin

**Deadline:** 4pm 14 January 2013

**Issue:** Queensland Nickel Yabulu refinery

**Questions:**

What will the department go from here?

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 1:06 PM  
**To:** Ellwood Dean  
**CC:** Pope Karen; media  
**Subject:** FW: Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin  
**Attachments:** 1-KEEPER-1972519-Media\_response\_\_Queensland\_Nickel\_Yabulu\_TEP\_approved\_-\_Townsville\_Bulletin.doc

Hi Dean,

For your approval please - attached is a draft response to an enquiry from the Townsville Bulletin regarding QN's Yabulu refinery (which was a hot media issue last week in your absence). Response has been approved by Ingrid Fomiatti Minnesma.

Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [protection of an ir  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Monday, 14 January 2013 10:56 AM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** media; Sharpe Dean  
**Subject:** Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin

Hi Ingrid,

As discussed - media response for Townsville Bulletin attached for your approval.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12 | 400 George Street | Brisbane  
**Tel** 07 3339 5830  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Ellwood Dean [Dean.Ellwood@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 1:12 PM  
**To:** Lutz Megan  
**CC:** Pope Karen; media  
**Subject:** RE: Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin

**Due By:** Monday, 5 December 8907 6:42 PM

Looks ok

Dean Ellwood  
Deputy Director-General  
Environmental Services & Regulation  
Department of Environment & Heritage Protection  
Level 7, 400 George Street, Brisbane Qld 4000  
**Telephone** 07 3330 5628  
**Mobile** [redacted]  
**Email** [dean.ellwood@ehp.qld.gov.au](mailto:dean.ellwood@ehp.qld.gov.au)  
**Website** [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Lutz Megan  
**Sent:** Monday, 14 January 2013 1:07 PM  
**To:** Ellwood Dean  
**Cc:** Pope Karen; media  
**Subject:** FW: Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin

Hi Dean,

For your approval please - attached is a draft response to an enquiry from the Townsville Bulletin regarding QN's Yabulu refinery (which was a hot media issue last week in your absence). Response has been approved by Ingrid Fomiatti Minnesma.

Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [redacted]  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Monday, 14 January 2013 10:56 AM  
**To:** Fomiatti Minnesma Ingrid

**Cc:** media; Sharpe Dean

**Subject:** Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin

Hi Ingrid,

As discussed - media response for Townsville Bulletin attached for your approval.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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RTI DL Release

**From:** Ellwood Dean [Dean.Ellwood@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 1:12 PM  
**To:** Lutz Megan  
**CC:** Pope Karen; media  
**Subject:** RE: Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin

Looks ok

Dean Ellwood  
Deputy Director-General  
Environmental Services & Regulation  
Department of Environment & Heritage Protection  
Level 7, 400 George Street, Brisbane Qld 4000  
**Telephone** 07 3330 5628  
**Mobile:** [redacted] protection of an in  
**Email** [dean.ellwood@ehp.qld.gov.au](mailto:dean.ellwood@ehp.qld.gov.au)  
**Website** [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Lutz Megan  
**Sent:** Monday, 14 January 2013 1:07 PM  
**To:** Ellwood Dean  
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**Subject:** FW: Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin

Hi Dean,

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Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
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[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)  
[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Monday, 14 January 2013 10:56 AM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** media; Sharpe Dean  
**Subject:** Media response: Queensland Nickel Yabulu TEP approved - Townsville Bulletin

Hi Ingrid,

As discussed - media response for Townsville Bulletin attached for your approval.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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RTI DL Release

**From:** Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:00 PM  
**To:** Brooke Hargraves; Ken Vernon  
**CC:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** Yabulu refinery - Townsville Bulletin  
**Attachments:** 1-KEEPER-1972519-Media\_response\_\_Queensland\_Nickel\_Yabulu\_TEP\_approved\_-  
\_Townsville\_Bulletin.doc

Hi Brooke/Ken

For your approval please - attached is a draft response to some follow up questions today regarding the Yabulu refinery. Response has been approved by Ingrid Fomiatti Minnesma and Dean Ellwood.

Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** protection of an ir

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b>
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b>
<b>Media Unit phone:</b> 3224 2389	<b>Phone:</b>
<b>Approved by:</b>	

**Date:** 14 January 2013

**For:** Daniel Bateman  
Townsville Bulletin

**Deadline:** 4pm 14 January 2013

**Issue:** Queensland Nickel Yabulu refinery

**Questions:**

What will the department go from here?

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:20 PM  
**To:** Lutz Megan  
**CC:** media; Ken Vernon  
**Subject:** RE: Yabulu refinery - Townsville Bulletin

That's good to go, thanks Megan.

Description: Brookes signature



---

**From:** Lutz Megan [mailto:Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:01 PM  
**To:** Brooke Hargraves; Ken Vernon  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** Yabulu refinery - Townsville Bulletin

Hi Brooke/Ken

For your approval please - attached is a draft response to some follow up questions today regarding the Yabulu refinery. Response has been approved by Ingrid Fomiatti Minnesma and Dean Ellwood.

Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** protection of an in

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:31 PM  
**To:** Bateman, Daniel  
**CC:** media  
**Subject:** RE: Yabulu dam level  
**Attachments:** 2-KEEPER-1972519-Media\_response\_\_Queensland\_Nickel\_Yabulu\_TEP\_approved\_-\_Townsville\_Bulletin.doc

Hi Daniel,

Please find attached a media response regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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---

**From:** Davies Emma  
**Sent:** Thursday, 10 January 2013 5:31 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** RE: Yabulu dam level

Hi Dan,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

*Please consider the environment before printing this message*

**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent.  
I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810  
Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559  
Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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---

# Media response

**Re:** Queensland Nickel Yabulu refinery

**For:** Daniel Bateman  
Townsville Bulletin

**Date:** Monday, 14 January 2013

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director,  
Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Bateman, Daniel [daniel.bateman@news.com.au]  
**Sent:** Monday, 14 January 2013 2:37 PM  
**To:** Davies Emma  
**Subject:** RE: Yabulu dam level

Thanks Emma,

Just confirming – is there still more than one per cent risk of spill? If so, what's the actual per cent?

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:31 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** RE: Yabulu dam level

Hi Daniel,

Please find attached a media response regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:50 PM  
**To:** Davies Emma  
**Subject:** RE: Yabulu dam level

agreed correct

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
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**Sent:** Monday, 14 January 2013 2:53 PM  
**To:** Ellwood Dean  
**CC:** media; Corro EHP ESR DDG; McMain Lisa; Pope Karen  
**Subject:** FW: Yabulu dam level

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Question: Just confirming – is there still more than one per cent risk of spill? If so, what's the actual per cent?

