

INDEPENDENT ENVIRONMENTAL COMPLIANCE AUDIT

**ROCGLEN COAL MINE –
PA 10_0015**

May 2013



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Prepared by
Umwelt (Australia) Pty Limited
on behalf of
Whitehaven Coal Limited

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1.0 Introduction

1.1 Rocglen Coal Mine

Whitehaven Coal Limited (Whitehaven) is the leading coal producer in the Gunnedah basin. Whitehaven has one underground and three active open cut mining operations, including the Rocglen Coal Mine which is the subject of this independent environmental compliance audit.

The Rocglen Extension Project (Project Approval 10_0015) was approved by the Minister for Planning on 27 September 2011 and involves the extension of the Rocglen open cut coal mine and associated facilities. The original Rocglen approval, (Project Approval 06_0198), was approved by the Minister for Planning on 15 April 2008 for the construction and operation of the Rocglen Mine. A minor modification (PA 06_0198 MOD 1) was granted in May 2010 to address highwall stability issues. As noted above, an extension of the original operations has subsequently been granted as a new Project Approval for the site. An application for surrender of Project Approval 06_0198 was made by Whitehaven Coal on 25 September 2012.

The current Project Approval (10_0015) for the extended operations provides for:

- extraction of about 12.4 million tonnes of coal by open cut mining methods at a maximum rate of 1.5 million tonnes per annum (mtpa);
- crushing and screening coal onsite;
- transportation of coal by road to the Whitehaven Coal Handling and Preparation Plant (CHPP) at Gunnedah;
- construction of mining-related infrastructure on the site;
- transportation of coal by rail to the Port of Newcastle; and
- rehabilitation of the mine site.

The on-site component of the environmental audit was conducted on 26 March 2013. Some information requested by the audit team was not available on-site at the time of the audit and has subsequently been provided to the audit team for review. This report provides an outline of the audit methodology and results, and provides recommended actions for achieving full compliance with environmental approvals. **Appendices 2, 3, 4, and 5** include detailed checklists of the status of compliance with the conditions of the Project Approval (PA10_0015), Environment Protection Licence (EPL) 12870, Mining Lease 1620 (ML1620) and Mining Lease (Purposes) 1662 (MPL1662) for the project respectively. The audit assessed the compliance status of Rocglen operations against the Project Approval and other relevant environmental approvals and licences, for operations occurring between May 2011 and March 2013.

The audit was led by Jenny Ehmsen; a RABQSA registered Lead Environmental Auditor (Certificate No. 15186), with Luke Bettridge (Umwelt (Australia) Pty Limited (Umwelt)) acting as assistant auditor during the audit. As required by Condition 8 of Schedule 5 of the Project Approval, the audit team was approved by Department of Planning and Infrastructure (DP&I) to undertake the audit (letter of approval from DP&I dated 6 March 2013).

1.2 Audit Objectives

Two key objectives were identified for the independent environmental audit for the Rocglen Coal Mine operations are as follows:

- to undertake an independent environmental audit as required by Condition 8 of Schedule 5 of the Conditions of Project Approval; and
- to assess the environmental performance of the Rocglen operations and the ability of the Whitehaven environmental management systems and controls to provide for sustainable management of the operations.

1.3 Audit Scope

Condition 2 of Schedule 2 of the Project Approval provides the Terms of Approval for the project which identifies that the project shall be carried out generally in accordance with the:

- Environmental Assessment (EA);
- Statement of Commitments; and
- Conditions of the Approval.

In order to assess the level of compliance with the terms of the approval, Condition 8 of Schedule 5 requires that an independent environmental audit be carried out.

Specifically, Condition 8 of Schedule 5 of the Rocglen Approval states:

By the end of March 2013, and every 3 years thereafter, unless the Director-General directs otherwise, the proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:

- be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;
- include consultation with relevant agencies;
- assess the environmental performance of the project and assess whether it is complying with the relevant requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);
- review the adequacy of strategies, plans or programs required under the abovementioned approvals; and
- recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

Notes: This audit team must be led by a suitably qualified auditor, and include experts in any field specified by the Director-General.

As required by the Project Approval, the audit covered the following key areas:

- consultation with relevant agencies;
- the environmental performance of the development, and its effect on the surrounding environment;
- compliance with relevant standards, performance measures and regulatory requirements; and
- the adequacy of the Environmental Management Strategy and environmental management plans/protocols.

1.4 Audit Criteria

The audit assessed the level of compliance and the environmental performance of the mine against the following approvals and licences:

- Project Approval (PA 10_0015);
- EA titled Environmental Assessment of the Belmont Coal Project via Gunnedah, (RW Corkery October 2007);
- Belmont Coal Project, Response to Public and Government Agency Submissions (RW Corkery and Co Pty Limited February 2008);
- Rocglen Coal Mine Modification – Highwall Stabilisation Works, Environmental Assessment – Rapid Assessment under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act) (GSS Environmental May 2010);
- Rocglen Coal Mine Extension Project – EA under Part 3A of the EP&A Act (GSS Environmental February 2011);
- Environmental Management Strategy for the Rocglen Coal Mine, Edition 1 Revision 0 (April 2008);
- Environmental Monitoring Program for the Rocglen Coal Mine, Edition 1 Revision 1 (June 2009);
- Noise Monitoring Program incorporating a Noise Management Protocol and Noise Monitoring Program for the Rocglen Coal Mine, Edition 1 Revision 0 (April 2008);
- Air Quality Monitoring Program for the Rocglen Coal Mine incorporating an Air Monitoring Protocol, Edition 1 Revision 1 (January 2009);
- Blast Monitoring Program for the Rocglen Coal Mine, Edition 1 Revision 0 (April 2008);
- Rocglen Coal Mine Project, Greenhouse and Energy Efficiency Plan (June 2009);
- Aboriginal and Cultural Heritage Management Plan for the Rocglen Coal Mine, Edition 1 Revision 0 (April 2008);
- Road Noise Management Plan for the Rocglen Coal Mine (November 2008);
- Whitehaven Coal Mining Pty Ltd, Road Closure Management Plan (undated);

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- Rocglen Coal Mine Rehabilitation Management Plan (February 2012);
 - EPL (No. 12870);
 - Mining Lease No 1620;
 - Mining Lease (Purposes) 1662;
 - Mining Operations Plan 2011 -2018 for the Rocglen Coal Mine (October 2011); and
 - Annual Environmental Management Reports.

1.5 Structure of this Document

This report contains the following sections:

- **Section 1.0** – Introduction. An overview of the Rocglen Coal Mine and purpose and scope of the audit.
- **Section 2.0** – Audit Methodology. A detailed description of the audit process.
- **Section 3.0** – Audit Findings. An overview of the findings of the audit, including detailed descriptions of any non-compliance identified.
- **Section 4.0** – Environmental Performance. An overview of the environmental performance of the Rocglen operations, including the findings from the site inspection.
- **Section 5.0** – Conclusion.
- **Appendix 1.** Agency Interview Questions.
- **Appendices 2 to 5** – Checklists of relevant approval documentation including the Project Approval, EPL, and mining leases applying to the project. The checklists provide a detailed review of each compliance condition applying to the project.
- **Appendix 6** – Photographic Plates. Photographs of key site features referred to in this report.

2.0 Audit Methodology

The audit process involved the interview of personnel and relevant regulatory agencies, a review of documentation and samples of records provided by Whitehaven Coal and a site inspection of the Rocglen operations to determine the level of environmental performance and compliance of the project. The audit process is described in more detail in **Sections 2.1 to 2.5**.

2.1 Preliminary Document Review

Prior to the audit, environmental documentation associated with the Rocglen mining operation was reviewed by the auditors. This involved a review of the EA and Project Approval for the project and the management plans that have been prepared to guide the environmental management of the operations.

2.2 Agency Consultation

As part of the audit process, interviews were undertaken with relevant government agency staff with a regulatory role relating to the project. The views of these agencies in relation to the project were determined through phone interviews. These phone interviews consisted of an Umwelt representative asking a standard set of questions which are provided in **Appendix 1**. A summary of the phone interviews is provided in **Section 3.2**.

2.3 Site Interviews and Inspections

2.3.1 Opening Meeting

The opening meeting was held at the Rocglen Coal Mine office commencing at 8.00 am on 26 March 2013. The participants are outlined in **Table 2.1**.

Table 2.1 - Opening Meeting Attendees

Opening Meeting	Organisation	Title
Jill Johnson	Whitehaven	Environmental Officer
Duncan McGregor	Whitehaven	Environmental Officer
Jason Conomos	Whitehaven	Operations Manager
Jenny Ehmsen	Umwelt	Lead Environmental Auditor
Luke Bettridge	Umwelt	Auditor

The audit team was introduced and the scope of their responsibilities was conveyed to the auditees. The purpose, depth and scope of the audit were outlined. The methods to be used by the team to conduct the audit were explained. It was stated that the audit team would be interviewing personnel, reviewing site management plans, examining records and conducting a site inspection in order to address specific compliance requirements, particularly those related to the relevant approvals and licences for the Rocglen operations.

Following the opening meeting, a preliminary site inspection was undertaken to familiarise the audit team with the site and operations.

2.3.2 Audit Interviews

Audit interviews were conducted with Jason Conomos (Rocglen Operations Manager), Jill Johnson (Environmental Officer) and Duncan McGregor (Environmental Officer) during the site component of the audit on 26 March 2013.

2.3.3 Data Collection and Verification

Where possible, documents and data collected during the audit process were reviewed on site. A number of documents were provided to the audit team prior to the on-site component of the audit. Several documents that were not available during the on-site component of the audit were provided following the audit.

All information obtained during the audit process was verified by the audit team where possible. For example, statements made by site personnel were verified by viewing documentation and/or site inspections where possible. Where suitable verification could not be provided, this has been identified in the audit findings.

2.3.4 Site Inspections

A detailed site inspection of the key areas of the mine was undertaken as part of the audit. Jason Conomos, Jill Johnson and Duncan McGregor accompanied the audit team during the site inspection. Areas inspected during the inspection included:

- site facilities area;
- workshop and hardstand areas, including washdown areas and hazardous goods storage;
- open cut pit;
- waste emplacement areas, including both the northern and western emplacement areas;
- topsoil stockpiles;
- contractor facilities for the scraper crews;
- run of mine (ROM) coal stockpiling and crushing operations, including loading of the crusher receival bin by front end loader;
- product coal stockpiling and loading operations;
- water management dams;
- Wean Road relocation and upgrade works; and
- coal transport route, including the private haul road, Shannon Harbour Road, Bluevale Road and Kamilaroi Highway.

2.3.5 Closing Meeting

The closing meeting was held at the Rocglen Coal Mine office commencing at 1.20 pm on 26 March 2013.

The participants are outlined in **Table 2.2**.

Table 2.2 - Closing Meeting Attendees

Closing Meeting	Organisation	Title
Jill Johnson	Whitehaven	Environmental Officer
Duncan McGregor	Whitehaven	Environmental Officer
Jason Conomos	Whitehaven	Operations Manager
Jenny Ehmsen	Umwelt	Lead Environmental Auditor
Luke Bettridge	Umwelt	Auditor

The objectives of this meeting were to discuss any outstanding matters, present preliminary findings and outline the process for finalising the audit report.

2.4 Reporting

Following completion of the site audit, the Project Approval, EPL and ML checklists were completed and audit notes were reviewed in order to compile a list of outstanding matters to be noted in the audit report. This report was prepared to provide an overview of the status of compliance by reference to the relevant compliance documentation and any other observations of the auditors during the site inspections and interviews. This report has been prepared on an exception basis, highlighting any areas where action or improvement is required.

2.5 Definitions

The reporting of results from the compliance audit was determined based on the following definitions.

Compliance

The intent and explicit requirements of the condition have been met. This includes meeting all requirements with respect to consultation (agency or otherwise), timing of actions or activities, the preparation of management plans or other specific requirements of the condition.

The failure to meet any or all of the specific requirements of the condition would result in a non compliance.

Non Compliance

A non compliance occurs when any of the specific requirements of the condition have not been met (i.e. if any sub-component of a requirement is not met (such as timing or consultation), the entire requirement is considered to be non-compliant).

Verification

The inability to provide formal written verification (letter, fax, email, meeting minutes, etc.) that a requirement has been met does not necessarily result in a non compliance. If the auditor is able to verify by other demonstrable means (visual inspection, personal communication, etc.) that a condition has been met then, in most cases, the operation should be considered to be in compliance for that condition.

Area of Concern

The intent of the condition has been met, however it is considered that either:

- the issue has the potential to deteriorate to a non-compliance if not further addressed; or
- further improvement is recommended.

Not Triggered

A condition or requirement has an activation or timing requirement which had not been triggered or completed at the time of the audit and therefore a determination of compliance could not be made. It is recommended that future audits assess compliance of any conditions or requirements that were found to have not been triggered during this audit.

Timing of Environmental Performance

For the purpose of a compliance audit the timeframe for environmental performance against the EPL can be divided into two periods:

- the current period which is the time from the beginning of the most recent EPL reporting period to the time the audit is conducted; and
- the historical period, which is the time prior to the most recent EPL reporting period.

3.0 Audit Findings

The detailed findings of the audit are presented in this section. Detailed assessments of compliance with relevant compliance documents are provided in **Appendices 2 to 5**. The findings of this audit are based upon visual observations of the site and its vicinity, interviews with site personnel and our interpretation of the documentation provided by Whitehaven Coal.

Opinions presented herein apply to the site as it existed at the time of the audit and from information provided by site personnel. Any changes to this information of which Umwelt is not aware and has not had the opportunity to evaluate therefore cannot be considered in this report.

A summary of the phone interviews undertaken with agencies with regulatory roles relating to the project is provided in **Section 3.2**. A review of the status of actions from the 2011 compliance audit is provided in **Section 3.3**. Specific findings of the audit in relation to each approval, lease or licence are discussed in **Section 3.4**. The results of the site inspections undertaken for the project and any other issues identified during the audit are provided in **Section 4.0**.

Overall, Rocglen has achieved a high level of compliance with the conditions of its Project Approval, EPL and Mining Leases. Rocglen has experienced environmental performance issues in the past relating to water discharge exceedances, however the auditors noted that a range of works have been undertaken since February 2012 to improve the water management across the Rocglen site as detailed in **Section 4.1.1.2**. The audit found that there have been no further water discharge incidents since February 2012.

A summary of the compliance assessment is provided in **Table 3.1**.

Table 3.1 - Summary of Statutory Compliance

Approval/Licence	Not Triggered	Compliance	Non-Compliance	Verification Required	Observation
Project Approval	18	151	7	0	11
Environmental Protection Licence No. 12870	20	80	5	2	1
Mining Lease 1620	16	35	0	0	0
Mining Lease (Purposes) 1662	6	27	0	0	0

Note: The numbers refer to the number of conditions and subconditions.

3.1 Status of Development at Rocglen Coal Mine

The audit has identified that the operations at the Rocglen Coal Mine are generally being undertaken in accordance with the project approval and associated approval documentation including the EA and other permits, such as EPL (No. 12870), Mining Lease (ML1620) and Mining Lease (Purposes) 1662. Measures are generally in place to prevent and minimise environmental harm and few community complaints have been received since operations commenced.

Mining has generally taken place in accordance with the approved EA, although it was noted that production has not yet reached the approved tonnage of 1.5 mtpa. Currently, the production rate is at approximately 1.3 mtpa. Key features of the current operations include:

- operations are approved for 24 hours per day Monday to Saturday, however mining is currently only undertaken over two shifts (day and night) with night shift finishing at 3.30 am;
- waste emplacements are in operation at the western and northern locations, although the western emplacement is almost complete;
- in-pit overburden placement is continuing at the northern end of the pit;
- the site facilities area including the workshop and coal processing area are operational; and
- the Wean Road diversion has been constructed and is operational.

