

Myuna Colliery Independent Environmental Audit Action Plan

Non compliances and indeterminate compliance status's in relation to conditions in Project Approval 10_0080, EPL 366, CCL762 and MPL334 along with the required actions to achieve compliance are summarised in the following table.

Title	Condition No	Requirement	Comments	Compliance/ Recommendations	Action Required
PA 10_0080	S3.35	<p>Rehabilitation Management Plan</p> <p>The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the Executive Director Mineral Resources. This plan must:</p> <p>Be prepared in consultation with the Department, DPI Fisheries, LMCC, WSC and the CCC;</p> <ul style="list-style-type: none"> a) Be prepared in accordance with any relevant DRE guideline; b) Provide for detailed mine closure planning, including measures to minimise socio-economic effects due to mine closure, to be conducted prior to the site being placed on care and maintenance; c) Build, to the maximum extent practicable, on the other management plans required until this approval; and d) Be submitted to the Executive Director Mineral Resources for approval within 12 months of the date of this approval. 	<p>The Mining Operations Plan (Rehabilitation Management Plan) dated June 2013 was available for review. A letter dated 18 January 2013 from Myuna to the Executive Director Mineral Resources requested submission of the Plan in a staged approach. A response from DRE dated 22 January 2013 approved the staged approach and approved the plan for the period of January 2013 to June 2013.</p> <p>The current MOP includes a conceptual final land use plan for Surface Facility Areas. Stage 1 of the Rehabilitation Management Plan was prepared and submitted to the Executive Director Mineral Resources in January 2013 to DRE and DOP to clarify the approach was correct. An approval letter for Stage 1 dated 22 January 2013 was received from the Executive Director Mineral Resources. Myuna had yet to receive comment from the Executive Director Mineral Resources concerning the Stage 2 Rehabilitation Management Plan at the time of the audit. The following comments are provided on the MOP:</p> <ul style="list-style-type: none"> a) The auditors sighted correspondence from Myuna to the CCC, WSC and LMCC dated 6 June 2013 seeking feedback on Stage 2 of the MOP/RMP. b) The auditors sighted a letter from DRE dated 22 January 2013 indicating they were satisfied with the plan. c) Section 5 (pp.20-21) provided detail concerning mine 	<p>Preparation – Indeterminate (at time of site inspection formal approval by the Director-General was pending. Noted formal Approval has since been obtained dated 8 October 2013).</p> <p>Implementation – Indeterminate (on basis Plan was still to be approved at the time of the site inspection for the audit).</p>	<p>Approval of the MOP/RMP received from DRE on 8 October 2013.</p> <p>No further action required.</p>

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			<p>closure planning, including measures to minimise socio-economic effects due to mine closure.</p> <p>d) Whilst topics such as water management were discussed in the Plan there was not clear reference to other management plans required under this approval.</p> <p>e) URS sighted a letter of submission dated 5 June 2013 for Stage 2 of the RMP. It is noted that Stage 1 of the RMP was submitted in January 2013 (i.e. within the approval timeframe).</p> <p>f) Myuna provided an Approval letter for the MOP from DRE dated 8 October 2013</p> <p>For the Stage 2 MOP (RMP) the period of the plan is from June 2013 to June 2020. The June 2013 plan notes:</p> <ul style="list-style-type: none"> • No rehabilitation or removal and renovation of buildings are proposed in the plan period. • Myuna will continue to operate infrastructure to support mining throughout the duration of the MOP period from 2013 to 2020. • Rehabilitation of exploration drill sites will be undertaken at the completion of these sites during the MOP period in consultation with the landowner. • Rehabilitation of water management structures are not planned during the MOP period. Dams and water management structures will be used to manage water on site. 		

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			<p>Correspondence with DTIRIS in August 2013 indicated that further work is required to update the MOP prior to DTIRIS approving the Plan.</p> <p>Implementation</p> <p>The approval letter from DRE on 22 January 2013 noted that no rehabilitation activities are proposed in the Stage 1 REMP period and that DRE would assess rehabilitation and criteria in the further staged RMP / MOP submission for the site.</p> <p>It is noted that:</p> <ul style="list-style-type: none"> a) No building were renovated, removed or rehabilitated during the audit period. b) Rehabilitation to the stormwater drain diversion drain was observed during the site inspection. c) Rehabilitation of degraded areas caused by environmental weeds was systematically carried out during the reporting period as part of land management practice. d) No rehabilitation trials, research or initiatives were undertaken during the audit period. <p>Implementation was generally observed to be in accordance with the MOP. Given Stage 2 of the Mining Operations Plan Rehabilitation Management Plan has yet to be formally approved this Condition was found to be indeterminate.</p>		