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**Sent:** Monday, 14 January 2013 2:54 PM  
**To:** Davies Emma  
**CC:** media; Corro EHP ESR DDG; McMain Lisa; Pope Karen  
**Subject:** RE: Yabulu dam level

ok

Dean Ellwood  
Deputy Director-General  
Environmental Services & Regulation  
Department of Environment & Heritage Protection  
Level 7, 400 George Street, Brisbane Qld 4000  
**Telephone** 07 3330 5628  
**Mobile** [redacted] protection of an in  
**Email** [dean.ellwood@ehp.qld.gov.au](mailto:dean.ellwood@ehp.qld.gov.au)  
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**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Monday, 14 January 2013 2:37 PM  
**To:** Davies Emma  
**Subject:** RE: Yabulu dam level

Thanks Emma,

Just confirming – is there still more than one per cent risk of spill? If so, what's the actual per cent?

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

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**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:31 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** RE: Yabulu dam level

Hi Daniel,

Please find attached a media response regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
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Regards,

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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent. I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

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Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:57 PM  
**To:** Brooke Hargraves; Ken Vernon  
**CC:** media; Waters Kerry; Corro EHP DG; Chesterman Andrew  
**Subject:** RE: Yabulu refinery - Townsville Bulletin

Hi Brooke, Ken,

For your approval - a media response to a follow up question from Daniel Bateman at the Townsville Bulletin re QN Yabulu refinery.

Approved by DDG Dean Ellwood and A/ED Ingrid Fomiatti Minnesma. Deadline is ASAP.

Question: Just confirming – is there still more than one per cent risk of spill? If so, what's the actual per cent?

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

Queensland Nickel has advised the department the spill risk as at 1 January 2013 was between three and four percent.

**ENDS**

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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**From:** Brooke Hargraves [mailto:Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:20 PM  
**To:** Lutz Megan  
**Cc:** media; Ken Vernon  
**Subject:** RE: Yabulu refinery - Townsville Bulletin

That's good to go, thanks Megan.

Description: Brookes signature

---

**From:** Lutz Megan [mailto:Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:01 PM  
**To:** Brooke Hargraves; Ken Vernon  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** Yabulu refinery - Townsville Bulletin

Hi Brooke/Ken

For your approval please - attached is a draft response to some follow up questions today regarding the Yabulu refinery. Response has been approved by Ingrid Fomiatti Minnesma and Dean Ellwood.

Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
**Mobile:** [redacted]  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 4:39 PM  
**To:** Brooke Hargraves; Ken Vernon  
**CC:** media; Waters Kerry  
**Subject:** RE: Yabulu refinery - Townsville Bulletin

Hi Brooke, Ken,

Any news on this one? Journalist was hoping for a response today.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
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**From:** Davies Emma  
**Sent:** Monday, 14 January 2013 2:58 PM  
**To:** 'Brooke Hargraves'; 'Ken Vernon'  
**Cc:** media; Waters Kerry; Corro EHP DG; Chesterman Andrew  
**Subject:** RE: Yabulu refinery - Townsville Bulletin

Hi Brooke, Ken,

For your approval - a media response to a follow up question from Daniel Bateman at the Townsville Bulletin re QN Yabulu refinery.

Approved by DDG Dean Ellwood and A/ED Ingrid Fomiatti Minnesma. Deadline is ASAP.

Question: Just confirming – is there still more than one per cent risk of spill? If so, what's the actual per cent?

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

Queensland Nickel has advised the department the spill risk as at 1 January 2013 was between three and four percent.

**ENDS**

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
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**From:** Brooke Hargraves [mailto:Brooke.Hargraves@ministerial.qld.gov.au]

**Sent:** Monday, 14 January 2013 2:20 PM

**To:** Lutz Megan

**Cc:** media; Ken Vernon

**Subject:** RE: Yabulu refinery - Townsville Bulletin

That's good to go, thanks Megan.

Description: Brookes signature



---

**From:** Lutz Megan [mailto:Megan.Lutz@ehp.qld.gov.au]

**Sent:** Monday, 14 January 2013 2:01 PM

**To:** Brooke Hargraves; Ken Vernon

**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG

**Subject:** Yabulu refinery - Townsville Bulletin

Hi Brooke/Ken

For your approval please - attached is a draft response to some follow up questions today regarding the Yabulu refinery. Response has been approved by Ingrid Fomiatti Minnesma and Dean Ellwood.

Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** [redacted] protection of an in

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

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RTI DL Released

**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Monday, 14 January 2013 5:00 PM  
**To:** Davies Emma  
**CC:** media; Ken Vernon  
**Subject:** RE: Yabulu refinery - Townsville Bulletin

That's fine to go, thanks Emma.

Description: Brookes signature



---

**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 4:40 PM  
**To:** Brooke Hargraves; Ken Vernon  
**Cc:** media; Waters Kerry  
**Subject:** RE: Yabulu refinery - Townsville Bulletin

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Any news on this one? Journalist was hoping for a response today.

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Emma Davies  
Media Officer | Media Services  
Corporate Communications  
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**From:** Davies Emma  
**Sent:** Monday, 14 January 2013 2:58 PM  
**To:** 'Brooke Hargraves'; 'Ken Vernon'  
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**Subject:** RE: Yabulu refinery - Townsville Bulletin

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**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

Queensland Nickel has advised the department the spill risk as at 1 January 2013 was between three and four percent.

**ENDS**

Regards,

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Media Officer | Media Services  
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Principal Media Officer, Media Services

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**From:** Davies Emma  
**Sent:** Monday, 14 January 2013 5:04 PM  
**To:** Bateman, Daniel  
**CC:** media  
**Subject:** RE: Yabulu dam level

Hi Daniel,

Please find below a media response from the Department of Environment and Heritage Protection regarding the Yabulu refinery spill risk.

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

Queensland Nickel has advised the department the spill risk as at 1 January 2013 was between three and four percent.

**ENDS**

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Monday, 14 January 2013 2:37 PM  
**To:** Davies Emma  
**Subject:** RE: Yabulu dam level

Thanks Emma,

Just confirming – is there still more than one per cent risk of spill? If so, what's the actual per cent?

Dan

**Daniel Bateman** | Journalist

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**Townsville Bulletin**

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**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:31 PM  
**To:** Bateman, Daniel  
**Cc:** media  
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Hi Daniel,

Please find attached a media response regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
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**Sent:** Thursday, 10 January 2013 5:31 PM  
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Regards,

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Corporate Communications  
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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

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Cheers

Dan

**Daniel Bateman** | Journalist

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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 5:05 PM  
**To:** Bateman, Daniel  
**CC:** media  
**Subject:** RE: Yabulu dam level

Hi Daniel,

Please find below a media response from the Department of Environment and Heritage Protection regarding the Yabulu refinery spill risk.

**Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

Queensland Nickel has advised the department the spill risk as at 1 January 2013 was between three and four percent.

**ENDS**

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Monday, 14 January 2013 2:37 PM  
**To:** Davies Emma  
**Subject:** RE: Yabulu dam level

Thanks Emma,

Just confirming – is there still more than one per cent risk of spill? If so, what's the actual per cent?

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

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Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)





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**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Monday, 14 January 2013 2:31 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** RE: Yabulu dam level

Hi Daniel,

Please find attached a media response regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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---

**From:** Davies Emma  
**Sent:** Thursday, 10 January 2013 5:31 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** RE: Yabulu dam level

Hi Dan,

Please find attached a media response from the Department of Environment and Heritage Protection regarding Queensland Nickel's Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
Level 12 | 400 George Street | Brisbane  
**Tel** 07 3339 5830

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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Thursday, 10 January 2013 3:01 PM  
**To:** media  
**Subject:** Yabulu dam level

G'day,

Queensland Nickel Yabulu refinery owner Clive Palmer has issued a media statement today claiming the level of contaminated wastewater in the tailings dams has been decreased by 22 per cent. I'm hoping to find out whether the department is aware of this, and if so, whether there are still any concerns about a potential spill this wet season?

Cheers

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

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RTI DL Release

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]  
**Sent:** Tuesday, 15 January 2013 10:29 AM  
**To:** Davies Emma  
**Subject:** FW: Today's bulletin

**Importance:** High

Emma  
I am about to ring you

cheers  
Ingrid

Ingrid Fomiatti Minnesma  
Acting Executive Director, Northern Region

Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937

Cairns QLD 4870

Telephone: 07 4222 5337  
Facsimile: 07 4222 5070  
Email: Ingrid.FomiattiMinnesma@ehp.qld.gov.au

You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

-----Original Message-----

From: Lukacs, George [<mailto:George.Lukacs@qni.com.au>]  
Sent: Tuesday, 15 January 2013 10:26 AM  
To: Fomiatti Minnesma Ingrid  
Cc: Ferguson, Ian; Collins, Phil; Kilmurray, Ross  
Subject: FW: Today's bulletin  
Importance: High

Dear Ingrid,

Given today's headline in the Townsville Bulletin, attributing certain comments to the State Government and by implication, yourself, I am asking if the Department would release a simple statement in an effort to clarify the misrepresentation.

A statement such as the following would suffice.

"The article entitled "Refinery Reef threat" published in the Townsville Bulletin on 15 January 2013 attributed certain comments to Acting Director of the Department of Environment and Heritage Protection, Ingrid Minnesma. Those comments are inaccurate."

Clearly, QNI is concerned about protecting its reputation and whilst such headlines are manifestly false, they undoubtedly cause damage. Equally, I'm sure EHP is keen to ensure the integrity of its public statements.

Your assistance would be greatly appreciated.

Regards  
George

-----Original Message-----

From: Kilmurray, Ross  
Sent: Tuesday, 15 January 2013 10:04 AM  
To: Ferguson, Ian; Lukacs, George; Collins, Phil  
Subject: RE: Today's bulletin

George

You should try to persuade Ingrid to insert the following sentence at the beginning of their release:

"The article entitled "Refinery Reef threat" published in the Townsville Bulletin on 15 January 2013 attributed certain comments to Acting Director of the Department of Environment and Heritage Protection, Ingrid Minnesma. Those comments are inaccurate."

Regards

Ross Kilmurray | Legal Director  
QUEENSLAND NICKEL PTY LTD  
1 Greenvale Street, Yabulu QLD 4818  
PMB 5 Townsville QLD 4810  
P +61 7 4720 6555 | F +61 7 4751 1555 | M +61 B(2) DisclosurE Ross.Kilmurray@qni.com.au W www.qni.com.au

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-----Original Message-----

From: Ferguson, Ian  
Sent: Tuesday, 15 January 2013 9:55 AM  
To: Lukacs, George; Collins, Phil; Kilmurray, Ross  
Subject: RE: Today's bulletin

George,

I will leave it to Ross.

Regards,

Ian.

-----Original Message-----

From: Lukacs, George  
Sent: Tuesday, 15 January 2013 9:51 AM  
To: Ferguson, Ian; Collins, Phil; Kilmurray, Ross  
Subject: RE: Today's bulletin

Ian,

Please see Ingrid's latest email (received just now) on what was actually released by EHP.

I've already asked Ross to put some words together so I can ask EHP to issue a clarification on the misrepresentation by the Townsville Bulletin. I don't know if Brisbane will allow her to do it, as they clearly don't want to draw any more attention.

George

George Lukacs | Director - Environment and Sustainability QUEENSLAND NICKEL PTY LTD Greenvale Street, Yabulu QLD 4818 P > +61 7 4720 6422 | F > +61 7 4751 1208 | M > +61 B(2) Disclosure E > George.Lukacs@qni.com.au

-----Original Message-----

From: Ferguson, Ian  
Sent: Tuesday, 15 January 2013 9:47 AM  
To: Lukacs, George; Collins, Phil; Kilmurray, Ross  
Subject: RE: Today's bulletin

George,

Subject to Ross's advice I would encourage Ingrid to publish her clarification as the Bulletin's misrepresentation must be addressed immediately.

This is par for the course in such matters. However, regardless of the Bulletin response Ingrid must respond promptly.

Regards,

Ian.

-----Original Message-----

From: Lukacs, George  
Sent: Tuesday, 15 January 2013 8:24 AM  
To: Collins, Phil; Ferguson, Ian; Kilmurray, Ross  
Subject: Today's bulletin

I spoke with Ingrid from EHP just now. She categorically denies saying to Bulletin journalist that QNI is a risk to the Reef. She said spill risk is 3% and a TEP is approved. She will talk with EHP media dept about publishing a clarification but is worried it might be more fodder for Townsville Bulletin.

George

Sent from my iPhone  
Ph: B(2) Disclosure

RTI DL Release

**From:** Davies Emma  
**Sent:** Monday, 4 March 2013 1:04 PM  
**To:** Smail.stephanie@abc.net.au  
**CC:** media  
**Subject:** Media response: Queensland Nickel Yabulu refinery - ABC  
**Attachments:** 1-KEEPER-2037396-Media\_response\_\_Queensland\_Nickel\_Yabulu\_refinery\_-\_ABC.doc

Hi Stephanie,

Please find attached a response from the Department of Environment and Heritage Protection regarding Queensland Nickel Yabulu refinery.