3.2 Agency Consultation

Consultation was undertaken with relevant government agencies to identify any particular issues of concern relating to the Rocglen operations. The results of the consultation undertaken are tabled in **Table 3.2**.

Table 3.2 - Agency Consultation

Agency	Person Contacted	Date(s) Contacted	Response
DP&I	Carl Dumpleton	24 April 2013	No specific issues raised. Identified that annual AEMR site inspection was to take place in mid May 2013.
Office of Environment and Heritage (OEH)	Kharl Turnbull	16 April 2013	Identified that annual AEMR site inspection was to take place in mid May 2013. Aware of previous discharge incidents. Also mentioned noise as a potential issue but no formal complaints had been lodged with EPA.
Gunnedah Council	Carolyn Hunt	24 April 2103	No specific issues raised. Council is a member of the Community Consultative Committee (CCC) and receives copies of the Annual Environmental Monitoring Report (AEMR).
Department of Trade and Investment, Regional Infrastructure Services (DTIRIS)	Simon Lund	22 April 2013	No specific issues raised. Identified that annual AEMR site inspection was to take place in mid May 2013.

3.3 Previous Compliance Audit 2011

In May 2011, Umwelt undertook an inspection of the Rocglen Mine to evaluate compliance of the mine's operations with Project Approval. The inspection focused primarily on the consistency of the operations with the approval, general environmental management, dust management, surface water and groundwater management, noise management and blasting management.

Where previous non-compliances relate to ongoing operations at the site, these have been reviewed by Umwelt as part of the 2013 audit. Generally, the audit team noted that Rocglen has addressed the majority of the previous findings and has improved its environmental performance from the previous audit period.

The key non-compliance issue identified during the previous audit was the lack of an approved Landscape Management Plan (LMP). The development of the LMP had been held in abeyance pending the finalisation with OEH and DP&I of the Whitehaven Regional Biodiversity Offset Strategy and the assessment and determination of the Rocglen Extension project, as both of these could have had an impact on the existing operations. The lack of certainty with respect to the Offset Strategy was identified to have the potential to impact on the operations at that time, particularly in relation to rehabilitation and management of the site.

It was noted by the auditors that Whitehaven has now finalised its Regional Biodiversity Offset Strategy and a Biobanking Agreement is in place for offsets for the Rocglen site. It was also noted that Whitehaven has now prepared and had approved a Rehabilitation Management Plan under PA 10_0015 for the Rocglen site. Completion of these actions has addressed the previously identified non-compliances related to biodiversity and rehabilitation.

Non-compliances from the previous report that are still outstanding include the submission of reports within required timeframes. It was noted that Rocglen has improved its compliance management and tracking from the previous audit, however there were still incidences within the audit period when incident reporting was not within required timeframes (refer to **Section 4.1.1.2**).

3.4 Compliance Issues

The Rocglen Coal Mine was found to be operating generally in compliance with the terms of the relevant approvals and licences applying to it. However, a number of non-compliances were identified where action is required to ensure full compliance is met for some conditions/requirements. A number of verifications were also identified, where full compliance with a condition/requirement could not be determined as either insufficient evidence was available but the auditor felt that the requirement had likely been met, or the determination of compliance was dependent on the outcome of a programmed action being finalised by Whitehaven Coal and there was no specific timing requirement in the condition.

A full compliance assessment against the requirements of relevant approval documents and licences is provided in **Appendices 2 to 5**. A summary of the non-compliances for each approval document is provided below.

3.4.1 Project Approval 10_0015

Operations at the Rocglen site are generally being undertaken in a manner that is consistent with the requirements of the Project Approval (PA 10_0015). However, a number of non-compliances were identified where action is required to ensure full compliance.

A full compliance checklist against the requirements of the Project Approval was completed as part of the audit and is included as **Appendix 2**. A summary of the non-compliance issues are outlined below.

Schedule 2: Condition 1 – Non-compliance

The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.

The site inspection and audit of compliance documentation found no significant issues relating to environmental management at the site. However several non-conformances have been identified as documented in the compliance checklists and summarised in this report.

Schedule 2: Condition 2 (d) – Non-compliance

The Proponent shall carry out the project generally in accordance with the:

(c) conditions of this approval.

A number of non-compliances with the Project Approval were identified during the audit as noted in this report.

Schedule 3: Condition 1 – Non-compliance

The Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 1 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.

Table 1: Noise criteria dB(A)

Location	Day	Evening	Night	
	L_{Aeq} (15 min)	L_{Aeq} (15 min)	L_{Aeq} (15 min)	L_{A1} (1 min)
All privately-owned land	35	35	35	45

A review of monitoring data identified an exceedance of 1 dB at 'Surrey' location 28 September 2012 of the daytime maximum of 35 dB. No other exceedances were identified for the audit period.

Whitehaven continues to monitor noise levels in accordance with its approved Noise Monitoring Program and has also acquired a real time noise monitor which has been located at several residences to monitor noise levels as a result of complaints. It is considered that Whitehaven's actions in investigating the noise exceedances and the continued monitoring is appropriate and no further actions are considered to be required.

Schedule 3: Condition 11 – Non-compliance

The Proponent shall not carry out any blasting on site that is within 500 metres of:

(a) a public road without the approval of Council; and

Rocglen do not currently seek approval for individual blasts from Gunnedah Council when road closures are required. Council has approved the Road Closure Management Plan prepared by Rocglen for occasions when blasting will be within 500 metres of a public road and Rocglen are relying on this approved Plan as evidence of Council approval. However, it was noted that the Road Closure Management Plan also identifies that notification will be to the Council's Engineering Services Division by at least 12 noon on the day prior to the road closure. This is currently not undertaken.

Recommendation

It is recommended that Rocglen liaise with Gunnedah Council to ascertain their requirements in relation to approval of blasting and modify the Road Closure Management Plan as appropriate.

Schedule 3: Condition 22 – Non-compliance

The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Director-General. This plan must be prepared in consultation with OEH, NOW and DRE by suitably qualified and experienced persons whose appointment has been approved by the Director-General, and submitted to the Director-General for approval by the end of February 2012. In addition to the standard requirements for management plans (see condition 2 of schedule 5), this plan must include:

Water Management Plan (under PA 10_0015) submitted 6 March 2012. Although technically non-compliant, the submission of the Water Management Plan six days after the nominated due date is not considered to have any material effect on the environmental performance of the operations. No further action is considered to be required.

Schedule 3: Condition 25 – Non-compliance

By the end of December 2012, unless the Director-General agrees otherwise, the proponent shall upgrade and tar seal Wean Road to the satisfaction of Council from the northern end of the existing tar seal to the point of the Gunnedah/Narrabri Shire Council boundary, in general accordance with Council's Rural Local Roads Standard.

Letter sighted (dated 20 May 2011) advising that Stage 1 of the Wean Road works had been completed to Gunnedah Shire Council's satisfaction. Work on the Wean Road diversion has been completed but the tar seal to the boundary has not yet been completed. It is understood that Whitehaven has actions currently in progress to facilitate the upgrade and tar sealing of Wean Road required by this condition and no further actions are considered to be required. Compliance with the condition should be verified at the next audit.

Schedule 5: Condition 6 – Non-compliance

As soon as is practicable after the Proponent becomes aware of any incident associated with the project, the Proponent shall notify the Director-General and any other relevant agencies 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.

Discharge of sediment laden water from dam SD3 occurred 21 February 2012, reported via letters to DP&I and EPA 1 March 2013, eight days later. An incident report was submitted to EPA on 9 March 2012, a further eight days later. Written notification of the incident did not occur within seven days of the incident.

Recommendation

As detailed in **Section 3.3**, management of compliance tracking and reporting was noted as an area which was identified as an issue during the 2011 compliance audit. Whilst it is noted that the focus on compliance management has improved at the Rocglen operation since the 2011 compliance audit, it is recommended that Rocglen further investigate whether any further mechanisms can be utilised at the operations to assist with the tracking of compliance and reporting requirements.

3.4.2 Environmental Protection Licence 12870

Whitehaven Coal holds an EPL for its Rocglen operation as it conducts an activity that requires a licence under the *Protection of the Environment Operations Act 1997* (POEO Act). The EPL outlines Whitehaven Coal's responsibilities and the environmental performance standards it is required to meet, being:

- operating conditions;
- monitoring and recording conditions; and
- reporting conditions.

Whitehaven Coal reports its performance against the above responsibilities and environmental performance status via the submission of its Annual Return. The licence reviewed as part of this audit was dated 15 October 2012. It is noted that an EPL variation was approved by EPA in March 2013, with the revised EPL 12870 dated 21 March 2013. As the previous version of the licence was in force for the duration of the period covered by the audit, the assessment of compliance has been undertaken against the EPL dated 15 October 2012. The EPL variation has provided revised conditions regarding the implementation of particulate matter pollution reduction program completed by Rocglen in 2012.

A full compliance checklist against the requirements of EPL 12870 was completed as part of the audit and is included as **Appendix 3**. A summary of the non-compliance issues are outlined below.

Condition L1.1 – Non-compliance

Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

And:

Condition L2.5 (a) – Non-compliance

The Total Suspended Solids concentration limits specified for Points 11 and 12 may be exceeded for water discharged provided that:

(a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5 day period immediately prior to the discharge occurring.

Whitehaven received a Penalty Infringement Notice (PIN) for discharge on 21 February 2012 from SD3. Discharge occurred 21 February, reported via letter to Environmental Protection Authority (EPA) 1 March 2013. An incident report was submitted to EPA on 9 March 2012. Total Suspended Solids (TSS) from SD3 measured 340 mg/L with 25 millimetres of rain being recorded in the preceding five days.

Therefore the licence exemption was not triggered and the exceedance represents a non-compliance with the licence condition.

It was noted by the auditor that water management on site has significantly improved since the last audit with no discharge non-compliances reported since the February 2012 incident. Whilst Whitehaven should continue to monitor the effectiveness of its water management system to ensure no further unlicensed discharges occur, no further specific actions are considered to be required.

Condition L3.1 (a) – Non-compliance

Noise from the premises must not exceed:

(a) an LAeq (15 minute) noise emission criterion of 35 dB(A) at all times (day, evening and night time periods).

A review of monitoring data identified an exceedance of 1 dB at the 'Surrey' location on 28 September 2012 of the daytime maximum of 35 dB. No other exceedances were identified for the audit period. Whitehaven continues to monitor noise associated with its operations as outlined in its approved Noise Management Plan and no further action is considered to be required. It was noted that the revised Noise Management Plan for the extension has been prepared and submitted but has not yet been formally approved. The previous Noise Management Plan therefore remains the approved Plan.

Condition R2.1 – Non-compliance

Notifications must be made by telephoning the Environment Line service on 131 555.

And:

Condition R2.2 – Non-compliance

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Discharge of sediment laden water from dam SD3 occurred 21 February 2012, reported via letter to EPA 1 March 2013, eight days later. An incident report was submitted to EPA on 9 March 2012, a further eight days later. Written notification of the incident to the EPA did not occur within seven days of the incident. It was also noted that notification of the incident was not made to the Environment Line but rather was done by letter.

Recommendation

As detailed in **Section 3.3**, management of compliance tracking and reporting was noted as an area which was identified as an issue during the 2011 compliance audit. Whilst it is noted that the focus on compliance management has improved at the Rocglen operation since the 2011 compliance audit, it is recommended that Rocglen further investigate whether any further mechanisms can be utilised at the operations to assist with the tracking of compliance and reporting requirements.

3.4.3 Mining Lease 1620

A full compliance checklist against the requirements of ML 1620 was completed as part of the audit and is included as **Appendix 4**. There were no non-compliances recorded against ML 1620.

3.4.4 Mining Purposes Lease 1662

A full compliance checklist against the requirements of ML 1662 was completed as part of the audit and is included as **Appendix 5**. There were no non-compliances recorded against MPL 1662.

3.5 Environmental Management Plans

Rocglen has developed a range of environmental management plans to address the requirements of the Rocglen Extension Project Approval (10_0015). It is noted that Rocglen has been waiting many months for approval of their plans from DP&I. This has caused technical non-compliances as a result of this audit, as the previously approved plans are technically still in force, despite the fact that they do not reflect the expanded operations. The auditor noted that where the revised (but not yet approved) plans provide for better environmental management of the expanded operations, Rocglen are implementing the revised plans.

The management plans developed for the Rocglen operations address specific impacts associated with the project, such as noise, and reflect the requirements detailed in the Project Approval and statement of commitments. The plans and programs required to be prepared include:

- Noise Management Plan;
- Air Quality and Greenhouse Gas Management Plan;
- Blast Management Plan;
- Water Management Plan, including:
 - Site Water Balance;
 - Surface Water Management Plan;
 - Groundwater Management Plan;
- Heritage Management Plan;
- Rehabilitation Management Plan; and
- Environmental Management Strategy.

Additionally, the following plans were reviewed which were not specifically required by the conditions of the Project Approval but which were prepared by Whitehaven Coal to guide the environmental management of the operations.

- Mining Operations Plan 2011 - 2018 for the Rocglen Coal Mine (October 2011).

Condition 8(c) of Schedule 5 of the Project Approval requires that the audit assess the environmental performance of the project against any plan or program made under the Project Approval or other approval. Condition 8(d) also requires that the audit review the adequacy of any plan or program made under an approval document.

The audit found that the management plans and programs that had been prepared for the project were generally adequate and prepared in accordance with the relevant compliance requirements. Whitehaven Coal were found to be generally operating in accordance with those management plans that have been submitted to DP&I which reflect the Rocglen extension project, rather than the existing approved management plans.

Key issues in relation to the adequacy of the documents reviewed and their implementation on-site are discussed in the following sections.

3.5.1 Air Quality and Greenhouse Gas Management Plan

Whitehaven has established an Air Quality Monitoring Program for the Rocglen operations in accordance with Project Approval (PA 06_0198). A revised Air Quality and Greenhouse Gas Management Plan (AQGGMP) was submitted to DP&I on 20 December 2011. The plan was prepared in consultation with OEH, who detailed in correspondence to Rocglen that the OEH would not be providing comment on the draft plan.

The air quality controls and management procedures for the Rocglen site are described in Section 3 of the AQGGMP. This includes a description of the real time monitoring provided by a PM₁₀ Tapered Element Oscillating Microbalance (TEOM) monitor. The monitoring program at Rocglen currently uses a combination of dust deposition gauges, High Volume Air Samplers (HVAS) and a TEOM to monitor the performance of the operations. The monitoring network is described in Section 4 of the AQGGMP.

Controls and procedures described in the AQGGMP were generally observed to be implemented on site. For example, external transport trucks were observed to be covered, water carts were on site watering haul roads, internal haul roads were noted to be well maintained, and the drill rig uses water injection to minimise dust emissions. Dust was not observed to be an issue on the day of the audit.

3.5.2 Blast Management Plan

Whitehaven has established a Blasting Monitoring Program for the Rocglen operations in accordance with Project Approval (PA 06_0198). A revised Blast Management Plan was submitted to DP&I on 20 December 2011 in accordance with Project Approval (PA 10_0015). The plan was prepared in consultation with OEH, who detailed in correspondence to Rocglen that the OEH would not be providing comment on the draft plan.

The Blast Management Plan details the blast management controls which are implemented at Rocglen Mine. Blast notice boards are located on the mine boundary to advise of blasting activities. A review of the blast monitoring data identified that there were no exceedances of the airblast overpressure or ground vibration during the audit period. It is noted that a blast was undertaken on the day of the site inspection at Rocglen. Blast management practices were observed to be consistent with the Blast Management Plan and no vibration or noise was readily discernible as a result of the blast.