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PA 10_0080	S3.31	<p>Waste</p> <p>The Proponent shall:</p> <ul style="list-style-type: none"> a) Minimise the waste generated by the project; and b) Ensure that the waste generated by the project is appropriately stored, handled and disposed of, <p>To the satisfaction of the Director-General.</p>	<p>A large stockpile of waste was observed on the emergency coal stockpile during the site inspection (approximate dimensions was 15m by 10 m by 4 m high). Site management reported that the material consisted of conveyor waste from the Bradford Beaker and had accumulated over a long period. The waste was observed to include, but not be limited to inert rock and minor coal deposits; however was observed to include, torn sections of conveyor belts, wood, plastic containers, pallet banding and small diameter piping. Site management reported that the waste would be returned underground in the near future.</p> <p>The site's Environmental Protection Licence does not provide an exemption for returning waste material underground. The Mining Operations Rehabilitation Management Plan (January 2013) states that 'all wastes generated on site are classified and separated in accordance with DECCW's Waste Classification Guidelines' and that 'due to the mining method employed at Myuna Colliery only a small amount of waste rock is produced from the mining process. This is collected and stored on site'.</p> <p>URS considers that the type of waste observed at the emergency coal stockpile would be classed as 'building and demolition waste' as defined by the EPA Waste Classification Guidelines Part 1: Classifying Waste. Further, returning such material back underground may potentially be a breach of Sections 142A and/or 143 of the Protection of the Environment and Operations Act 1997 that prohibits the pollution of land and requires waste to be transported to a place that can lawfully accept it. The EPA Waste Classification Guidelines Part 1: Classifying Waste describe building and demolition waste as 'bricks, concrete, paper, plastics, glass, metal, and timber,</p>	<p>Indeterminate Recommendation</p> <p>It is recommended that Myuna seek legal advice concerning the disposal of waste back underground in accordance with the POEO Act 1997.</p> <p>Only natural materials such as dirt, rock and coal deposits should be returned underground. Manmade materials including natural material treated with manmade product(s) (i.e. wood) should be segregated and disposed of off-site at an appropriately licensed waste facility. Waste should be separated at the source to prevent contamination of waste streams.</p>	<p>Myuna has implemented a waste sorting procedure to prevent further stockpiling of waste in the area.</p> <p>Waste currently stockpiled is to be sorted and disposed of through appropriate streams.</p>

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			<p>including unsegregated timber, that may contain timber treated with chemicals such as copper chrome arsenate (CCA), high temperature creosote (HTC), pigmented emulsified creosote (PEC) and light organic solvent preservative (LOSP)'. Minor quantities of such waste were reported to be produced per week.</p> <p>As URS cannot provide legal advice, further consideration of the legal status of this activity may be required.</p> <p>On this basis, this Condition has been assessed as Indeterminate.</p>		
PA 10_0080	S5.7	<p>Incident Reporting</p> <p>The Proponent shall notify, at the earliest opportunity, the Director-General and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incidents associated with the project, the Proponent shall notify the Director-General and any other relevant agencies as soon as practicable after the Proponent becomes aware of the incident. Within 7 days of the date of the incident, the Proponent shall provide the Director-General and any relevant agencies with a detailed report on the incident, and such further reports as may be requested.</p>	<p>Site management reported that Myuna has not reported any site incidents to the Director-General.</p> <p>One pH exceedance against the site's EPL thresholds was reported to EPA through the EPA Pollution Hotline.</p> <p>The EPL Annual Returns note the details of the exceedance (see Condition11, Schedule 2 for further information concerning EPL exceedances).</p> <p>Incidents are reported to DP&I in the AEMR at the end of the reporting period.</p> <p>Communications concerning reporting the pH exceedance to the EPA was available for the auditors to review.</p> <p>It is noted that notification of an environmental incident to the Director-General is specified in, but not limited to, the following plans:</p> <p>Environmental Management Strategy</p> <p>Water Management Plan</p>	<p>Non-Compliant</p> <p>Recommendation</p> <p>In accordance with this Condition and Myuna's management plans it is recommended that when the EPA is notified of an environmental incident that has caused, or threatens to cause, material harm to the environment the Director-General and any other agencies be notified at the earliest opportunity.</p>	<p>Noted.</p> <p>Reporting to the Director General and any other agencies will be undertaken in the case of an environmental incident in the future.</p>

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			<p>Noise Management Plan</p> <p>Biodiversity Management Plan</p> <p>On the basis that DP&I were not notified of the exceedance, Myuna was considered non compliant with this condition.</p>		
EPL366	L2.2	<p>Concentration Limits</p> <p>Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.</p>	<p>The 2012 AEMR indicates that there was one non-compliance concerning pH exceedance in accordance with the EPL366. A pH result of 6.16 was recorded at LDP002 on 18 April 2012. The EPL pH range limit is 6.5 to 8.5. The result was attributed to over flocculation of the CHP dam following a high rain event to manage high turbidity in the dams. Myuna considered the flocculent changed the pH level of the dams resulting in the low reading. The pH level on the 19 April 2012 was recorded at 7.21.</p> <p>Based on the one off pH exceedance (0.34 below the lower concentration limit) result Myuna was considered to be non compliant with this condition.</p>	<p>Non-Compliant</p> <p>(one minor Non Compliant result for pH during the reporting period)</p> <p>Recommendation</p> <p>Ensure future flocculation events are monitored to ensure pH levels are within the range specified by the EPL prior to discharging to receiving waters.</p>	<p>Noted.</p> <p>On going dirty water treatment improvements being undertaken at site to avoid further non compliances.</p>