Regards,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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RTI DL Release

# Media response

**Re:** Queensland Nickel Yabulu refinery

**For:** Stephanie Smail  
ABC  
[smail.stephanie@abc.net.au](mailto:smail.stephanie@abc.net.au)

**Date:** Monday, 4 March 2013

**Please attribute the following to Rob Lawrence, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Ellwood Dean [Dean.Ellwood@ehp.qld.gov.au]

**Sent:** Monday, 4 March 2013 5:51 PM

**To:** Lutz Megan

**CC:** McMains Lisa; Pope Karen; Davies Emma; Dobbyn Andrea; Lewis Kieran; Michaels Paul; Spackman Maria

**Subject:** Re: Yabulu update

Ok

Sent from my iPhone

On 04/03/2013, at 5:39 PM, "Lutz Megan" <[Megan.Lutz@ehp.qld.gov.au](mailto:Megan.Lutz@ehp.qld.gov.au)> wrote:

Hi Dean,

For your approval please - below is a draft response to the below enquiry from Townsville Bulletin. Response has been approved by Ingrid Fomiatti Minnesma and Rob Lawrence.

**Draft response: Please attribute the following to Rob Lawrence, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to work with Queensland Nickel on water management at its Yabulu refinery.

Queensland Nickel has advised the department that the tailings storage facility is currently more than 1.2m below the spillway.

**ENDS**

Journalist's deadline is 6pm.

Thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** protection of an ir

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

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---

**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]

**Sent:** Monday, 4 March 2013 2:53 PM

**To:** media

**Subject:** Yabulu update

G'day,

I was hoping to find out whether the spill risk has decreased at the Yabulu nickel refinery? It was last reported as being between 3-4 per cent, as of January 1.

My deadline for this story is 6pm tonight,

Regards

Daniel

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

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RTI DL Please

**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Monday, 4 March 2013 6:35 PM  
**To:** Lutz Megan  
**CC:** Troy Collings  
**Subject:** RE: Yabulu update  
**Attachments:** image001.gif; image002.gif; image003.jpg; image004.gif

That's good to go, thanks Megan.

---

From: Lutz Megan [Megan.Lutz@ehp.qld.gov.au]  
Sent: Monday, March 04, 2013 6:00 PM  
To: Brooke Hargraves  
Subject: Fw: Yabulu update

Hi Brooke,

For your approval please - below is a proposed response to the below enquiry from the Townsville Bulletin. Approved by Dean Ellwood and Rob Lawrence. Deadline was 6pm.

Draft response: Please attribute the following to Rob Lawrence, Executive Director, Department of Environment and Heritage Protection

The Department of Environment and Heritage Protection (EHP) is continuing to work with Queensland Nickel on water management at its Yabulu refinery.

Queensland Nickel has advised the department that the tailings storage facility is currently more than 1.2m below the spillway.

ENDS

Thanks,

Megan

Megan Lutz  
Principal Media Officer  
EHP | NPRSR  
(07) 3339 5845  
media@ehp.qld.gov.au

From: Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]  
Sent: Monday, March 04, 2013 02:52 PM  
To: media  
Subject: Yabulu update

G'day,

I was hoping to find out whether the spill risk has decreased at the Yabulu nickel refinery? It was last reported as being between 3-4 per cent, as of January 1.

My deadline for this story is 6pm tonight,

Regards

Daniel

Townsville Bulletin

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 [rotection of an] | Fax: +61 7 4722 4559

Email: daniel.bateman@news.com.au<<mailto:daniel.bateman@news.com.au>> | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)

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**From:** Lutz Megan  
**Sent:** Monday, 4 March 2013 6:42 PM  
**To:** Bateman, Daniel  
**CC:** media  
**Subject:** RE: Yabulu update

Hi Daniel,

Sorry for the delay. Below is a response to your enquiry about the Yabulu refinery.

**Please attribute the following to Rob Lawrence, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to work with Queensland Nickel on water management at its Yabulu refinery.

Queensland Nickel has advised the department that the tailings storage facility is currently more than 1.2m below the spillway.

**ENDS**

Kind regards,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Monday, 4 March 2013 2:53 PM  
**To:** media  
**Subject:** Yabulu update

G'day,

I was hoping to find out whether the spill risk has decreased at the Yabulu nickel refinery? It was last reported as being between 3-4 per cent, as of January 1.

My deadline for this story is 6pm tonight,

Regards

Daniel

**Daniel Bateman** | Journalist

---

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RTI DL Release

**From:** Ellwood Dean [Dean.Ellwood@ehp.qld.gov.au]

**Sent:** Tuesday, 5 March 2013 3:08 PM

**To:** Lutz Megan

**CC:** Pope Karen; McMMain Lisa; Davies Emma; Dobbyn Andrea; Lewis Kieran; Michaels Paul; Spackman Maria

**Subject:** RE: Yabulu update

**Due By:** Monday, 5 December 8907 6:42 PM

ok

Dean Ellwood

Deputy Director-General

Environmental Services & Regulation

Department of Environment & Heritage Protection

Level 7, 400 George Street, Brisbane Qld 4000

**Telephone** 07 3330 5628

**Mobile** [protection of an in

**Email** [dean.ellwood@ehp.qld.gov.au](mailto:dean.ellwood@ehp.qld.gov.au)

**Website** [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Lutz Megan

**Sent:** Tuesday, 5 March 2013 2:43 PM

**To:** Ellwood Dean

**Cc:** Pope Karen; McMMain Lisa; Davies Emma; Dobbyn Andrea; Lewis Kieran; Michaels Paul; Spackman Maria

**Subject:** FW: Yabulu update

Hi Dean,

For your approval please - attached is a draft response to a follow up question received from the Townsville Bulletin today re Yabulu refinery. Response has been approved by Rob Lawrence.

Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** [protection of an in

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]

**Sent:** Tuesday, 5 March 2013 9:03 AM

**To:** Lutz Megan

**Subject:** RE: Yabulu update

G'day Megan

Thanks for the email. Can the department confirm whether or not the current water level still presents a spill risk?

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

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**From:** Lutz Megan [mailto:[Megan.Lutz@ehp.qld.gov.au](mailto:Megan.Lutz@ehp.qld.gov.au)]  
**Sent:** Monday, 4 March 2013 6:42 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** RE: Yabulu update

Hi Daniel,

Sorry for the delay. Below is a response to your enquiry about the Yabulu refinery.