Rocglen do not currently seek approval for individual blasts from Gunnedah Council when road closures are required. Council has approved the Road Closure Management Plan prepared by Rocglen for occasions when blasting will be within 500 metres of a public road and Rocglen are relying on this approved Plan as evidence of Council approval. However, it was noted that the Road Closure Management Plan also identifies that notification will be to the Council's Engineering Services Division by at least 12 noon on the day prior to the road closure. This is currently not undertaken.

Recommendation

It is recommended that Rocglen liaise with Gunnedah Council to ascertain their requirements in relation to approval of blasting and modify the Road Closure Management Plan.

3.5.3 Environmental Management Strategy

Whitehaven has established an EMS for the Rocglen operations in accordance with the Project Approval (PA 06_0198). In addition, Whitehaven submitted a revised EMS developed in accordance with PA 10_0015 to DP&I on 20 December 2011. The EMS details roles and responsibilities for the various site personnel including employees and contractors. It was noted during the audit that the procedures described in the EMS are generally implemented. Evidence was sighted to confirm that regular environmental inspections are undertaken, exceedances in criteria are notified to relevant authorities, and reported in AEMR and EPL Annual Compliance Return.

It was noted that the list of approvals included in Section 3.1 of the revised EMS does not include MPL 1662. It was also noted that although the list in Section 3.1 identifies water licences, it does not specifically identify which licences. In order to ensure that all of the appropriate approvals and licences are identified, it is recommended that further details of the approvals and licences be included in the EMS.

Recommendation

It is recommended that a similar table to that included in Table 1 of the 2011 to 2012 AEMR be included in the revised EMS.

3.5.4 Noise Management Plan

Whitehaven has established a noise monitoring program which initially included both attended and non-attended monitoring. Unattended monitoring was discontinued on the basis of having adequate background noise data and that unattended noise loggers were generally ineffective in confirming compliance. In addition, Whitehaven submitted a revised Noise Management Plan to DP&I on 20 December 2012 in accordance with the requirements of Project Approval (PA 10_0015). The noise management measures detailed within Section 4.0 of the Noise Management Plan were observed to be implemented during the site inspection. It is also noted that Rocglen Mine has implemented a real time noise monitoring program in accordance with Section 3.1 of the Noise Management Plan.

Recommendation

Whilst the existing Road Traffic Noise Management Plan under PA 06_0198 was prepared in consultation with Tarrawonga Coal Mine, there does not appear to be a similar Plan or reference to the existing Plan included in the Noise Management Plan prepared under PA 10_0015. It is recommended that Rocglen incorporate the existing Road Traffic Noise Management Plan into the revised NMP to comply with this requirement.

3.5.5 Heritage Management Plan

Whitehaven has developed an Aboriginal and Cultural Heritage Management Plan. In addition, Whitehaven submitted a revised Heritage Management Plan to DPI 20 December 2012 in accordance with the requirements of PA 10_0015. The Heritage Management Plan developed for Rocglen operations details the measures to be implemented to record and salvage sites within the project disturbance area as well as the storage of the Aboriginal objects. The Heritage Management Plan also details the induction requirements related to heritage management, details the consultation protocols developed between Rocglen and the Aboriginal Stakeholders and define soil stripping procedures which provide for Aboriginal Stakeholder involvement in the stripping process.

4.0 Environmental Performance

As described in **Section 2.4**, inspections of the project site and associated infrastructure were undertaken on 26 March 2013. Areas inspected during the site inspection included the site facilities area, workshop and hardstand, coal crushing and stockpiling, open cut pit, waste emplacements, water management structures, and coal transport route.

The site was found to be operating with environmental management controls in place and Whitehaven personnel were found to have a very good understanding of key environmental management issues.

4.1 Key Environmental Issues

4.1.1 Water Management

4.1.1.1 Contaminated Water Management

Whitehaven has an approved Water Management Plan which was prepared under the provisions of the previous project approval. It was noted that a revised Water Management Plan for the extension project has been prepared and submitted but has not yet been formally approved. Generally the controls identified in the current approved Plan are being implemented. The Plan identifies four classes of water to be managed:

- clean water;
- dirty water;
- contaminated water; and
- pit water.

Contaminated water is considered to be surface water which could potentially contain hydrocarbons. Section 2.1 of the Water Management Plan identifies:

To ensure the treatment and separation of “contaminated” water from the workshop and wash bay area by diversion to an oil separating unit, with clarified water reporting to sediment basins.

As described in the management plan, the environmental controls at the workshop include the use of an oily water separator. Oil skimmed from the separator is piped to the waste oil tank. It was noted in the 2011 audit that water from the separator, which could potentially contain hydrocarbons and therefore be considered contaminated water, is discharged to a drainage line directly connecting to SD3 which is the licensed water discharge point from the site under the provisions of the EPL. As a result of the previous audit finding, it was noted by the auditors that drainage works have been undertaken in the vicinity of SD3 to minimise the potential for contaminated water to be inadvertently discharged. These works have included the construction of an additional small settling pond between the oily water separator and the SD3 discharge point.

4.1.1.2 Surface Water Discharges

Rocglen experienced a period of heavy rainfall in February 2012 which resulted in a discharge from dam SD3 that recorded a measured TSS level of 340 mg/L. The EPL specifies that where more than 38.4 millimetres of rainfall had occurred over the previous five days, the TSS criteria could be exceeded. For this event, 25 millimetres of rain had been recorded in the previous five days and as such the rainfall exemption did not apply. Rocglen subsequently received a PIN from the EPA for the discharge event.

Since February 2012, Rocglen have undertaken a range of site works to improve vehicle access to site water management infrastructure, including the improvement of access tracks to dams as well as the establishment of ‘hardstand’ areas and turning bays adjacent to water management infrastructure. In addition, Rocglen have established a series of sediment dams along the toe of the western emplacement area to capture and treat runoff prior to discharge from the site water management system. Site water dams also have signage installed to identify the capacity of the dams onsite (refer to Plate 1 and 2 in **Appendix 6**). Following the establishment of this infrastructure and completion of improvement works, there have been no further exceedances of the TSS criteria.

4.1.2 Hydrocarbon and Chemical Management

Hydrocarbons including oils and greases were generally observed to be stored in impervious bunded areas at the workshop area (Plate 3 in **Appendix 6**). The bunded areas observed at the workshop during the audit would generally provide suitable secondary containment in the event of a spill with spill kits noted to be available in each bunded area. The main diesel storage tanks sighted at the workshop during the audit were self bunded containers with appropriate vehicle collision protection and impervious bunded areas for refuelling. Waste oil is stored within an impervious metal bund inside a shipping container.

During the site inspection of the Rocglen operations, it was noted that where oils, greases and chemicals are being stored on bunded pallets, there is potential for spills and leaks to extend beyond the pallet bund, particularly where containers are stacked or leaks occur under pressure (refer to Plate 3 in **Appendix 6**).

Recommendation

It is recommended that Whiethaven review the hydrocarbon and chemical storage practices for packaged oils, greases and chemicals stored at the open cut workshop, using the Technical Considerations in Appendix 2 of the 'Storage and Handling Liquids: Environmental Protection, Participant's Manual' (DECC 2007) as a guide.

4.1.3 Rehabilitation

The rehabilitation undertaken on site to date was compared to the plans provided in the EA and the approved Mining Operations Plan (MOP). Based on this review, Rocglen appears to be progressing with the completion of rehabilitation in accordance with the schedules detailed within the MOP. Areas of rehabilitation were inspected during the audit and found to be in reasonable condition. Groundcover growth was quite good; however tree establishment has been slow due to prolonged hot and dry weather in the months prior to the audit. It was noted during the site inspection, in discussions with Rocglen management personnel, that the Rocglen operation, whilst undertaking rehabilitation in accordance with the approved MOP, does have a large disturbance footprint. Rocglen management noted that as mining continues in accordance with the Project Approval, that the disturbance footprint will be minimised.

4.1.4 Noise

A review of the monitoring data shows that one noise exceedance has been recorded during the audit period. An exceedance of 1 dB over the day time noise criteria of 35 dB(A) was recorded at the Surrey residence on 28 September 2012.

There were no complaints received in relation to the noise exceedance and there have been no further exceedances recorded at this location.

During the site inspection, interviews were also conducted with the Whitehaven management team to discuss noise management at the Rocglen operations. Rocglen personnel confirmed that real time weather and noise monitoring data is utilised to manage noise emissions from the operations, with operations modified as necessary to reduce noise emissions from the operations. Modifications to the operation may include the relocation of equipment during unfavourable weather conditions.

4.1.5 Air Quality

Whitehaven has an approved Air Quality Monitoring Program and a draft AQGGMP in place for the Rocglen operations. Evidence was sighted during the audit to indicate that the approved plan and the requirements of the submitted management plan are generally being implemented. For example, water carts were in operation at the time of the audit, watering access roads around the site, and coal transport trucks were covered prior to leaving site. Dust levels were observed to be well managed during the site inspection, with staff interviews indicating a high level of environmental awareness, particularly in relation to dust control.

The audit found that there have been no recorded exceedances of PM₁₀ criteria at the Rocglen operations.

4.1.6 Coal Transport

Coal transportation was observed to be undertaken along the nominated coal transport route to the Whitehaven CHPP. Intersection upgrades had been completed at Bluevale Road/Hoad Land and at Kamilaroi Highway. The completion of these upgrades in accordance with the original approval was verified at the last audit.

The coal transport route was generally noted to be free of spilled coal. Loaded trucks observed leaving the site during the audit, and travelling along the coal transport route, had their loads covered.

Whitehaven has a Road Maintenance Agreement in place with Gunnedah Shire Council for the maintenance of local roads used for the transportation of coal to its Gunnedah CHPP. This Road Maintenance Agreement includes maintenance of the roads associated with the Rocglen operations, including Bluevale Road and Shannon Harbour Road.

Noise monitoring of the road transport operations is being undertaken in accordance with the approved Road Noise Management Plan and to date no exceedances have been recorded.

4.1.7 Waste Management

Waste management on site was generally noted to be undertaken in a manner consistent with the EA. Waste bins were sighted at various locations around the site and were observed to be mostly well utilised. In the workshop area, bins were available for oily rags and used filters and waste oils were pumped to the waste oil tank. Wastes appeared to be segregated and disposed of in appropriate bins.

4.2 Whitehaven Compliance Management and Review

Evidence was sighted during the audit to indicate that Whitehaven is generally aware of its compliance obligations. Requirements from Project Approval conditions and commitments identified in the Statement of Commitments have generally been translated into the various management plans and monitoring programs for the site operations.

In terms of assessing their environmental performance, the Rocglen site Environmental Officer conducts monthly site inspections using a standard checklist and reviews the monthly environmental monitoring data. Using this data, the Whitehaven Group Environmental Manager prepares monthly reports that are provided to senior management to review the environmental performance of the operations.

Where exceedances have been reported, evidence was sighted to indicate that notification of the exceedances to DP&I and EPA has been undertaken. However these notifications are not always provided within the timeframes required by the conditions of the EPL and Project Approval. There is evidence of internal compliance assessment and management review, however there are opportunities to improve the tracking of compliance with all statutory approvals to ensure all reporting requirements from incidents, submission of management plans in accordance with Project Approval requirements etc are met.

5.0 Conclusion

Whitehaven Coal has implemented comprehensive environmental management and monitoring systems at its Rocglen Coal Mine, including environmental management controls for both construction and operation. Whitehaven Coal's management team and environmental personnel have shown considerable commitment to environmental performance at the site. This is reflected through the overall positive responses received from government agencies interviewed for the audit and the general compliance with environmental performance found as part of this audit.

The audit found a number of non-compliances with the relevant approvals and licences that apply to the project which generally related to the following issues:

- exceedance of specific environmental performance criteria relating to noise and surface water; and
- secondary requirements for documents or actions required under the Project Approval, such as gaining formal approval from DP&I or submitting management plans within a required timeframe.

Several of the non-compliances identified during the audit, particularly those related to secondary requirements for documents or actions under the Project Approval, are considered unlikely to affect Whitehaven's ability to effectively manage environmental issues in accordance with the relevant approvals and licences that apply to the project. For the non-compliances identified that were associated with exceedances of performance criteria, Whitehaven was found to be addressing the issues that have arisen in a satisfactory manner and reporting exceedances to relevant government agencies as required under the Project Approval and EPL, although such notifications are not always undertaken within the required timeframes.



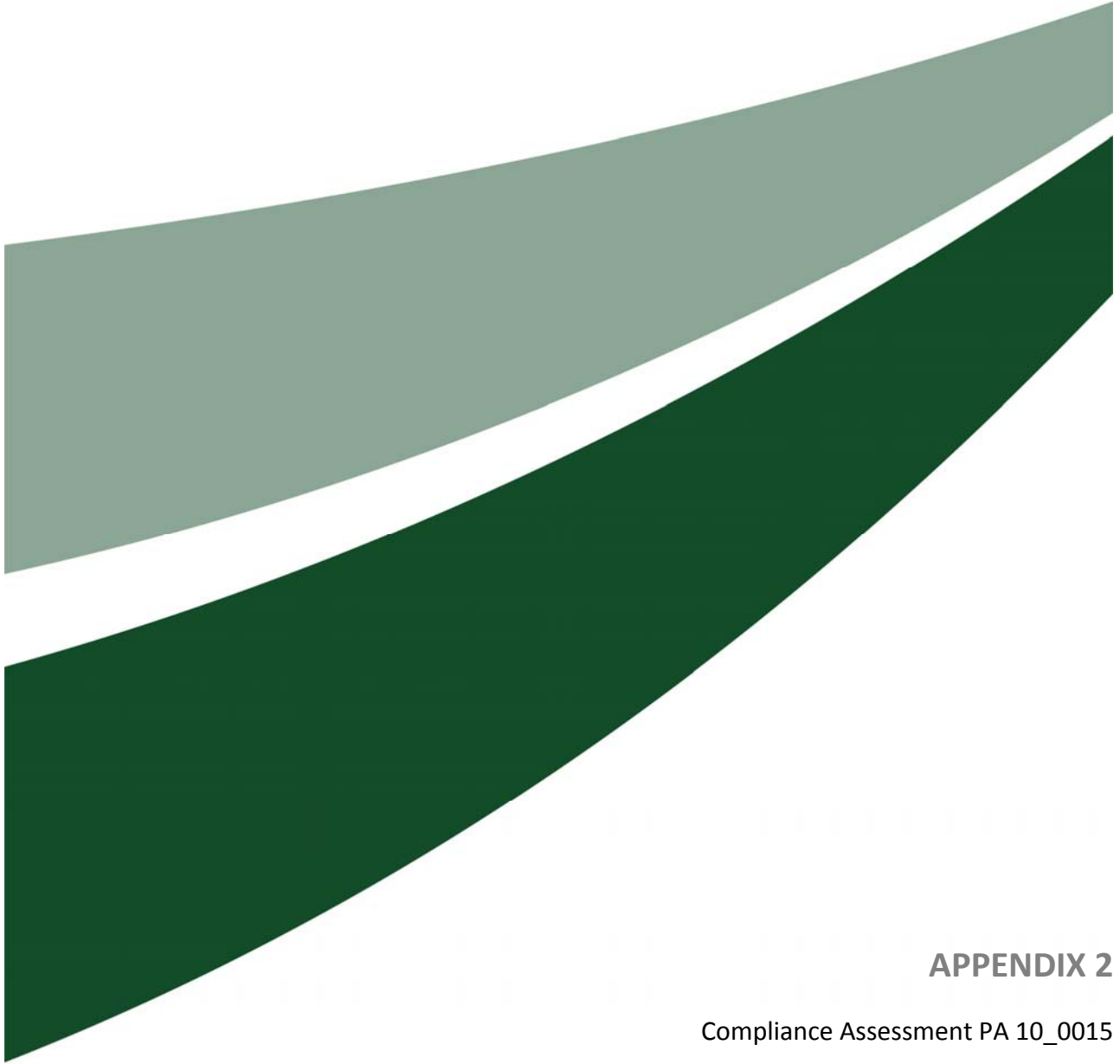
APPENDIX 1

Agency Interview Questions

**Rocglen Independent Environmental Audit – March 2013
Agency Questions**

Agency:		Time:	
Representative(s):		Location:	
Date:			

1. What is your agency's role in relation to the Rocglen mining operations?
2. What is your specific role within the agency, particularly relating to your involvement with the Rocglen mining operations?
3. What aspects of your agency's statutory role relate to the Rocglen mining operations?
4. In relation to the Rocglen mining operations compliance with statutory requirements administered by your agency:
4.1. Are you satisfied with the Rocglen mining operations reporting of compliance status (including monitoring results)?
4.2. Are you aware of any past or current compliance issues (including fines, notices etc.)? If so please provide details.
4.3. What actions were taken to resolve these compliance issues (e.g. programs developed, activities modified etc.) and were you satisfied with these actions?
4.4. Are you aware of any currently outstanding compliance issues or actions?
5. Are you aware of any outstanding community complaint issues in relation to the Rocglen mining operations?
6. Are you satisfied with the way in which community complaints have been managed by the Rocglen mining operations?
7. Do you have any other specific environmental or community issues in relation to the Rocglen mining operations that need to be addressed?