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EPL366	L3.1	<p>Volume and Mass Limits</p> <p>For each discharge point or utilisation area specified below (by a point number), the volume/mass of:</p> <p>a) liquids discharged to water; or b) solids or liquids applied to the area;</p> <p>must not exceed the volume/mass limit specified for that discharge point or area.</p> <table border="1" data-bbox="472 592 949 740"> <thead> <tr> <th data-bbox="472 592 551 683">Point</th> <th data-bbox="551 592 808 683">Unit of Measure</th> <th data-bbox="808 592 949 683">Volume/Mass of Limit</th> </tr> </thead> <tbody> <tr> <td data-bbox="472 683 551 740">9</td> <td data-bbox="551 683 808 740">Kilolitres per day</td> <td data-bbox="808 683 949 740">13,000</td> </tr> </tbody> </table>	Point	Unit of Measure	Volume/Mass of Limit	9	Kilolitres per day	13,000	<p>One volume exceedance from LDP B (formerly LDP001) was notified to the EPA on 5 March 2013. No further action was taken by the EPA.</p> <p>The EPA notification reported that on 2 March 2013 the volume/mass limits exceeded those set out in Condition L3 of EPL 366 for LDP B. Volumetric flow was recorded a discharge of 13,356 kilolitres (kL) from LDP B. This flow was determined to be 356 kL above the EPL limit of 13,000 kL. The exceedance only occurred on 2 March 2013 and no concentration limits were exceeded during the event. Contributing factors were determined to be:</p> <ul style="list-style-type: none"> — a rainfall of 115.2 millimetres (mm) occurred on 2 March 2013; and — 3,676 kL of clean water flowed through LDP B during the event. <p>Centennial Myuna received an EPL variation on 27 February 2013 that introduced LDP B to the EPL. LDP001 and LDP002 were removed from the EPL. At the time of the volume/mass exceedance on 2 March 2013 LDP B included the flow from a clean water diversion drain that captured clean water run-off from the west of the pit top facilities. When the EPL variation was received on 27 February 2013 Myuna was in the process of realigning the clean water diversion drain so that it no longer flowed into an upstream connection of LDP B. The auditors observed the new clean water diversion drain and discharge point in place downstream from LDP B during the site inspection in June 2013. This should result in reduce risk of exceeding the EPL discharge limit for volume at this point. Planned improvements to the dirty water system included the annual maintenance de-silting of the CHP dam and the installation of a</p>	<p>Non-Compliant</p> <p>Recommendation</p> <p>Monitor effectiveness of clean water diversion works to reduce discharge flows so as to be within licence volume limits.</p> <p>Ensure improvements continue to the dirty water treatment system.</p>	<p>Noted.</p> <p>Monitoring on going as per EPL366.</p> <p>On going dirty water treatment improvements being undertaken at site to avoid further non compliances.</p>
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			<p>bore to re-inject water underground (from the CHP dam) into Great Northern seam to ensure that 'dirty' runoff undergoes treatment (via the ponds and underground settling) before discharge off-site.</p> <p>It is acknowledged that continuous flow monitoring data for LDP B is available and that the clean stormwater drain realignment now bypasses LDP B, however, there was an exceedence against the EPL requirement in the audit period and therefore this Condition has been found to be non-compliant.</p>		
EPL366	L4.3	<p>Waste</p> <p>This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence.</p>	Refer to Myuna Colliery –Mining Project - Project Approval DA 10_0080 S3.31 above for audit finding.	Indeterminate	
CCL762	C2	<p>Mining, Rehabilitation, Environmental Management Process and Mining, Rehabilitation, Environmental Management Process (MREMP) and (MOP)</p> <p>This Condition has requirements for preparation of the above plans. (See Appendix A for details of this condition).</p>	Refer to Myuna Colliery –Mining Project - Project Approval DA 10_0080 S3.35 above for audit finding.	Preparation and Implementation – Indeterminate (at time of site inspection formal approval by the Director-General was pending. Noted formal Approval has since been obtained dated 8 October 2013).	Approval of the MOP/RMP received from DRE on 8 October 2013.
MPL334		Within a period of three months from the date of this authority or a period of three months from the date of service of the notice of renewal, or within such further time as the Director-General may allow the registered holder shall serve on each	This requirement was initiated well before operations were managed by Centennial Coal. As such, this requirement was assumed to have been addressed at the time of the ML 334 being issued and was not assessed as part of this audit.	Indeterminate (Historical requirement)	Noted

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		<p>owner and occupier of the private land and on each occupier of the Crown land held under a pastoral lease within the subject area a notice in writing indicating that this authority has been granted or renewed and whether the authority includes the surface. The notice shall be accompanied by an adequate plan and description of the subject area.</p> <p>If there are ten or more owners or occupiers affected the registered holder may serve the notice by publication in a newspaper circulating in the region where the subject area is situated. The notice shall indicate that this authority has been granted or renewed, state whether the authority includes the surface and shall contain an adequate plan and description of the subject area.</p>	<p>For this reason, this condition was assessed as indeterminate.</p>		