**Please attribute the following to Rob Lawrence, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to work with Queensland Nickel on water management at its Yabulu refinery.

Queensland Nickel has advised the department that the tailings storage facility is currently more than 1.2m below the spillway.

**ENDS**

Kind regards,

Megan

**Megan Lutz**

Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Monday, 4 March 2013 2:53 PM  
**To:** media  
**Subject:** Yabulu update

G'day,

I was hoping to find out whether the spill risk has decreased at the Yabulu nickel refinery? It was last reported as being between 3-4 per cent, as of January 1.

My deadline for this story is 6pm tonight,

Regards

Daniel

**Daniel Bateman** | Journalist

---

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RTI DL Release

**From:** Brooke Hargraves [Brooke.Hargraves@ministerial.qld.gov.au]  
**Sent:** Tuesday, 5 March 2013 3:48 PM  
**To:** Lutz Megan  
**CC:** media  
**Subject:** RE: Yabulu update

That's fine to go, thanks Megan.

Crest



**Brooke Hargraves**

Media Advisor

Office of the Hon. Andrew Powell MP | Minister for Environment and Heritage  
Protection

Phone: 07 3239 0818 | Fax: 07 3224 2496 | Mobile: protection of an

Level 13, 400 George Street | Brisbane | QLD 4000

GPO Box 2454 | Brisbane | QLD 4001

**Great State. Great Opportunity.**

---

**From:** Lutz Megan [mailto:Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Tuesday, 5 March 2013 3:20 PM  
**To:** Brooke Hargraves  
**Cc:** media; Waters Kerry; Chesterman Andrew; Corro EHP DG  
**Subject:** FW: Yabulu update

Hi Brooke,

For your approval please - attached is a proposed response to the below follow up enquiry from Daniel Bateman at the Townsville Bulletin. Response has been approved by Dean Ellwood and Rob Lawrence.

Deadline is 4pm.

Thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5845

**Mobile:** protection of an in

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Tuesday, 5 March 2013 9:03 AM  
**To:** Lutz Megan  
**Subject:** RE: Yabulu update

G'day Megan

Thanks for the email. Can the department confirm whether or not the current water level still presents a spill risk?

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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**From:** Lutz Megan [<mailto:Megan.Lutz@ehp.qld.gov.au>]

**Sent:** Monday, 4 March 2013 6:42 PM

**To:** Bateman, Daniel

**Cc:** media

**Subject:** RE: Yabulu update

Hi Daniel,

Sorry for the delay. Below is a response to your enquiry about the Yabulu refinery.

**Please attribute the following to Rob Lawrence, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to work with Queensland Nickel on water management at its Yabulu refinery.

Queensland Nickel has advised the department that the tailings storage facility is currently more than 1.2m below the spillway.

**ENDS**

Kind regards,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

Phone: 07 3339 5845  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

---

**From:** Bateman, Daniel [<mailto:daniel.bateman@news.com.au>]  
**Sent:** Monday, 4 March 2013 2:53 PM  
**To:** media  
**Subject:** Yabulu update

G'day,

I was hoping to find out whether the spill risk has decreased at the Yabulu nickel refinery? It was last reported as being between 3-4 per cent, as of January 1.

My deadline for this story is 6pm tonight,

Regards

Daniel

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 protection of an | Fax: +61 7 4722 4559

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RTI DL Release

**From:** Lutz Megan  
**Sent:** Tuesday, 5 March 2013 3:59 PM  
**To:** Bateman, Daniel  
**CC:** media  
**Subject:** RE: Yabulu update  
**Attachments:** 2-KEEPER-2040242-Media\_response\_Queensland\_Nickel\_Yabulu\_refinery\_spill\_risk\_follow\_up\_Townsville\_Bulletin.doc

Hi Daniel,

Please find attached a response to your follow up question on the Yabulu refinery.

Many thanks,

Megan

**Megan Lutz**

Principal Media Officer, Media Services

**EHP | NPRSR**

**Phone:** 07 3339 5831

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Tuesday, 5 March 2013 9:03 AM  
**To:** Lutz Megan  
**Subject:** RE: Yabulu update

G'day Megan

Thanks for the email. Can the department confirm whether or not the current water level still presents a spill risk?

Dan

**Daniel Bateman** | Journalist

---

**Townsville Bulletin**

198-238 Ogden Street (PO Box 587), Townsville, QLD, 4810

Phone: +61 7 4722 4433 | Mobile: +61 [redacted] | Fax: +61 7 4722 4559

Email: [daniel.bateman@news.com.au](mailto:daniel.bateman@news.com.au) | Web: [www.townsvillebulletin.com.au](http://www.townsvillebulletin.com.au)



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**From:** Lutz Megan [mailto:Megan.Lutz@ehp.qld.gov.au]  
**Sent:** Monday, 4 March 2013 6:42 PM  
**To:** Bateman, Daniel  
**Cc:** media  
**Subject:** RE: Yabulu update

Hi Daniel,

Sorry for the delay. Below is a response to your enquiry about the Yabulu refinery.

**Please attribute the following to Rob Lawrence, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) is continuing to work with Queensland Nickel on water management at its Yabulu refinery.

Queensland Nickel has advised the department that the tailings storage facility is currently more than 1.2m below the spillway.

**ENDS**

Kind regards,

Megan

**Megan Lutz**  
Principal Media Officer, Media Services  
**EHP | NPRSR**  
**Phone:** 07 3339 5845  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Bateman, Daniel [mailto:daniel.bateman@news.com.au]  
**Sent:** Monday, 4 March 2013 2:53 PM  
**To:** media  
**Subject:** Yabulu update

G'day,

I was hoping to find out whether the spill risk has decreased at the Yabulu nickel refinery? It was last reported as

being between 3-4 per cent, as of January 1.

My deadline for this story is 6pm tonight,

Regards

Daniel

**Daniel Bateman** | Journalist

---

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Phone: +61 7 4722 4433 | Mobile: +61 protection of an i | Fax: +61 7 4722 4559

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# Media response

**Re:** Queensland Nickel Yabulu refinery  
**For:** Daniel Bateman – Townsville Bulletin  
**Date:** Tuesday 5 March 2013

***Please attribute the following to Rob Lawrence, Executive Director, Department of Environment and Heritage Protection***

Queensland Nickel has advised the Department of Environment and Heritage Protection the tailings storage dam is currently more than 1.2m below the spillway.

At this level, the dam has enough capacity to receive a significant amount of rainfall.