APPENDIX 2

Compliance Assessment PA 10_0015

Project Approval No: 10_0015

Approval dated 27 September 2011

Schedule	Condition No.	Requirement	Compliance C/NC/O/NT/V	Evidence	Comments
2	ADMINISTRATIVE CONDITIONS				
	Obligation to Minimise Harm to the Environment				
	1	The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation, or rehabilitation of the project.	NC	The site inspection and audit of compliance documentation found no significant issues relating to environmental management at the site. However several non-conformances have been identified as documented in the compliance checklists and summarised in this report.	
	2	The Proponent shall carry out the project in accordance with the: (a) EA; (b) statement of commitments; and	C	During the site inspection, it was observed that the development is generally being carried out in accordance with the development described in the approved EA, including the statement of	
		(c) conditions of this approval.	NC	Non-compliances identified as described below.	
		<i>Notes:</i> · The general layout of the project is shown in Appendix 2; and · The statement of commitments is reproduced in Appendix 7.	Noted		
	3	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	Noted		
	4	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: (a) any reports, strategies, plans, programs, reviews, audits or correspondence that are submitted in accordance with this approval; and	C	Rocglen provided draft copies of revised plans to DP&I and other relevant agencies for comment. Where comments were received, these have been addressed and the revised plans resubmitted for approval.	
		(b) the implementation of any actions or measures contained in these documents.	O	Rocglen has submitted revised plans to DP&I for approval. In some areas, it is the revised plans that are being implemented rather than the existing approved plans, as the existing plans do not reflect the expanded operations.	
	LIMITS ON APPROVAL				
	Mining Operations				
	5	The Proponent may carry out mining operations on the site until the end of December 2022.	C	Approval is current	
<i>Note: Under this approval, the Proponent is required to rehabilitate the site and carry out additional undertakings to the satisfaction of both the Director-General and the Executive Director, Mineral Resources in DRE. Consequently, this approval will continue to apply in all other respects - other than the right to conduct mining operations - until the rehabilitation of the site and these additional undertakings have been carried out satisfactorily.</i>		Noted			
Coal Extraction					
6	The Proponent shall not extract more than 1.5 million tonnes of ROM coal from the site in a calendar year.	C	Production volumes, as detailed within the 2011/2012 AEMR for the site detail the ROM from the open cut as 1,280,345 tonnes of ROM coal.		

SURRENDER OF EXISTING PROJECT APPROVAL				
7	By the end of September 2012, or as otherwise agreed by the Director-General, the Proponent shall surrender the existing project approval for the Rocglen Coal Mine (06_0198) in accordance with section 75YA of the EP&A Act.	C	Letter of surrender to DP&I dated 25 September 2012 sighted.	
8	Prior to the surrender of project approval 06_0198, the conditions of this approval shall prevail to the extent of any inconsistency between the two approvals.	Noted		
STRUCTURAL ADEQUACY				
9	The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.	C	Rocglen advised that no new structures had been constructed since the last audit and no new structures were observed during the site inspection.	
	<i>Notes:</i> · Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates (where necessary) for the proposed building works; and · Part 8 of the EP&A Regulation sets out the requirements for the certification of the project.	Noted		
Demolition				
10	The Proponent shall ensure that all demolition work on site is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	NT	No demolition work has been undertaken.	
OPERATION OF PLANT AND EQUIPMENT				
11	The Proponent shall ensure that all the plant and equipment used on site, or to transport coal from the site, is:			
	(a) maintained in a proper and efficient condition; and	C	Maintenance and defects reporting systems reviewed during the audit indicated Rocglen has established maintenance reporting procedures and pre-start checklists are used to identify defects.	Plant maintenance and defects reporting systems were reviewed in detail during the previous audit. Records were reviewed this audit to confirm that the systems are still in place.
	(b) operated in a proper and efficient manner.	C	Rocglen have developed Training and Assessment Records to provide training and assessment of competency.	Training and competency records were reviewed in detail during the previous audit and found to be satisfactory. Records reviewed identified that the systems are still being implemented.
STAGED SUBMISSION OF ANY STRATEGY, PLAN OR PROGRAM				
12	With the approval of the Director-General, the Proponent may submit any strategy, plan or program required by this approval on a progressive basis.	NT	Rocglen has reviewed its management plans to reflect the extension operations and all plans have been submitted to DP&I for approval.	
	<i>Note: While any strategy, plan or program may be submitted on a progressive basis, the Proponent will need to ensure that the existing operations at the site are covered by suitable strategies, plans or programs at all times. In addition, if any strategy, plan or program is prepared for only part of a project, then it must clearly describe which part of the project it applies to, and give an indication when the strategy, plan or program will need to be updated to include the other parts of the project.</i>	Noted		
13	The Proponent shall continue to implement the existing strategies, plans or programs that apply to any development on site under project approval 06_0198 until they are replaced by an equivalent strategy, plan or program approved under this approval.	O	Management plans and strategies related to PA 06_0198 are the currently approved plans and are still available on the website, with a notation that these are to be replaced with PA 10_0015 plans.	It is noted that Rocglen has been waiting many months for approval of their plans from DP&I. This has caused technical non-compliances as a result of this audit, as the previously approved plans are technically still in force, despite the fact that they do not reflect the expanded operations. The auditor noted that where the revised (but not yet approved) plans provide for better environmental management of the expanded operations, Rocglen are implementing the revised plans.

3

ENVIRONMENTAL PERFORMANCE CONDITIONS

NOISE

Noise Criteria

1	<p>The Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 1 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.</p> <p><i>Table 1: Noise criteria dB(A)</i></p> <table border="1" data-bbox="593 504 1216 598"> <thead> <tr> <th rowspan="2">Location</th> <th>Day</th> <th>Evening</th> <th colspan="2">Night</th> </tr> <tr> <th>L_{Aeq} (15 min)</th> <th>L_{Aeq} (15 min)</th> <th>L_{Aeq} (15 min)</th> <th>L_{AT} (1 min)</th> </tr> </thead> <tbody> <tr> <td>All privately-owned land</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table> <p><i>Note: Noise generated by the project is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.</i></p> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Location	Day	Evening	Night		L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{AT} (1 min)	All privately-owned land	35	35	35	45	NC	A review of monitoring data identified an exceedance of 1 dB at 'Surrey' location 28/09/2012 of the daytime maximum of 35 dB. No other exceedances were identified for the the audit period.	
Location	Day		Evening	Night														
	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{Aeq} (15 min)	L _{AT} (1 min)														
All privately-owned land	35	35	35	45														
		Noted																
		C	Rocglen currently has a written private agreement with the owner of the Roseberry property which provides for higher levels of dust and noise than those specified in the Project Approval.															

Road Traffic Noise Criteria

2	<p>The Proponent shall ensure that the road traffic noise generated by the project and the Tarrawonga coal mine does not exceed the criteria in Table 2.</p> <p><i>Table 2: Road traffic noise impact criteria dB(A) L_{Aeq}(1 hour)</i></p> <table border="1" data-bbox="608 997 1261 1050"> <thead> <tr> <th>Location</th> <th>Day</th> <th>Evening</th> <th>Night</th> </tr> </thead> <tbody> <tr> <td>Any residence on privately-owned land</td> <td>55</td> <td>55</td> <td>50</td> </tr> </tbody> </table> <p><i>Note: Road traffic noise is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Road Traffic Noise Policy.</i></p>	Location	Day	Evening	Night	Any residence on privately-owned land	55	55	50	C	Review of road noise monitoring records indicates there were no exceedances of the Road Traffic Noise Criteria.	
Location	Day	Evening	Night									
Any residence on privately-owned land	55	55	50									

Operating Conditions

3	<p>The Proponent shall:</p> <p>(a) implement best practice noise management to minimise the operational, low frequency, and road traffic noise generated by the project;</p> <p>(b) minimise the noise impacts of the project during temperature inversions; and</p> <p>(c) regularly assess the real-time noise monitoring and meteorological forecasting data and relocate, modify, and/or stop operations on site to ensure compliance with the relevant conditions of this approval, to the satisfaction of the Director-General.</p>	C	Control measures for noise mitigation are discussed in Section 2.2 of the NMP. Evidence was sighted during the audit to indicate that the control measures are <u>generally implemented</u> .	
		C	Interviews with the Operations Manager and the Environment Officers identified that the real time weather and noise monitoring data is used to monitor conditions. Operations have been modified (eg change to lower dumps) when conditions are <u>unfavourable</u> .	
		C	PA 06_0198 did not require real-time noise monitoring and as such, the existing approved management plan does not address it. Although the revised Plan has been submitted to DP&I, it has not been approved. Rocglen, however, has implemented real-time noise monitoring in accordance with Section 3.1 of the revised plan.	
			Existing Noise Monitoring Program under PA 06_0198 - Sections 3.0 and 7.1: meteorological forecasting.	

Noise Management Plan				
4	The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Director-General. This plan must:	C	PA 06_0198 required a Noise Monitoring Program rather than a Noise Management Plan. Although the currently approved plan remains the Noise Monitoring Program, a review of Rocglen's submitted, but not yet approved Noise Management Plan has been undertaken.	
	(a) be prepared in consultation with OEH, and submitted to the Director-General for approval by the end of December 2011;	C	Letter to OEH requesting comment on NMP sighted (dated 20/12/2011). Letter to DP&I submitting management plan sighted (dated 20/12/2011).	
	(b) describe the noise mitigation measures that would be implemented to ensure compliance with the relevant conditions of this approval;	C	The revised NMP addresses this in Section 4.0. Generally, the controls were observed to be implemented on site. For example road network was observed to be maintained in a good condition, plant and equipment on site is regularly serviced, operations have been modified to accommodate unfavourable weather conditions.	
	(c) include a Road Traffic Noise Management Plan that has been prepared in consultation with the operators of the Tarrawonga coal mine; and	O	Whilst the existing Road Traffic Noise Management Plan under PA 06_0198 - was prepared in consultation with Tarrawonga Coal Mine, there does not appear to be a similar Plan or reference to the existing Plan included in the Noise Management Plan prepared under PA 10_0015.	It is recommended that Rocglen incorporate the existing Road Traffic Noise Management Plan into the revised NMP to comply with this requirement.
	(d) include a noise monitoring program that: · uses a combination of real-time and supplementary attended monitoring to evaluate the performance of the project; and	C	PA 06_0198 did not require real-time noise monitoring and as such, the existing approved management plan does not address it. Although the revised Plan has been submitted to DP&I, it has not been approved. Rocglen, however, has implemented real-time noise monitoring in accordance with Section 3.1 and 3.3 of the revised plan. Existing Noise Monitoring Program under PA 06_0198 - Addresses attended monitoring in Section 5.1	
	· includes a protocol for determining exceedances of the relevant conditions of this approval.	C	Existing Noise Monitoring Program under PA 06_0198 - Section 7.1, Appendix 1 Also addressed in submitted, but not yet approved, NPM - Section 4.0 Evidence reviewed on site confirmed that Rocglen has a process in place for determining exceedances and reporting those exceedances as they occur.	It was noted that only one minor noise exceedance was reported during the audit period.

BLASTING															
Blasting Criteria															
5	<p>The Proponent shall ensure that the blasting on site does not cause exceedances of the criteria in Table 3.</p> <p><i>Table 3: Blasting criteria</i></p> <table border="1"> <thead> <tr> <th>Location</th> <th>Airblast overpressure (dB(Lin Peak))</th> <th>Ground vibration (mm/s)</th> <th>Allowable exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Residence on privately-owned land</td> <td>115</td> <td>5</td> <td>5% of the total number of blasts over a period of 12 months</td> </tr> <tr> <td>120</td> <td>10</td> <td>0%</td> </tr> </tbody> </table> <p>However, these criteria do not apply if the Proponent has a written agreement with the relevant landowner to exceed the criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance	Residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months	120	10	0%	C	Monitoring data for all blasts was reviewed during the audit. There were no exceedances of the airblast overpressure or ground vibration.	
Location	Airblast overpressure (dB(Lin Peak))	Ground vibration (mm/s)	Allowable exceedance												
Residence on privately-owned land	115	5	5% of the total number of blasts over a period of 12 months												
	120	10	0%												
Blasting Hours															
6	The Proponent shall only carry out blasting on site between 9am and 5pm Monday to Saturday inclusive. No blasting is allowed on Sundays, public holidays, or at any other time without the written approval of the Director-General.	C	Blast monitoring data shows blasting was undertaken between 9am and 5pm Monday to Saturday, with no blasts undertaken on Sundays or public holidays												
Blasting Frequency															
7	The Proponent shall not carry out more than one blast a day on site, unless an additional blast is required following a blast misfire.	C	Blast monitoring data shows no more than one blast a day was carried out on site.												
	<i>Note: A blast may involve a number of explosions within a short period, typically less than two minutes.</i>	Noted													
Property Inspections															
8	If the Proponent receives a written request from the owner of any privately-owned land within 2 kilometres of the approved open cut mining pit on site, or other landowner nominated by the Director-General, for a property inspection to establish the baseline condition of any buildings and/or structures on their land, or to have a previous property inspection report updated, then within 2 months of receiving this request the Proponent shall:	C	Structural engineering building investigation reinspection report sighted for 'Brolga' property.												
	(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to:	C	Letter from DP&I approving Kelley Covey Pty Ltd sighted.												
	· establish the baseline condition of the buildings and/or structures on the land or update the previous property inspection report; and	C	Structural Engineering Building Investigation Reinspection Report - Section 3.0												
	· identify any measures that should be implemented to minimise the potential blasting impacts of the project on these buildings and/or structures; and (b) give the landowner a copy of the new or updated property inspection report.	C	Structural Engineering Building Investigation Reinspection Report - Section 7.2												

Property Investigations			
9	If the owner of any privately-owned land claims that the buildings and/or structures on their land have been damaged as a result of blasting on site, then within 2 months of receiving this claim the Proponent shall:	C	The owner of the Surrey property claimed damage from a blast. Rocglen now monitor blasts at the Surrey property. Copy of inspection report reviewed during the audit.
	(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to investigate the claim; and	O	Although Kelly Covey had been previously approved by DP&I to undertake property inspections for Whitehaven, no specific approval had been sought in relation to the property damage claim.
	(b) give the landowner a copy of the property investigation report.	C	Rocglen had only recently received the report from the consultant in the week prior to the audit. It had not yet been given to the property owner but was ready for handover.
	If this independent property investigation confirms the landowner's claim, and both parties agree with these findings, then the Proponent shall repair the damages to the satisfaction of the Director-General.	NT	
	If the Proponent or landowner disagrees with the findings of the independent property investigation, then either party may refer the matter to the Director-General for resolution.	NT	
Operating Conditions			
10	The Proponent shall (a) implement best blasting management practice on site to: · protect the safety of people and livestock in the surrounding area; · protect public or private property in the surrounding area; and · minimise the dust and fume emissions of the blasting; and	C	Requirements are addressed in Sections 3.0 and 7.0 of the submitted but not yet approved BMP. The Road Closure Management Plan was generally observed to be implemented, however no specific notification to or approval from Gunnedah Council is provided (see
	(b) operate a suitable system to enable the public to get up-to-date information on the proposed blasting schedule on site, to the satisfaction of the Director-General.	C	Blast noticeboards are located on the mine boundary to advise of blasting activities. Blast notifications are sent to individuals who have registered to receive blast notifications (for example, notification sheet for blast no. 143 scheduled for 12.00pm on 25/3/13 - blast was rescheduled to 26/3/13 with notification provided to residents). Blast No. 143 (notification sighted) was undertaken on the day of the audit site inspection. Blast management practices were observed and no vibration or noise was readily discernable as a result of the blast.
11	The Proponent shall not carry out any blasting on site that is within 500 metres of: (a) a public road without the approval of Council; and	NC	Rocglen do not currently seek approval for individual blasts from Gunnedah Council when road closures are required. Council has approved the Road Closure Management Plan prepared by Rocglen for occasions when blasting will be within 500 metres of a public road and Rocglen are relying on this approved Plan as evidence of Council approval. However, it was noted that the Road Closure Management Plan also identifies that notification will be to the Council's Engineering Services Division by at least 12 noon on the day prior to the road closure. This is currently not undertaken. It is recommended that Rocglen liaise with Gunnedah Council to ascertain their requirements in relation to approval of blasting and modify the Road Closure Management as appropriate.

	(b) any land outside the site that is not owned by the Proponent, unless: · the Proponent has a written agreement with the relevant landowner to allow blasting to be carried out closer to the land, and the Proponent has advised the Director-General in writing of the terms of this agreement; or · the Proponent has:	NT	Blasting has not been required to be carried out closer than 500 metres to adjacent residents.	
	o demonstrated to the satisfaction of the Director-General that the blasting can be carried out closer to the land, without compromising the safety of people or livestock, or damaging the buildings and/or structures on the land; and	NT	Blasting has not been required to be carried out closer than 500 metres to adjacent residents.	
	o updated the Blast Management Plan to include the specific measures that would be implemented while blasting is being carried out within 500 metres of the land.	NT	Blasting has not been required to be carried out closer than 500 metres to adjacent residents.	
Blast Management Plan				
12	The Proponent shall prepare and implement a Blast Management Plan for the project to the satisfaction of the Director-General. This plan must:	C	PA 06_0198 required a Blast Monitoring Program rather than a Blast Management Plan. Although the currently approved plan remains the Blast Monitoring Program, a review of Rocglen's submitted, but not yet approved Blast Management Plan has been undertaken.	
	(a) be prepared in consultation with OEH, and submitted to the Director-General for approval by the end of December 2011;	C	Letter to OEH requesting comment on BMP sighted (dated 20/12/2011). Letter to DP&I submitting management plan sighted (dated 20/12/2011)	
	(b) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval; and	C	Addressed in Section 3.0 of the BMP.	
	(c) include a blast monitoring program to evaluate the performance of the project.	C	Addressed in Section 5.1 of the BMP. A review of monitoring data and blast records confirmed that the monitoring program is implemented as documented.	
AIR QUALITY & GREENHOUSE GAS				
Odour				
13	The Proponent shall ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.	C	No complaints of odour from the site have been made in the audit period.	Blasting is considered to be the key activity that could result in odours being generated from the site, however, to date blast design has been used to ensure odour generation is minimised.
Greenhouse Gas Emissions				
14	The Proponent shall implement all reasonable and feasible measures to minimise the release of greenhouse gas emissions from the site.	C	Rocglen has implemented measures such as equipment shutdown when not required, dumping in pit at lower heights and multi-level emplacements to avoid longer haulage routes, and to reduce requirements for dozer pushout during rehabilitation.	

Air Quality Criteria

15	<p>The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that the particulate emissions generated by the project do not exceed the criteria listed in Tables 4, 5 and 6 at any residence on privately-owned land or on more than 25 percent of any privately owned land.</p> <p><i>Table 4: Long-term criteria for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^a90 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^a30 µg/m³</td> </tr> </tbody> </table> <p><i>Table 5: Short-term criterion for particulate matter</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>^d Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 50 µg/m³</td> </tr> </tbody> </table> <p><i>Table 6: Long-term criteria for deposited dust</i></p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total^f deposited dust level</th> </tr> </thead> <tbody> <tr> <td>^cDeposited dust</td> <td>Annual</td> <td>^b2 g/m²/month</td> <td>^a4 g/m²/month</td> </tr> </tbody> </table> <p><i>Notes:</i></p> <ul style="list-style-type: none"> ^a Total impact (i.e. incremental increase in concentrations due to the project plus background concentrations due to other sources); ^b Incremental impact (i.e. incremental increase in concentrations due to the project on its own); <p>^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003: Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method; and</p> <p>^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed to by the Director-General in consultation with OEH.</p>	Pollutant	Averaging period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging period	^d Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total ^f deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	C	<p>The air quality criteria to be met for the project are identified in the submitted, but not yet approved, Air Quality and Greenhouse Gas Management Plan (AQGGMP) - Section 3.0</p> <p>Monitoring data for all air quality monitoring sites was reviewed during the audit. It was noted that there had been individual exceedances of the dust gauge criteria from month to month, the average annual dust deposition rate is below the criteria specified (excluding BD2 - Glenroc, which is a mine-owned residence, not privately-owned). The review of data also identified that there had been no exceedances of the PM10 criteria at any gauge during the audit period (again, excluding Glenroc, which is a mine-owned residence, not privately-owned).</p>	<p>Specific TSP monitoring is not being undertaken. Rocglen has indicated in their AEMR that compliance with the TSP criterion is assessed via the interpolation of PM10 monitoring results; as approved by DP&I.</p> <p>It was noted that calculated TSP levels are not reported in the AEMR.</p>
Pollutant	Averaging period	^d Criterion																									
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m ³																									
Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³																									
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^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month																								

Operating Conditions

16	<p>The Proponent shall:</p> <p>(a) implement best practice air quality management on site, including all reasonable and feasible measures to minimise the off-site odour, fume and dust emissions generated by the project, including those generated by any spontaneous combustion on site,</p>	C	<p>Air quality controls and management procedures for the Rocglen site are described in Section 3 of the AQGGMP. This includes a description of the real time monitoring provided by a PM10 TEOM monitor.</p>	
	<p>(b) minimise any visible air pollution generated by the project;</p>	C	<p>No visible dust was observed at the time of the audit. Water carts were observed on site watering haul roads and hard stand areas, and very little dust was observed to be generated as a result of the blast that took place on the day.</p>	<p>Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program - Section 5.3 and Table 5.1</p>
	<p>(c) minimise the surface disturbance on site; and</p>	O	<p>It was observed during the site inspection that Rocglen has a large approved footprint in comparison to the coal tonnages extracted.</p>	<p>Interview with the Mine Manager acknowledged the large footprint and advised that future operations will be closing the width of the operations which will assist in minimising the area of disturbance.</p>
	<p>(d) regularly assess the real-time air quality monitoring and meteorological forecasting data, and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval,</p> <p>to the satisfaction of the Director-General.</p>	C	<p>A real time meteorological system has been installed along with a real time air quality monitor (TEOM). Data from these systems was reviewed during the audit.</p>	

Air Quality & Greenhouse Gas Management Plan				
17	The Proponent shall prepare and implement an Air Quality & Greenhouse Gas Management Plan for the project to the satisfaction of the Director-General. This plan must:	C	PA 06_0198 required an Air Quality Monitoring Program rather than an Air Quality & Greenhouse Gas Management Plan; as such review of Rocglen's submitted, but not yet approved Air Quality & Greenhouse Gas Management Plan has been undertaken.	
	(a) be prepared in consultation with OEH, and submitted to the Director-General for approval by the end of December 2011;	C	Letter to OEH requesting comment on AQGGMP sighted (dated 20/12/2011). Letter to DP&I submitting management plan sighted (dated 20/12/2011).	
	(b) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval, including a real-time air quality management system that employs reactive and proactive mitigation measures; and	C	Air quality controls and management procedures for the Rocglen site are described in Section 3 of the AQGGMP. This includes a description of the real time monitoring provided by a PM10 TEOM monitor.	Controls and procedures described in the AQGGMP were generally observed to be implemented on site. For example, external transport trucks were observed to be covered, water carts were on site watering haul roads, internal haul roads were noted to be well maintained, and the drill rig uses water injection to minimise dust emissions. Dust was not observed to be an issue on the day of the audit.
	(c) include an air quality monitoring program that: · uses a combination of real-time monitors, high volume samplers and dust deposition gauges to evaluate the performance of the project; and	C	The monitoring program at Rocglen currently uses a combination of dust deposition gauges, HVAS and TEOM to monitor the performance of the operations. The monitoring network is described in Section 4 of the AQGGMP.	
	· includes a protocol for determining exceedances of the relevant conditions of this approval.	C	Protocols for determining and reporting exceedances are described in Section 5 of the AQGGMP. It was noted that no exceedances had been identified during the audit period.	
METEOROLOGICAL MONITORING				
18	During the life of the project, the Proponent shall ensure that there is a meteorological station operating in the vicinity of the site that: (a) complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline; and	C	The weather station was previously located at the Glenroc property but has now been relocated to the Costa Vale property due to the expansion of the northern emplacement area.	
	(b) is capable of continuous real-time measurement of temperature lapse rate in accordance with the NSW Industrial Noise Policy, or as otherwise agreed by OEH.	C	Monitoring data reviewed during the audit demonstrated that the met station is capable of monitoring the parameters required.	
AUGER MINING				
19	The Proponent shall ensure that the auger mining carried out on site:	NT	2011-2012 AEMR - Appendix 3: States that no auger mining has been undertaken as yet.	
	(a) is restricted to the areas approved for auger mining;	NT	2011-2012 AEMR - Appendix 3: States that no auger mining has been undertaken as yet.	
	(b) is designed to remain safe and stable in the long term; and	NT	2011-2012 AEMR - Appendix 3: States that no auger mining has been undertaken as yet.	
	(c) does not result in vertical subsidence of greater than 20 mm.	NT	2011-2012 AEMR - Appendix 3: States that no auger mining has been undertaken as yet.	

SOIL AND WATER

Under the Water Act 1912 and/or the Water Management Act 2000, the Proponent is required to obtain water licences for the project.

Water Supply

20	The Proponent shall ensure that it has sufficient water for all stages of the project, and if necessary, adjust the scale of mining operations on site to match its available water supply to the satisfaction of the Director-General.	C		
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Surface Water Discharges

21	The Proponent shall ensure that all surface water discharges from the site comply with the discharge limits (both volume and quality) set for the project in any EPL.	C	The criteria for assessing discharges are identified in Section 4.9.3 and 4.10.4 of the submitted, but not yet approved, WMP. It was noted during the audit that no discharges had occurred since February 2012 following upgrade of the water management system.	It was noted by the auditor that water management on site has significantly improved since the last audit with a reduction in the number of discharge occurring.
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Water Management Plans

22	The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Director-General. This plan must be prepared in consultation with OEH, NOW and DRE by suitably qualified and experienced persons whose appointment has been approved by the Director-General, and submitted to the Director-General for approval by the end of February 2012. In addition to the standard requirements for management plans (see condition 2 of schedule 5), this plan must include:	NC	Water Management Plan (under PA 10_0015) submitted 6 March 2012	Although technically non-compliant, the submission of the Water Management Plan six days after the nominated due date is not considered to have any material effect on the environmental performance of the operations.
	(a) a Site Water Balance that: · includes details of: o sources and security of water supply;	C	Site Water Balance forms Section 3 of the WMP Addressed in Section 3.3 of the existing Approved Water Management Plan (under PA 06_0198) and Section 3.4 of the submitted, but not yet approved, WMP	
	o water use on site;	C	Addressed in Section 3.2 of the existing Approved Water Management Plan (under PA 06_0198) and Section 3.2.1 of the submitted, but not yet approved, WMP	
	o water management on site;	C	Addressed in Section 2 of the existing Approved Water Management Plan (under PA 06_0198) and Section 3.4 of the submitted, but not yet approved, WMP	
	o any off-site water transfers;	C	Addressed in Section 3.3.3 of the existing Approved Water Management Plan (under PA 06_0198) and Section 3.5 of the submitted, but not yet approved, WMP	
	· describes what measures would be implemented to minimise water use on site; and	C	Addressed in Section 3.3.3 of the existing Approved Water Management Plan (under PA 06_0198) and Section 3.2.3 of the submitted, but not yet approved, WMP	
	· is to be updated each year during the annual review;	C	Existing Approved Water Management Plan (under PA 06_0198) - Section 3.4 states that the mine site water balance will be updated each year and will be reported in AEMR's. Also addressed in Section 3.6 of the submitted but not yet approved WMP. Section 2.8.4 and 2.8.5 of 2011-2012 AEMR includes this updated information.	
	(b) a Surface Water Management Plan, that includes: · a detailed description of the water management system on site, including the: o clean water diversion systems;	C	Addressed in Section 2.2.2 of the existing Approved Water Management Plan (under PA 06_0198) and Section 4.4 of the submitted, but not yet approved, WMP	

o erosion and sediment controls; and	C	Addressed in Section 4 of the existing Approved Water Management Plan (under PA 06_0198) and Section 4.3 of the submitted, but not yet approved, WMP	
o water storages;	C	Addressed in Section 2.2.2 of the existing Approved Water Management Plan (under PA 06_0198) and Section 4.6 of the submitted, but not yet approved, WMP	
· detailed plans, including design objectives and performance criteria, for: o design and management of the final void;	C	The submitted, but not yet approved, WMP - Section 4.7: States that rehabilitation will include design and management of the final void, and that details of site rehabilitation will be incorporated into a detailed site closure (and rehabilitation) strategy to be prepared 5 years prior to mine closure.	
o reinstatement of drainage lines on the rehabilitated areas of the site; and	C	Addressed in Section 4.7.2 of the submitted, but not yet approved, WMP	
o control of any potential water pollution from the rehabilitated areas of the site;	C	Addressed in Section 4.7.3 of the submitted, but not yet approved, WMP	
· performance criteria for the following, including trigger levels for investigating any potentially adverse impacts: o the water management system;	C	Addressed in Section 4.9.3 of the submitted, but not yet approved, WMP	
o surface water quality in Driggle Draggie Creek or the unnamed creek to the south of the site;	C	Addressed in the existing Approved Water Management Plan (under PA 06_0198) - Section 5.2. Also addressed in Section 4.9.3 of the submitted but not yet approved WMP	
o the health of any riparian vegetation in Driggle Draggie Creek or the unnamed creek to the south of the site;	C	Addressed in Section 4.9.6 of the submitted, but not yet approved, WMP	
· a program to monitor: o the effectiveness of the water management system;	C	Existing Approved Water Management Plan (under PA 06_0198) - Section 5.0	
o surface water flows and quality in Driggle Draggie Creek and the unnamed creek to the south of the site;	C	Addressed in Sections 4.9.4 and 4.9.6 of the submitted, but not yet approved, WMP	
o the health of any riparian vegetation in Driggle Draggie Creek or the unnamed creek to the south of the site; and	C	Addressed in Section 4.9.6 of the submitted, but not yet approved, WMP	
· a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse surface water impacts of the project;	C	Addressed in the existing approved Water Management Plan (under PA 06_0198) - Section 5. Also addressed in Section 4.10 of the submitted but not yet approved WMP	