The department is working closely with Queensland Nickel on water management and monitoring compliance with the conditions of its Transitional Environmental Program (TEP).

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 2:25 PM  
**To:** Fomiatti Minnesma Ingrid  
**CC:** media; Corro EHP ESR Northern  
**Subject:** Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

**Categories:** New Enquiry

Hi Ingrid,

We have just received an enquiry from The Australian seeking an update on the Queensland Nickel Yabulu Refinery. Questions are:

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

Deadline COB today

Latest response (as at 14 Jan) is below. Is there any update to this?

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 3:02 PM  
**To:** brooke.hargraves@ministerial.qld.gov.au; Lynette Keep (Lynette.Keep@ministerial.qld.gov.au)  
**CC:** media  
**Subject:** FYI: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Brooke Lyn,

FYI - We have received an enquiry from The Australian seeking an update on the Queensland Nickel Yabulu Refinery. Questions are:

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

Deadline COB today

We are checking if there is any update to the previous response (as at 14 Jan) below.

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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**From:** Gonzo Gus [Gus.Gonzo@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 3:38 PM  
**To:** Davies Emma  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

**Importance:** High

Emma,

This has not been checked by Ingrid yet as she is tied up at present with a client.

I will call to discuss.,

Gus

---

**From:** Gonzo Gus  
**Sent:** Tuesday, 25 June 2013 3:19 PM  
**To:** Fomiatti Minnesma Ingrid (Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
**Cc:** Fegan Warwick; Wake Chris  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian  
**Importance:** High

Draft response. I will come down and talk with you about this one.

The Department of Environment and Heritage Protection has no information to suggest that there are currently any structural integrity issues with Queensland Nickel's tailings dam. Storage levels within the dam are considered to fall within acceptable risk ranges for this time of year. Queensland Nickel continue to operate under a Transitional Environmental Program. This TEP includes actions to make available additional storage prior to this coming wet season. The TEP actions are to be completed by Queensland Nickel by November 2013. The department will continue to monitor compliance with the TEP.

---

**From:** Fomiatti Minnesma Ingrid  
**Sent:** Tuesday, 25 June 2013 2:27 PM  
**To:** Gonzo Gus; Wake Chris; Fegan Warwick  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

HI urgent response required

Ingrid Fomiatti Minnesma  
Acting Regional Manager Mining and Compliance  
Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Tuesday, 25 June 2013 2:26 PM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** media; Corro EHP ESR Northern  
**Subject:** Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Ingrid,

We have just received an enquiry from The Australian seeking an update on the Queensland Nickel Yabulu Refinery. Questions are:

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

Deadline COB today

Latest response (as at 14 Jan) is below. Is there any update to this?

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 3:51 PM  
**To:** Gonzo Gus  
**CC:** media  
**Subject:** RE: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Gus,

As discussed – response attached for your approval.

Once you are happy I will send to Ingrid for her approval (when available).

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) has no information to suggest any structural issues with Queensland Nickel's tailings dam and current dam storage levels are considered acceptable for this time of year.

EHP has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Gonzo Gus  
**Sent:** Tuesday, 25 June 2013 3:38 PM  
**To:** Davies Emma  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian  
**Importance:** High

Emma,

This has not been checked by Ingrid yet as she is tied up at present with a client.

I will call to discuss.,

Gus

---

**From:** Gonzo Gus  
**Sent:** Tuesday, 25 June 2013 3:19 PM  
**To:** Fomiatti Minnesma Ingrid ([Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au))  
**Cc:** Fegan Warwick; Wake Chris  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian  
**Importance:** High

Draft response. I will come down and talk with you about this one.

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---

**From:** Fomiatti Minnesma Ingrid  
**Sent:** Tuesday, 25 June 2013 2:27 PM  
**To:** Gonzo Gus; Wake Chris; Fegan Warwick  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

HI urgent response required

Ingrid Fomiatti Minnesma  
Acting Regional Manager Mining and Compliance  
Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

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**From:** Davies Emma  
**Sent:** Tuesday, 25 June 2013 2:26 PM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** media; Corro EHP ESR Northern  
**Subject:** Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Ingrid,

We have just received an enquiry from The Australian seeking an update on the Queensland Nickel Yabulu Refinery. Questions are:

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

Deadline COB today

Latest response (as at 14 Jan) is below. Is there any update to this?

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

**From:** Gonzo Gus [Gus.Gonzo@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 4:02 PM  
**To:** Davies Emma  
**Subject:** RE: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

I'm ok with you sending to Ingrid.

Cheers  
Gus

---

**From:** Davies Emma  
**Sent:** Tuesday, 25 June 2013 4:01 PM  
**To:** Gonzo Gus  
**Subject:** RE: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Gus,

What about this version?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) has no information to suggest any structural issues with Queensland Nickel's tailings dam and current dam storage levels are considered acceptable for this time of year.

Queensland Nickel continue to operate under a Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

Queensland Nickel are required to complete these actions by November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Davies Emma  
**Sent:** Tuesday, 25 June 2013 3:52 PM  
**To:** Gonzo Gus  
**Cc:** media  
**Subject:** RE: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Gus,

As discussed – response attached for your approval.

Once you are happy I will send to Ingrid for her approval (when available).

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) has no information to suggest any structural issues with Queensland Nickel's tailings dam and current dam storage levels are considered acceptable for this time of year.

EHP has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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---

**From:** Gonzo Gus  
**Sent:** Tuesday, 25 June 2013 3:38 PM  
**To:** Davies Emma  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian  
**Importance:** High

Emma,  
This has not been checked by Ingrid yet as she is tied up at present with a client.  
I will call to discuss.,  
Gus

---

**From:** Gonzo Gus  
**Sent:** Tuesday, 25 June 2013 3:19 PM  
**To:** Fomiatti Minnesma Ingrid ([Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au))  
**Cc:** Fegan Warwick; Wake Chris  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian  
**Importance:** High

Draft response. I will come down and talk with you about this one.

The Department of Environment and Heritage Protection has no information to suggest that there are currently any structural integrity issues with Queensland Nickel's tailings dam. Storage levels within the dam are considered to fall within acceptable risk ranges for this time of year. Queensland Nickel continue to operate under a Transitional Environmental Program. This TEP includes actions to make available additional storage prior to this coming wet season. The TEP actions are to be completed by Queensland Nickel by November 2013. The department will continue to monitor compliance with the TEP.