(c) a Groundwater Management Plan, which includes: · performance criteria, including trigger levels for investigating any potentially adverse groundwater impacts;	C	Addressed in the existing approved Water Management Plan (under PA 06_0198) - Section 6.2.1. Also addressed in Section 5.4.3 of the submitted but not vet approved WMP	
· a program to monitor: o groundwater inflows to the mining operations;	C	Addressed in the existing approved Water Management Plan (under PA 06_0198) - Section 6.3.2. Also addressed in Section 5.4.5 of the submitted but not vet approved WMP	
o the impacts of the project on any alluvial aquifers;	C	Addressed in the existing approved Water Management Plan (under PA 06_0198) - Section 6.3.2. Also addressed in Section 5.4.4 of the submitted but not vet approved WMP	
o the seepage/leachate from water storages, backfilled voids, and the final void on site;	C	Addressed in the existing approved Water Management Plan (under PA 06_0198) - Section 6.2.1. Also addressed in Section 5.4.4 of the submitted but not vet approved WMP	
· a program to validate the groundwater model for the project, and calibrate it to site specific conditions; and	C	Addressed in the existing approved Water Management Plan (under PA 06_0198) - Section 6.3.2. Also addressed in Section 5.4.6 of the submitted but not vet approved WMP	
· a plan to respond to any exceedances of the performance criteria, and mitigate and/or offset any adverse groundwater impacts.	C	Addressed in the existing approved Water Management Plan (under PA 06_0198) - Section 7. Also addressed in Section 5.5 of the submitted but not vet approved WMP	

BIODIVERSITY

Biodiversity Offset

23	<p>By the end of June 2012, unless the Director-General agrees otherwise, the Proponent shall enter into a Biobanking agreement with the Minister for Environment and Heritage, in accordance with Part 7A of the Threatened Species Conservation Act 1995, to implement the Biodiversity Offset Strategy described in the EA (for the Whitehaven Regional Biobank Site), and summarised in Table 7;</p> <p><i>Table 7: Biodiversity Offset Strategy to be implemented at the Whitehaven Regional Biobank Site</i></p> <table border="1"> <thead> <tr> <th>Total Vegetation Clearing</th> <th>Minimum Offset to be provided</th> </tr> </thead> <tbody> <tr> <td>Total of 95.44 ha of vegetation to be cleared</td> <td> <ul style="list-style-type: none"> Retirement of 4,859 Ecosystem Credits (including 478 Ecosystem Credits for the clearing of 47.9 ha of the BOS area approved under 06_0198); Conservation of the residual BOS area approved under 06_0198 (60 ha), at the existing location within the Whitehaven Regional Biobank Site; Conservation of 0.62 ha of White box Grassy Woodland; Conservation of 231.42 ha of suitable foraging habitat for the Regent Honeyeater and Swift Parrot; and Restoration of 118.33 ha of derived grassland to woodland. </td> </tr> </tbody> </table> <p><i>Note: The Whitehaven Regional Biobank Site is shown in Figure 1 in Appendix 4.</i></p>	Total Vegetation Clearing	Minimum Offset to be provided	Total of 95.44 ha of vegetation to be cleared	<ul style="list-style-type: none"> Retirement of 4,859 Ecosystem Credits (including 478 Ecosystem Credits for the clearing of 47.9 ha of the BOS area approved under 06_0198); Conservation of the residual BOS area approved under 06_0198 (60 ha), at the existing location within the Whitehaven Regional Biobank Site; Conservation of 0.62 ha of White box Grassy Woodland; Conservation of 231.42 ha of suitable foraging habitat for the Regent Honeyeater and Swift Parrot; and Restoration of 118.33 ha of derived grassland to woodland. 	C	Biobanking Agreement ID number 43 under the <i>Threatened Species Conservation Act 1995</i> sighted (dated 28 June 2012).	
Total Vegetation Clearing	Minimum Offset to be provided							
Total of 95.44 ha of vegetation to be cleared	<ul style="list-style-type: none"> Retirement of 4,859 Ecosystem Credits (including 478 Ecosystem Credits for the clearing of 47.9 ha of the BOS area approved under 06_0198); Conservation of the residual BOS area approved under 06_0198 (60 ha), at the existing location within the Whitehaven Regional Biobank Site; Conservation of 0.62 ha of White box Grassy Woodland; Conservation of 231.42 ha of suitable foraging habitat for the Regent Honeyeater and Swift Parrot; and Restoration of 118.33 ha of derived grassland to woodland. 							

HERITAGE				
Heritage Management Plan				
24	The Proponent shall prepare and implement a Heritage Management Plan for the project to the satisfaction of the Director-General. This plan must:	C	PA 06_0198 required an Aboriginal Cultural Heritage Management plan rather than a heritage Management Plan; as such review of Rocglen's submitted, but not yet approved Heritage Management Plan has been undertaken.undertaken.	
	(a) be prepared in consultation with OEH and Aboriginal stakeholders;	C	Letter to OEH requesting comment on HMP sighted (dated 20/12/2011). Letters to Aboriginal stakeholders requesting input sighted (20/12/2011)	
	(b) be submitted to the Director-General for approval by the end of December 2011;	C	Letter to DP&I submitting management plan sighted (dated 20/12/2011).	
	(c) describe the measures that would be implemented: · record and salvage the Aboriginal sites within the project disturbance area, including RPS Rocglen IF1, RPS Rocglen AS1 and RPS Rocglen AS2 at locations as shown in Appendix 6 and any potential archaeological deposits;	C	Described in Section 4 of the HMP. Records sighted to demonstrate that AS1 and AS2 had been salvaged and transferred to Red Chief Keeping Place under Care Agreement 1131849 approved 22/8/12.	
	· store the Aboriginal objects salvaged, both during construction and in the long term;	C	Salvaged objects were transferred to Red Chief Keeping Place	
	· protect, monitor and/or manage the Aboriginal sites on site that are outside the project disturbance area on site, including measures to protect scarred trees (NPWS # 20-4-0194 and # 20-4-0195 at locations as shown in Appendix 6);	C	Controls identified in Section 4.2.4 of the HMP	
	· manage the discovery of any human remains or previously unidentified Aboriginal objects;	C	Controls identified in Section 4.2.6 of the HMP	
	· enable Aboriginal stakeholders to get reasonable access to the site during the project;	C	Rocglen has established a site stripping process which includes Aboriginal site monitoring. For example, site stripping conducted 12/3/2013 which was attended by one Aboriginal group.	
	· ensure Aboriginal stakeholders are consulted about the conservation and management of Aboriginal cultural heritage on site; and	C	A consultation protocol has been developed as described in Section 6.1 of the HMP. This describes the site stripping procedure that is implemented, evidence of which was reviewed during the audit.	
	· ensure workers on site receive suitable heritage inductions, and that suitable records are kept of these inductions.	C	Requirements are identified in Section 4.3 of the HMP. Whitehaven general induction includes a section on heritage management. A small section is also included in the Rocglen site specific induction (powerpoint induction presentations reviewed during audit)	

TRANSPORT				
Road Works				
25	By the end of December 2012, unless the Director-General agrees otherwise, the proponent shall upgrade and tar seal Wean Road to the satisfaction of Council from the northern end of the existing tar seal to the point of the Gunnedah/Narrabri Shire Council boundary, in general accordance with Council's Rural Local Roads Standard.	NC	Letter (dated 20 May 2011) advising that Stage 1 of the Wean Road works had been completed to Gunnedah Shire Council's satisfaction sighted. Work on the Stage 2 road diversion has been substantially completed but the tar seal to the boundary has not yet been completed.	
Road Maintenance				
26	During the project, the Proponent shall contribute towards the maintenance of the public roads used by the project, in accordance with the existing road maintenance agreement between the Proponent and Council.	C	Road maintenance agreement with Gunnedah Shire Council (dated 5 August 2009) sighted.	
Operating Conditions				
28	The Proponent shall transport all coal from the site to the Whitehaven Siding coal handling and preparation plant by road, using only the designated transport route shown in Figure 1 of Appendix 2.	C	Coal transport route along Shannon Harbour Road and Blue Vale Road was inspected during the audit.	The transport route was found to be maintained in good condition with little evidence of coal spillage.
29	The Proponent shall only dispatch coal from the site by road between the hours of: (a) 7 am to 9.15 pm, Monday to Friday; (b) 7 am to 5.15 pm Saturday; and (c) at no time on Sundays and public holidays.	C	AEMR 2011/2012 - Section 2.4.4. During site inspection, it was advised by the Operations Manager that the coal loading bin is programmed to load coal	The coal bin also automatically records the truck number, time of dispatch and weight of coal which can be used to demonstrate that transport is within
Monitoring of Coal Transport				
30	The Proponent shall: (a) keep accurate records of the amount of coal transported (on a monthly basis) from the site, as well as the number of coal truck movements generated by the project; and	C	Records are maintained by both Rocglen and the transport companies of Toll and Daracon. For Rocglen, the information is recorded by the electronic recording system at the coal bin and from trucking sheets from drivers for each load.	
	(b) make these records publicly available on its website at the end of each calendar year.	C	Coal movement records were observed to be maintained on the Rocglen website.	
VISUAL				
Visual Amenity and Lighting				
31	The Proponent shall: (a) implement all reasonable and feasible measures to minimise the visual and off-site lighting impacts of the project;	C	Existing EMS under PA 06_0198 - Section 5.11	
	(b) establish and maintain an effective vegetative screen along the boundary of the site that adjoins public roads;	C	During the site inspection, it was observed that a vegetative tree screen has been planted along the Wean Road diversion.	
	(c) ensure that no outdoor lights shine above the horizontal; and	C	Environmental Management Strategy (EMS), Section 5.11 Visibility. Table 5.11 - Objective (h) states that to ensure that all external lighting associated with the mine complies with Australian Standard AS4282 1997 – Control of Obtrusive Effects of Outdoor Lighting, i.e. wherever possible, all mine lighting is directed downward.	It was noted by the auditor that similar provisions have not been included in the revised, but not yet approved, version of the EMS.
	(d) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 - Control of Obtrusive Effects of Outdoor Lighting, or its latest version.	C	Environmental Management Strategy (EMS), Section 5.11 Visibility. Table 5.11 - Objective (h) states that to ensure that all external lighting associated with the mine complies with Australian Standard AS4282 1997 – Control of Obtrusive Effects of Outdoor Lighting, i.e. wherever possible, all mine lighting is directed downward.	It was noted by the auditor that similar provisions have not been included in the revised, but not yet approved, version of the EMS.

WASTE																
32	The Proponent shall: (a) minimise the waste generated by the project; and	C	Measures to minimise wastes are outlined in the currently approved EMS under PA 06_0198, Section 5.10 Waste. Table 5.10													
	(b) ensure that the waste generated by the project is appropriately stored, handled and disposed of in a lawful manner.	C	Controls for the storage, handling and disposal of wastes were provided in Section 5.10 of the currently approved EMS. Waste management on site was observed to be well managed.													
BUSHFIRE MANAGEMENT																
33	The Proponent shall: (a) ensure that the project is suitably equipped to respond to any fires on site; and	C	This was noted to be addressed in the AEMR 2011/2012 - Section 3.15.1													
	(b) assist the Rural Fire Service and emergency services as much as possible if there is a fire in the surrounding area.	C	This was noted to be addressed in the AEMR 2011/2012 - Section 3.15.1													
REHABILITATION																
Rehabilitation Objectives																
34	The Proponent shall rehabilitate the site to the satisfaction of the Executive Director, Mineral Resources in DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EA (and depicted conceptually in Figure 1 in Appendix 5), and comply with the objectives in Table 8. <small>Table 8: Rehabilitation Objectives</small>	C	The rehabilitation undertaken on site to date was compared to the plans provided in the EA and the approved Mining Operations Plan (MOP). Based on this review, Rocglen appears to be up to date with rehabilitation progress. Areas of rehabilitation were inspected during the audit and found to be in reasonable condition. Groundcover growth was quite good but tree establishment has been slow with the prolonged hot weather in the last 6 months.													
<table border="1"> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Mine site (as a whole)</td> <td>Safe, stable and non-polluting</td> </tr> <tr> <td>Final void</td> <td> <ul style="list-style-type: none"> Minimise the size and depth of the final void as far as is reasonable and feasible; and The final void is to be safe, stable and non-polluting </td> </tr> <tr> <td>Surface infrastructure</td> <td>To be decommissioned and removed, unless the Director-General agrees otherwise</td> </tr> <tr> <td>Other land affected by the project</td> <td>Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; at least 206 hectares of woodland (see Figure 1 in Appendix 5); and a landform consistent with the surrounding environment </td> </tr> <tr> <td>Community</td> <td>Minimise the adverse socio-economic effects associated with mine closure</td> </tr> </tbody> </table>					Feature	Objective	Mine site (as a whole)	Safe, stable and non-polluting	Final void	<ul style="list-style-type: none"> Minimise the size and depth of the final void as far as is reasonable and feasible; and The final void is to be safe, stable and non-polluting 	Surface infrastructure	To be decommissioned and removed, unless the Director-General agrees otherwise	Other land affected by the project	Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; at least 206 hectares of woodland (see Figure 1 in Appendix 5); and a landform consistent with the surrounding environment 	Community	Minimise the adverse socio-economic effects associated with mine closure
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Community	Minimise the adverse socio-economic effects associated with mine closure															
Progressive Rehabilitation																
35	The Proponent shall carry out the rehabilitation of the site progressively, that is, as soon as reasonably practicable following disturbance.	C	Section 2.3 of Rehabilitation Management Plan addresses Progressive Rehabilitation. It was observed during the site inspection that rehabilitation on site has generally progressed in accordance with the strategy and plans provided in both the EA and the MOP.													
Rehabilitation Management Plan																
36	The Proponent shall prepare and implement a Rehabilitation Management Plan to the satisfaction of the Executive Director, Mineral Resources in DRE. This plan must: (a) be prepared in consultation with the Department, NOW, OEH, Council and the CCC;	C	Section 5.0 of the Rehabilitation Management Plan indicates consultation was undertaken with DP&I, DTIRIS (DRE), NOW, OEH, Gunnedah Shire Council and the CCC.													
	(b) be submitted to the Executive Director, Mineral Resources in DRE by the end of February 2012;	C	Letters to applicable agencies sighted (dated 29 February 2012).													
	(c) be prepared in accordance with any relevant DRE guideline;	C	DRE approval dated 19 April 2012 sighted.													
	(d) describe the measures that would be implemented to ensure compliance with the relevant conditions of this approval;	C	RMP - Section 2.0													
	(e) address all aspects of rehabilitation including mine closure, final landform, and final land use; and	C	RMP - Section 3.0													
	(f) build to the maximum extent practicable on the other management plans required under this approval.	C	RMP - Section 4.0													