---

**From:** Fomiatti Minnesma Ingrid  
**Sent:** Tuesday, 25 June 2013 2:27 PM  
**To:** Gonzo Gus; Wake Chris; Fegan Warwick  
**Subject:** FW: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi urgent response required

Ingrid Fomiatti Minnesma  
Acting Regional Manager Mining and Compliance  
Northern Region  
Department of Environment and Heritage Protection  
5b Sheridan Street  
GPO Box 937  
Cairns QLD 4870  
**Telephone:** 07 4222 5337  
**Facsimile:** 07 4222 5070  
**Email:** [Ingrid.FomiattiMinnesma@ehp.qld.gov.au](mailto:Ingrid.FomiattiMinnesma@ehp.qld.gov.au)  
You can visit us online at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Tuesday, 25 June 2013 2:26 PM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** media; Corro EHP ESR Northern  
**Subject:** Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Ingrid,

We have just received an enquiry from The Australian seeking an update on the Queensland Nickel Yabulu Refinery. Questions are:

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

Deadline COB today

Latest response (as at 14 Jan) is below. Is there any update to this?

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 4:05 PM  
**To:** Fomiatti Minnesma Ingrid  
**CC:** media; Corro EHP ESR Northern; Gonzo Gus  
**Subject:** Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian  
**Attachments:** Media response\_ Qld Nickel Yabulu refinery update - The Australian

Hi Ingrid,

For your urgent approval – attached is a media response for The Australian regarding Queensland Nickel’s Yabulu refinery.

Approved by Gus Gonzo.

Deadline is COB today.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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[www.nprsr.qld.gov.au](http://www.nprsr.qld.gov.au)

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---

**From:** Davies Emma  
**Sent:** Tuesday, 25 June 2013 2:26 PM  
**To:** Fomiatti Minnesma Ingrid  
**Cc:** media; Corro EHP ESR Northern  
**Subject:** Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Ingrid,

We have just received an enquiry from The Australian seeking an update on the Queensland Nickel Yabulu Refinery. Questions are:

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

Deadline COB today

Latest response (as at 14 Jan) is below. Is there any update to this?

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel’s Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings

storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b> Ingrid Fomiatti Minnesma
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b> Dean Ellwood
<b>Media Unit phone:</b> 3339 5830	<b>Phone:</b>
<b>Approved by:</b>	

**Date:** Tuesday, 25 June 2013

**For:** Andrew Fraser  
The Australian  
3666 7453  
[fraser@theaustralian.com.au](mailto:fraser@theaustralian.com.au)

**Deadline:** COB Tuesday 25 June 2013

**Issue:** Queensland Nickel Yabulu refinery update

**Questions:**

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection (EHP) has no information to suggest any structural issues with Queensland Nickel's tailings dam and current dam storage levels are considered acceptable for this time of year.

Queensland Nickel continues to operate under a Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

Queensland Nickel is required to complete these actions by November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Fomiatti Minnesma Ingrid [Ingrid.FomiattiMinnesma@ehp.qld.gov.au]

**Sent:** Tuesday, 25 June 2013 4:13 PM

**To:** Davies Emma

**Subject:** KEEPER\_n2173742\_Media\_response\_\_Qld\_Nickel\_Yabulu\_refinery\_update\_-\_The\_Australian

**Attachments:** KEEPER\_n2173742\_Media\_response\_\_Qld\_Nickel\_Yabulu\_refinery\_update\_-\_The\_Australian.DOC.doc

Hi amended

RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b> Ingrid Fomiatti Minnesma
<b>Deadline:</b>	<b>Phone:</b> 4225338
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b> Dean Ellwood
<b>Media Unit phone:</b> 3339 5830	<b>Phone:</b>
<b>Approved by:</b>	

**Date:** Tuesday, 25 June 2013

**For:** Andrew Fraser  
The Australian  
3666 7453  
[frasera@theaustralian.com.au](mailto:frasera@theaustralian.com.au)

**Deadline:** COB Tuesday 25 June 2013

**Issue:** Queensland Nickel Yabulu refinery update

**Questions:**

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Queensland Nickel's tailings dam storage levels are considered acceptable for this time of year.

Queensland Nickel continues to operate under a Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

Queensland Nickel is required to complete these actions by November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Tuesday, 25 June 2013 4:18 PM

**To:** Ellwood Dean

**CC:** media; Corro EHP ESR DDG; McMain Lisa; Pope Karen; Wecker Benton

**Subject:** Media response: Queensland Nickel's Yabulu refinery update - The Australian

**Attachments:** Media response\_ Qld Nickel Yabulu refinery update - The Australian

Hi Dean,

For your approval – attached is a media response for The Australian regarding Queensland Nickel's Yabulu refinery.

Approved by A/ED Ingrid Fomiatti Minnesma.

Deadline is COB today.

Thanks,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b> Ingrid Fomiatti Minnesma
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b> Dean Ellwood
<b>Media Unit phone:</b> 3339 5830	<b>Phone:</b>
<b>Approved by:</b> Ingrid Fomiatti Minnesma	

**Date:** Tuesday, 25 June 2013

**For:** Andrew Fraser  
The Australian  
3666 7453  
[fraser@theaustralian.com.au](mailto:fraser@theaustralian.com.au)

**Deadline:** COB Tuesday 25 June 2013

**Issue:** Queensland Nickel Yabulu refinery update

**Questions:**

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Queensland Nickel's tailings dam storage levels are considered acceptable for this time of year.

Queensland Nickel continues to operate under a Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

Queensland Nickel is required to complete these actions by November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Ellwood Dean [Dean.Ellwood@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 4:22 PM  
**To:** Davies Emma  
**CC:** media; Corro EHP ESR DDG; McMMain Lisa; Pope Karen; Wecker Benton  
**Subject:** RE: Media response: Queensland Nickel's Yabulu refinery update - The Australian

Looks fine

Dean Ellwood  
Deputy Director-General  
Environmental Services & Regulation  
Department of Environment & Heritage Protection  
Level 7, 400 George Street, Brisbane Qld 4000  
**Telephone** 07 3330 5628  
**Mobile** [redacted] protection of an in  
**Email** [dean.ellwood@ehp.qld.gov.au](mailto:dean.ellwood@ehp.qld.gov.au)  
**Website** [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au)

---

**From:** Davies Emma  
**Sent:** Tuesday, 25 June 2013 4:18 PM  
**To:** Ellwood Dean  
**Cc:** media; Corro EHP ESR DDG; McMMain Lisa; Pope Karen; Wecker Benton  
**Subject:** Media response: Queensland Nickel's Yabulu refinery update - The Australian

Hi Dean,

For your approval – attached is a media response for The Australian regarding Queensland Nickel's Yabulu refinery.

Approved by A/ED Ingrid Fomiatti Minnesma.