4	ADDITIONAL PROCEDURES			
	NOTIFICATION OF LANDOWNERS			
	1	By the end of December 2011, the Proponent shall notify in writing the owners of "Brolga", "Surrey" and any privately-owned land within 2 kilometres of the proposed footprint of the open-cut pit that they are entitled to ask for an inspection to establish the baseline condition of any buildings or structures on their land, or to have a previous property inspection report updated.	C	Letters to applicable landowners sighted.
	2	As soon as practicable after obtaining monitoring results showing: (a) an exceedance of the relevant criteria in Schedule 3, the Proponent shall notify the affected landowner and/or tenants in writing of the exceedance, and provide regular monitoring results to each of these parties until the project is complying with the relevant criteria again; and	C	Exceedance of 1 dB at 'Surrey' location 28/09/2012 of the daytime maximum of 35 dB. Letter to landowner sighted.
		(b) an exceedance of the relevant air quality criteria in Schedule 3, the Proponent shall send a copy of the NSW Health fact sheet entitled "Mine Dust and You" (as may be updated from time to time) to the affected landowners and/or existing tenants of the land (including tenants of any mine-owned land).	NT	BD2 - In 2012 'Glenroc' (mine-owned) had an annual average of 3.7 g/m2/month, an increase of 2.4 g/m2/month from 2011. Also at 'Glenroc' two exceedances of the 24 hour limit of 50 µg/m3 for particulate matter (dates: 2/04/2012 and 17/09/2012)
	INDEPENDENT REVIEW			
	3	If an owner of privately-owned land considers the project to be exceeding the relevant criteria in Schedule 3, then they may ask the Director-General in writing for an independent review of the impacts of the project on their land.	NT	No independent reviews have been requested to date.
		If the Director-General is satisfied that an independent review is warranted, then within 2 months of the Director-General's decision the Proponent shall:		
		(a) commission a suitably qualified, experienced and independent person, whose appointment has been approved by the Director-General, to:		
		· consult with the landowner to determine his/her concerns;		
· conduct monitoring to determine whether the project is complying with the relevant criteria in Schedule 3; and				
· if the project is not complying with these criteria then identify the measures that could be implemented to ensure compliance with the relevant criteria; and				
(b) give the Director-General and landowner a copy of the independent review.				
4	If the independent review determines that the project is complying with the relevant criteria in Schedule 3, then the Proponent may discontinue the independent review with the approval of the Director-General.	NT	No independent reviews have been requested to date.	
	If the independent review determines that the project is not complying with the relevant impact assessment criteria in Schedule 3, then the Proponent shall:			
	(a) implement all reasonable and feasible mitigation measures, in consultation with the landowner and appointed independent person, and conduct further monitoring until the project complies with the relevant criteria; or			
	(b) secure a written agreement with the landowner to allow exceedances of the relevant criteria, to the satisfaction of the Director-General.			

5

ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

Environmental Management Strategy

1	The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General. This strategy must:			
	(a) be submitted to the Director-General for approval by the end of December 2011;	C	The revised EMS was submitted to DP&I on 20 December 2011 (letter sighted).	
	(b) provide the strategic framework for environmental management of the project;	C	Documented in Section 1.2 and 1.3 of the revised, but not yet approved, EMS.	
	(c) identify the statutory approvals that apply to the project;	O	Section 3.1 of the EMS identifies the approvals, licences, permits and leases that have been obtained for the operations.	It was noted that the list of approvals etc included in Section 3.1 of the EMS does not include MPL1662 which has conditions attached it. It was also noted that although the list in Section 3.1 identifies water licences, it does not specifically identify which licences. It is suggested that a similar table to that included in Table 1 of the 2011-2012 AEMR be included in the EMS.
	(d) describe the role, responsibility, authority and accountability of all key personnel involved in the environmental management of the project;	C	Roles and responsibilities for various site personnel, including employees and contractors, are defined in Section 4.1 of the EMS.	
	(e) describe the procedures that would be implemented to:			
	· keep the local community and relevant agencies informed about the operation and environmental performance of the project;	C	EMS Section 4.7	Community newsletters are distributed on a regular basis and are available on the Whitehaven website.
	· receive, handle, respond to, and record complaints;	C	EMS Section 4.7.2	Complaints handling procedure was reviewed during the audit. Rocglen has in place procedures to receive, investigate and action complaints in accordance with the procedures outlined in the EMS.
	· resolve any disputes that may arise during the course of the project;	C	EMS Section 4.7.4	
	· respond to any non-compliance;	C	EMS Section 4.8	It was noted during the audit that the procedures described in the EMS are generally implemented. Evidence was sighted to confirm that regular environmental inspections are undertaken, exceedances in criteria are notified to relevant authorities, and reported in AEMR and EPL Annual Compliance Return.
	· respond to emergencies; and	C	EMS Section 4.9	It was noted that Rocglen has also developed a Pollution Incident Response Management Plan for the site.
	(f) include:			
	· copies of any strategies, plans and programs approved under the conditions of this approval; and	O	Only the Rehabilitation Management Plan has been approved to date.	Whilst revised plans have been prepared and submitted in accordance with this Project Approval, they have not yet been approved by DP&I. It was noted, however, that the EMS includes a table (Table 3) which identifies the current approved plans and cross references those with the revised plans submitted.
	· a clear plan depicting all the monitoring required to be carried out under the conditions of this approval.	C	Figure 2 of the revised, but not yet approved, EMS summarises all of the monitoring locations required under both this approval and the EPL.	

Management Plan Requirements

2	The Proponent shall ensure that the management plans required under this approval are prepared in accordance with any relevant guidelines, and include:		Only the Rehabilitation Management Plan (RMP) has been approved, all other plans have been submitted to DP&I and are awaiting approval.	
	(a) detailed baseline data;	O	AQGHGMP - Appendix 1, Section 2.0; WMP - Section 4.9.2 and 5.4.2; HMP - Section 3.0; NPM - In Section 1 it is stated that for baseline data to refer to the Extension EA and previous AEMRs;	Generally, the revised plans (submitted but not yet approved) include relevant baseline data. However, it was noted that the Noise Management Plan references the EA and the AEMRs in relation to baseline data rather than including a short description in the NMP itself.
	(b) a description of: · the relevant statutory requirements (including any relevant approval, licence or lease conditions);	C	BMP - Section 2.0; AQGHGMP - Section 2.0; HMP - Section 2.0; NMP - Section 2.0; WMP - Section 2.0	Relevant statutory requirements were noted to be identified in each Plan
	· any relevant limits or performance measures/criteria;	C	BMP - Section 2.0; AQGHGMP - Section 2.0; HMP - Section 2.0; NMP - Section 2.0; WMP - Section 2.0 RMP - Section 2.2	Relevant performance measures and criteria were noted to be included in all plans.
	· the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any management measures;	C	BMP - Section 3.0 and 5.0; AQGHGMP - Section 4.0 and 5.0; HMP - Section 5.0 and 6.0; NMP - Section 3.0 and 4.0; WMP - Section 3.0, 4.0 and 5.1 RMP - Section 2.2	Specific performance indicators were noted to be included in each Plan.
	(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;	C	AQGHGMP - Section 3.0; BMP - Section 3.0 HMP - Section 4.0; NMP - Section 2.2; WMP - Section 3.0, 4.0 and 5.0 RMP - Section 2.0	Measures that would be implemented to comply with the relevant statutory requirements and performance criteria were noted to be included in each Plan. During the audit site inspection, measures were generally observed to be implemented eg water carts watering haul roads and hard stands, blast notification procedures etc
	(d) a program to monitor and report on the: · impacts and environmental performance of the project;	C	AQGHGMP - Section 4.0; BMP - Section 5.0; HMP - Section 5.0; NMP - Section 3.0; WMP - Section 4.9 and 5.4 RMP - Section 2.8	
	· effectiveness of any management measures (see (c) above);	C	AQGHGMP - Section 4.0; BMP - Section 5.0 HMP - Section 5.0; NMP - Section 3.0 and 5.0; WMP - Section 4.9 and 5.4 RMP - Section 6.0	
	(e) a contingency plan to manage any unpredicted impacts and their consequences;	O	AQGHGMP - Section 5.0; BMP - Section 6.0; HMP - Section 6.0; NMP - Section 4.0; WMP - Section 4.10 and 5.5	It was noted that the RMP states that this condition has been addressed in the EMS and not addressed in the RMP to avoid 'unnecessary replication'. It does however cross reference the contingency planning measures in the EMS.

	(f) a program to investigate and implement ways to improve the environmental performance of the project over time;	C	AQGHGMP - Section 7.0; BMP - Section 7.0; HMP - Section 7.0; NMP - Section 7.0; WMP - Section 4.10 and 5.5 RMP - Section 6.0	
	(g) a protocol for managing and reporting any: · incidents; · complaints; · non-compliances with statutory requirements; and · exceedances of the impact assessment criteria and/or performance criteria; and	O	AQGHGMP - Section 5.0; BMP - Section 6.0; HMP - Section 6.0; NMP - Section 4.0; WMP - Section 4.10 and 5.5	It was noted that the RMP states that this condition has been addressed in the EMS and not addressed in the RMP to avoid 'unnecessary replication'.
	(h) a protocol for periodic review of the plan.	C	AQGHGMP - Section 7.0; BMP - Section 7.0 HMP - Section 7.0; NMP - Section 7.0; WMP - Section 6.0 RMP - Section 6.0	
	<i>Note: The Director-General may waive any of these requirements if they are unnecessary or unwarranted for particular management plans.</i>	Noted		
Annual Review				
3	By the end of each December, the Proponent shall review the environmental performance of the project to the satisfaction of the Director-General. This review must:		AEMR's for Rocglen available on the Whitehaven website. 2011-2012 AEMR/Annual Review 2010-2011 AEMR/Annual Review 2009-2010 AEMR/Annual Review	
	(a) describe the development (including any rehabilitation) that was carried out in the past year, and the development that is proposed to be carried out over the next year;	C	AEMR's - Section 2.0 provides a summary of operations, with Section 2.3 providing a summary of construction activities in the reporting period. - Section 5.2.2 addresses the rehabilitation achievements in the reporting period; - Section 6.3 addresses the targets and goals over the next year.	
	(b) include a comprehensive review of the monitoring results and complaints records of the project over the past year, which includes a comparison of these results against the	C	Section 4.1 of AEMR addresses complaints.	
	· relevant statutory requirements, limits or performance measures/criteria;	C	Section 3.0 of AEMR outlines the criteria for each parameter applicable to the Project.	
	· monitoring results of previous years; and	C	Section 3.0 of AEMR addresses monitoring results.	
	· relevant predictions in the EA;	C	Section 3.0 contains comparisons with EA predictions for each parameter.	
	(c) identify any non-compliance over the past year, and describe what actions were (or are being) taken to ensure compliance;	C	2011-2012 AEMR Reviewed	
	(d) identify any trends in the monitoring data over the life of the project;	C	2011-2012 AEMR Reviewed	
	(e) identify any discrepancies between the predicted and actual impacts of the project, and analyse the potential cause of any significant discrepancies; and	C	2011-2012 AEMR Reviewed	
	(f) describe what measures will be implemented over the next year to improve the environmental performance of the project.	C	2011-2012 AEMR Reviewed	

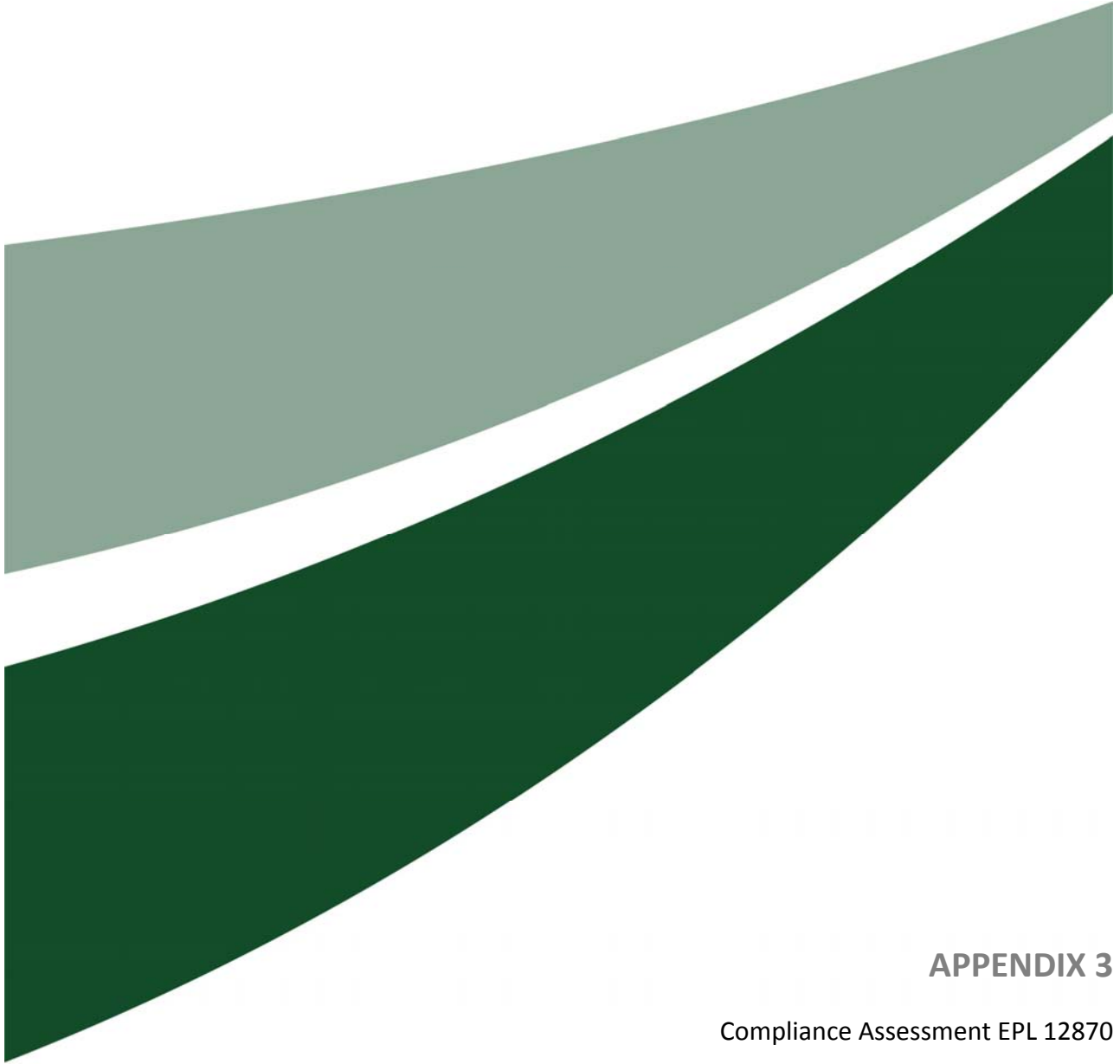
Revision of Strategies, Plans and Programs				
4	Within 3 months of: (a) the submission of an annual review under condition 3 above;	O	Revised plans for the extension project have been prepared and submitted although not yet formally approved.	
	(b) the submission of an incident report under condition 6 below;	C	Water Management Plan has been revised and submitted, although not yet approved.	
	(c) the submission of an audit report under condition 8 below; and	NT	This is the first audit under this approval.	
	(d) any modification to the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Director-General.	NT	There have been no modifications to date	
<i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i>		Noted		
Community Consultative Committee				
5	The Proponent shall operate a Community Consultative Committee (CCC) for the project in general accordance with the Guidelines for Establishing and Operating Community Consultative Committees for Mining Projects (Department of Planning, 2007, or its latest version), and to the satisfaction of the Director-General.	C	A community consultative committee has been established for the mining operations at Rocglen. Minutes of recent meetings were reviewed during the audit to identify the type of issues being raise and how these issues are being addressed. Meetings are typically held every three months with the most recent meeting being held in February 2013.	Minutes of CCC meetings are available on the Rocglen website.
	<i>Notes:</i> · The CCC is an advisory committee. The Department and other relevant agencies are responsible for ensuring that the Proponent complies with this approval; and	Noted		
	· In accordance with the guideline, the Committee should be comprised of an independent chair and appropriate representation from the Proponent, Council and the local community.	Noted		
REPORTING				
Incident Reporting				
6	As soon as is practicable after the Proponent becomes aware of any incident associated with the project, the Proponent shall notify the Director-General and any other relevant agencies 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.	NC	Penalty Infringement Notice (PIN) recorded for discharge 21 February 2012 for discharge from SD3. Discharge occurred 21 February, reported via letter to EPA 1 March 2013. An incident report was submitted to EPA on 9 March 2012. TSS from SD3 measured 340 mg/L with 25 mm of rain being recorded in the preceeding 5 days, and therefore the licence exemption was not triggered.	
Regular Reporting				
7	The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval.	C	EPL Monthly Monitoring data from April 2012 to February 2013 are published on the Rocglen website.	