Deadline is COB today.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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**From:** Davies Emma [Emma.Davies@ehp.qld.gov.au]

**Sent:** Tuesday, 25 June 2013 4:25 PM

**To:** brooke.hargraves@ministerial.qld.gov.au; Lynette Keep (Lynette.Keep@ministerial.qld.gov.au)

**CC:** media; Corro EHP DG; Chesterman Andrew; Ellwood Dean; Fomiatti Minnesma Ingrid; Waters Kerry

**Subject:** Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

**Attachments:** Media response\_ Qld Nickel Yabulu refinery update - The Australian

Hi Brooke, Lyn,

For your approval – attached is a media response for The Australian regarding Queensland Nickel's Yabulu refinery.

Approved by DDG Dean Ellwood and A/ED Ingrid Fomiatti Minnesma.

Deadline is COB today.

Thanks,

Emma Davies

Media Officer | Media Services

Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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---

**From:** Davies Emma

**Sent:** Tuesday, 25 June 2013 3:02 PM

**To:** brooke.hargraves@ministerial.qld.gov.au; Lynette Keep (Lynette.Keep@ministerial.qld.gov.au)

**Cc:** media

**Subject:** FYI: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Brooke Lyn,

FYI - We have received an enquiry from The Australian seeking an update on the Queensland Nickel Yabulu Refinery.

Questions are:

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

Deadline COB today

We are checking if there is any update to the previous response (as at 14 Jan) below.

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings

storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

<b>Enquiry received at:</b>	<b>Briefing officer:</b> Ingrid Fomiatti Minnesma
<b>Deadline:</b>	<b>Phone:</b>
<b>Media Unit contact:</b> Emma Davies	<b>DDG:</b> Dean Ellwood
<b>Media Unit phone:</b> 3339 5830	<b>Phone:</b>
<b>Approved by:</b> DDG Dean Ellwood, Ingrid Fomiatti Minnesma	

**Date:** Tuesday, 25 June 2013

**For:** Andrew Fraser  
The Australian  
3666 7453  
[frasera@theaustralian.com.au](mailto:frasera@theaustralian.com.au)

**Deadline:** COB Tuesday 25 June 2013

**Issue:** Queensland Nickel Yabulu refinery update

**Questions:**

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

**Draft response: Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection**

The Queensland Nickel's tailings dam storage levels are considered acceptable for this time of year.

Queensland Nickel continues to operate under a Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

Queensland Nickel is required to complete these actions by November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

**Agency background: (Department of Environment and Heritage Protection only – non media)**

**From:** Lynette Keep [Lynette.Keep@ministerial.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 5:02 PM  
**To:** Davies Emma  
**Subject:** RE: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Fine to go

Crest



**Lynette Keep**  
Senior Media Advisor  
Office of the Hon. Andrew Powell MP | Minister for Environment and Heritage  
Protection  
Phone: 07 3239 0818 | Fax: 07 3224 2496 | Mobile: protection of an i  
400 George Street | Brisbane | QLD 4000  
GPO Box 2454 | Brisbane | QLD 4001  
**Great State. Great Opportunity**

---

**From:** Davies Emma [mailto:Emma.Davies@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 4:25 PM  
**To:** Brooke Hargraves; Lynette Keep  
**Cc:** media; Corro EHP DG; Chesterman Andrew; Ellwood Dean; Fomiatti Minnesma Ingrid; Waters Kerry  
**Subject:** Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Brooke, Lyn,

For your approval – attached is a media response for The Australian regarding Queensland Nickel’s Yabulu refinery.

Approved by DDG Dean Ellwood and A/ED Ingrid Fomiatti Minnesma.

Deadline is COB today.

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)  
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---

**From:** Davies Emma  
**Sent:** Tuesday, 25 June 2013 3:02 PM  
**To:** [brooke.hargraves@ministerial.qld.gov.au](mailto:brooke.hargraves@ministerial.qld.gov.au); Lynette Keep ([Lynette.Keep@ministerial.qld.gov.au](mailto:Lynette.Keep@ministerial.qld.gov.au))  
**Cc:** media  
**Subject:** FYI: Media enquiry: Queensland Nickel Yabulu Refinery update - The Australian

Hi Brooke Lyn,

FYI - We have received an enquiry from The Australian seeking an update on the Queensland Nickel Yabulu Refinery. Questions are:

- Does the tailings dam still pose a risk?
- Are there any outstanding works the company is yet to complete?

Deadline COB today

We are checking if there is any update to the previous response (as at 14 Jan) below.

**Draft response: Please attribute the following to Andrew Connor, Executive Director, Department of Environment and Heritage Protection**

The Department of Environment and Heritage Protection has approved Queensland Nickel's Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

These actions include diverting stormwater away from the tailings storage facility and constructing additional contaminated water storage capacity on site to reduce the spill risk to less than one percent by 1 November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

Thanks,

Emma Davies  
Media Officer | Media Services  
Corporate Communications

**EHP | NPRSR**

[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)

[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

**From:** Hanson Anna [Anna.Hanson@ehp.qld.gov.au]  
**Sent:** Tuesday, 25 June 2013 5:13 PM  
**To:** frasera@theaustralian.com.au  
**CC:** media@ehp.qld.gov.au  
**Subject:** Media response - Queensland Nickel Yabulu  
**Attachments:** KEEPER\_n2174020\_Media\_response\_-\_Nickel\_Yabulu\_refinery\_update.doc

Hi Andrew

Attached is a response to your questions.

Regards

**Anna Hanson**  
Media Services  
**EHP | NPRSR**  
[media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)  
[media@nprsr.qld.gov.au](mailto:media@nprsr.qld.gov.au)

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RTI DL Release

# Media response

**Re:** Queensland Nickel Yabulu refinery update

**For:** Andrew Fraser  
The Australian  
3666 7453  
[fraser@theaustralian.com.au](mailto:fraser@theaustralian.com.au)

**Date:** 25 June 2013

***Please attribute the following to Ingrid Fomiatti Minnesma, Acting Executive Director, Department of Environment and Heritage Protection***

The Queensland Nickel's tailings dam storage levels are considered acceptable for this time of year.

Queensland Nickel continues to operate under a Transitional Environmental Program (TEP) which proposes various actions to reduce the risk of a release from the tailings storage facility.

Queensland Nickel is required to complete these actions by November 2013.

The department will continue to liaise with Queensland Nickel to monitor compliance with the TEP.

**ENDS**

For further media enquiries contact Media Services on (07) 3339 5831 or email [media@ehp.qld.gov.au](mailto:media@ehp.qld.gov.au)