INDEPENDENT ENVIRONMENTAL AUDIT				
8	By the end of March 2013, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:	C	Umwelt was commissioned in February 2013 to undertake the audit of Rocglen.	
	(a) be conducted by a suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Director-General;	C	The previous audit was undertaken by Umwelt with a team approved by the Director-General.	For the current audit, the auditors were approved by the Director-General by letter dated 6/3/2013 (sighted).
	(b) include consultation with the relevant agencies;	C	Consultation was undertaken for the previous audit with the audit report including a commentary on the issues raised by government agencies and the findings of the audit in relation to those issues.	For the current audit, consultation has been undertaken with relevant government agencies (DRE, EPA) and details of the consultation are included in the audit report.
	(c) assess the environmental performance of the project and assess whether it is complying with the requirements in this approval and any relevant EPL or Mining Lease (including any assessment, plan or program required under these approvals);	C	The previous audit report discussed environmental performance in Section 4.	
	(d) review the adequacy of strategies, plans or programs required under the abovementioned approvals; and	C	Management plans prepared for the site were reviewed and discussed in Section 3.5 of the previous audit report.	
	(e) recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.	C	Recommendations were made throughout the previous audit report in relation to identified non-compliances, management plans and general environmental performance.	
	<i>Note: This audit team must be led by a suitably qualified auditor and include experts in any field specified by the Director-General.</i>	Noted		
9	Within six weeks of the completion of this audit, or as otherwise agreed by the Director-General, the Proponent shall submit a copy of the audit report to the Director-General, together with its response to any recommendations contained in the audit report.	NT		

ACCESS TO INFORMATION

10	The Proponent shall: (a) make copies of the following publicly available on its website:			
	· the documents referred to in Condition 2 of Schedule 2;	C	Project approval, extension EA and statement of commitments are all available on the Rocglen website.	Rocglen maintains a comprehensive set of environmental documentation on its website.
	· all current statutory approvals for the project;	C	PA 10_0015 (issued 27 September 2011), PA 06_0198 (issued 15 April 2008) and PA 06_0198 MOD 1 (issued 27 May 2010) are all available on the Rocglen website.	
	· all approved strategies, plans and programs required under the conditions of this approval;	C	Rehabilitation Management Plan (RMP) is available on the Rocglen website. All other management plans approved under PA 06_0198 are also available.	Only the RMP has been approved and as such is the only document available on the Rocglen website. Existing management plans and monitoring programs under PA 06_0198 are still available on the Rocglen website.
	· a comprehensive summary of the monitoring results of the project, which have been reported in accordance with the conditions of this approval, or any <u>approved plans and programs</u> ;	C	EPL Monthly Monitoring data from April 2012 to February 2013 are available on the Rocglen website.	
	· a complaints register, updated on a monthly basis;	C	A complaints register is available on the Rocglen website from 2008-2013 (current).	
	· minutes of CCC meetings;	C	Minutes of CCC meetings are available on the Rocglen website.	
	· the annual reviews of the project;	C	AEMRs for 2009-2010, 2010-2011, 2011-2012 are available on the Rocglen Website.	
	· any independent environmental audit of the project, and the Proponent's <u>response to the recommendations in any audit</u> ;	C	The 2011 IEA is available on the Rocglen website.	
	· any other matter required by the Director-General; and	NT	No other matter has been required by the Director-General	
(b) keep this information up-to-date, to the satisfaction of the Director-General.	C	Information is up-to-date as at 22/03/2013		

Compliant	151
Non-compliant	7
Verification	0
Observation	11
Not Triggerred	18



APPENDIX 3

Compliance Assessment EPL 12870

Environment Protection Licence No. 12870

Review Due Date: 15/10/2017

Condition No.	Requirement	Compliance C/NC/O/NT/V/NA	Evidence	Comments
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1. Administrative conditions

A 1 What the licence authorises and regulates

<p>A 1.1</p>	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee based activity classification and the scale of the operation.</p> <table border="1" data-bbox="578 856 1261 951"> <thead> <tr> <th>Scheduled Activity</th> <th>Fee Based Activity</th> <th>Scale</th> </tr> </thead> <tbody> <tr> <td>Coal Works</td> <td>Coal works</td> <td>0 - 2000000 T handled</td> </tr> <tr> <td>Mining for Coal</td> <td>Mining for coal</td> <td>> 500000 - 2000000 T produced</td> </tr> </tbody> </table> <p>Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.</p>	Scheduled Activity	Fee Based Activity	Scale	Coal Works	Coal works	0 - 2000000 T handled	Mining for Coal	Mining for coal	> 500000 - 2000000 T produced	<p style="text-align: center;">C</p>	<p>During the audit, activities observed to be undertaken on site did not include any other scheduled activities other than those nominated in this condition.</p>	
Scheduled Activity	Fee Based Activity	Scale											
Coal Works	Coal works	0 - 2000000 T handled											
Mining for Coal	Mining for coal	> 500000 - 2000000 T produced											

A 2 Premises to which this Licence applies

<p>A2.1</p>	<p>The licence applies to the following premises:</p> <table border="1" data-bbox="638 1144 1023 1297"> <thead> <tr> <th>Premises Details</th> </tr> </thead> <tbody> <tr> <td>ROCGLEN COAL MINE</td> </tr> <tr> <td>WEAN ROAD</td> </tr> <tr> <td>GUNNEDAH</td> </tr> <tr> <td>NSW 2380</td> </tr> <tr> <td>LOT 1 DP 787417, LOT 1 DP 1120601, LOT 4 DP 1120601</td> </tr> </tbody> </table>	Premises Details	ROCGLEN COAL MINE	WEAN ROAD	GUNNEDAH	NSW 2380	LOT 1 DP 787417, LOT 1 DP 1120601, LOT 4 DP 1120601	<p style="text-align: center;">C</p>	<p>Survey plans, cadastral information and aerial photo reviewed to confirm all activities are within the licence area.</p>	
Premises Details										
ROCGLEN COAL MINE										
WEAN ROAD										
GUNNEDAH										
NSW 2380										
LOT 1 DP 787417, LOT 1 DP 1120601, LOT 4 DP 1120601										

A 3 Information supplied to the EPA

<p>A 3.1</p>	<p>Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence. In this condition the reference to "the licence application" includes a reference to:</p> <p>(a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and</p> <p>(b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	<p style="text-align: center;">C</p>	<p>During the site inspection, works were generally observed to be undertaken in accordance with the information provided to support the issue of the licence.</p>	
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2. Discharges to air and water and applications to land

P 1 Location of monitoring/discharge points and areas

P 1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
4	Ambient Air Monitoring		Location labelled BD4 (Surrey) identified on Figure 3 Proposed Air Quality Monitoring Network provided with licence variation application and letter from Whitehaven Coal Mining Pty. Ltd. dated 27 February 2009.
6	Ambient Air Monitoring		Location labelled BD6 (Rosebery) identified on Figure 3 Proposed Air Quality Monitoring Network provided with licence variation application and letter from Whitehaven Coal Mining Pty. Ltd. dated 27 February 2009.
7	Ambient Air Monitoring		Location labelled BD7 (Roseglass) identified on Figure 3 Proposed Air Quality Monitoring Network provided with licence variation application and letter from Whitehaven Coal Mining Pty. Ltd. dated 27 February 2009.
10	Ambient Air Monitoring		PM10 location labelled "Roseberry" identified on Figure 3 Proposed Air Quality Monitoring Network provided with licence variation application and letter from Whitehaven Coal Mining Pty. Ltd. dated 27 February 2009.
17	Ambient Air Monitoring		Real time air quality monitor located on "Figure 2: Air Quality Monitoring Locations" received by the EPA on 15 June 2012 (DOC12/25238).

C

Monitoring locations 4, 5, 6, and 7 are identified in the existing Air Quality Monitoring Program under (PA 06_0198).

Monitoring locations 10 and 17 are identified in the submitted, but not yet approved Air Quality and Greenhouse Gas Management Plan.

P 1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Noted

P 1.3 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
11	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Discharge location marked as LDP11 in "Figure 5: Rocglen Coal Mine Water Management Plan. Surface and Groundwater Monitoring Locations" received by the EPA on 15 June 2012 (DOC12/25238).
12	Wet weather discharge Discharge water quality monitoring	Wet weather discharge Discharge water quality monitoring	Discharge location marked as LDP12 in "Figure 5: Rocglen Coal Mine Water Management Plan. Surface and Groundwater Monitoring Locations" received by the EPA on 15 June 2012 (DOC12/25238).
13	Ambient water quality monitoring		Monitoring location on northern side of mining lease marked as Driggle Draggie Creek Monitoring Location in "Figure 5: Rocglen Coal Mine Water Management Plan. Surface and Groundwater Monitoring Locations" received by EPA on 15 June 2012 (DOC12/25238).
14	Ambient water quality monitoring		Monitoring location on southern side of mining lease marked as Unnamed Drainage Channel Monitoring Point in "Figure 5: Rocglen Coal Mine Water Management Plan. Surface and Groundwater Monitoring Locations" received by EPA on 15 June 2012 (DOC12/25238).
15	Ambient water quality monitoring		Monitoring location on eastern side of mining lease marked as SD7 in "Figure 5: Rocglen Coal Mine Water Management Plan. Surface and Groundwater Monitoring Locations" received by EPA on 15 June 2012 (DOC12/25238).
16	Surface water quality monitoring		Monitoring location marked as Existing Mine Water Dam in "Figure 5: Rocglen Coal Mine Water Management Plan. Surface and Groundwater Monitoring Locations" received by EPA on 15 June 2012 (DOC12/25238).

C

EPA identification number monitoring points 11, 12, 13, 14, 15 are identified in the existing Water Management Plan under PA 06_0198.

Reviewed water monitoring locations. Site dams include a sign which is located 1 metre below the spill level of each dam.

P 1.4	<p>The following point(s) in the table are identified in this licence for the purpose of the monitoring of weather parameters at the point.</p> <table border="1" data-bbox="557 548 1317 663"> <thead> <tr> <th>EPA Identification No.</th> <th>Type of Monitoring Point</th> <th>Description of Location</th> </tr> </thead> <tbody> <tr> <td>W1</td> <td>Weather Analysis</td> <td>Weather station located on "Costa Vale" identified as Met Station in "Figure 2: Air Quality Monitoring Locations" received by the EPA on 15 June 2012 (DOC12/25238).</td> </tr> </tbody> </table>	EPA Identification No.	Type of Monitoring Point	Description of Location	W1	Weather Analysis	Weather station located on "Costa Vale" identified as Met Station in "Figure 2: Air Quality Monitoring Locations" received by the EPA on 15 June 2012 (DOC12/25238).	C	<p>Submitted, but not yet approved, AQGHGMP indicates that the weather station is located at 'Costa Vale'. Weather station noted as being at 'Costa Vale' during site inspection.</p>																									
EPA Identification No.	Type of Monitoring Point	Description of Location																																
W1	Weather Analysis	Weather station located on "Costa Vale" identified as Met Station in "Figure 2: Air Quality Monitoring Locations" received by the EPA on 15 June 2012 (DOC12/25238).																																
3 Limit Conditions																																		
L 1 Pollution of waters																																		
L 1.1	<p>Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.</p>	NC	<p>Penalty Infringement Notice (PIN) recorded for discharge 21 February 2012 for discharge from SD3. Discharge occurred 21 February, reported via letter to EPA 1 March 2013. An incident report was submitted to EPA on 9 March 2012. TSS from SD3 measured 340 mg/L with 25 mm of rain being recorded in the preceding 5 days, and therefore the licence exemption was not triggered.</p>	<p>It was noted by the auditor that water management on site has significantly improved since the last audit with a reduction in the number of discharge occurring.</p>																														
L 3 Concentration Limits																																		
L 2.1	<p>For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.</p>	Noted																																
L 2.2	<p>Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.</p>	Noted																																
L 2.3	<p>To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table/s.</p>	Noted																																
L2.4	<p>Water and/or Land Concentration Limits</p> <table border="1" data-bbox="605 1394 1317 1604"> <thead> <tr> <th colspan="6">POINT 11,12</th> </tr> <tr> <th>Pollutant</th> <th>Units of Measure</th> <th>50 percentile concentration limit</th> <th>90 percentile concentration limit</th> <th>3DGM concentration limit</th> <th>100 percentile concentration limit</th> </tr> </thead> <tbody> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>10</td> </tr> <tr> <td>pH</td> <td>pH</td> <td></td> <td></td> <td></td> <td>6.5-8.5</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td></td> <td></td> <td></td> <td>50</td> </tr> </tbody> </table>	POINT 11,12						Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and Grease	milligrams per litre				10	pH	pH				6.5-8.5	Total suspended solids	milligrams per litre				50	Noted		
POINT 11,12																																		
Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																													
Oil and Grease	milligrams per litre				10																													
pH	pH				6.5-8.5																													
Total suspended solids	milligrams per litre				50																													

L 2.5	The Total Suspended Solids concentration limits specified for Points 11 and 12 may be exceeded for water discharged provided that:												
	(a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and	NC	Penalty Infringement Notice (PIN) recorded for discharge 21 February 2012 for discharge from SD3. Discharge occurred 21 February, reported via letter to EPA 1 March 2013. An incident report was submitted to EPA on 9 March 2012. TSS from SD3 measured 340 mg/L with 25 mm of rain being recorded in the preceding 5 days, and therefore the licence exemption was not triggered.	Since the exceedance on 21 February 2012, a range of surface water management works have been undertaken, including the establishment of a series of sediment dams on at the toe of the western emplacement area, as well as a range of civil works which have provided all weather access to dams on site, to enable treatment of water during rain events. Since February 2012, there have been no further exceedances of the TSS criteria.									
	(b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 38.4 millimetre, 5 day rainfall event. Note: 38.4 mm equates to the 5 day 90%ile rainfall depth for Gunnedah sourced from Table 6.3a Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.	C	AEMR 2011-2012 states that since February 2012, 'additional efforts relating to flocculation and release programs throughout the second half of the reporting period, using Magnafloc LT425 (agitation) and Hydragyp (surface application)' for SD3, as well as 'additional capacity has also been established at the northern end of the site, as well as a series of sediment detention basins established at the toe of the rehabilitated southern emplacement'.										
L 3 Noise Limits													
L 3.1	Noise from the premises must not exceed:												
	<table border="1"> <thead> <tr> <th>Locality and Location</th> <th>Day- LAeq (15 minute)</th> <th>Evening- LAeq (15 minute)</th> <th>Night- LAeq (15 minute)</th> <th>Night- LA1 (1 minute)</th> </tr> </thead> <tbody> <tr> <td>All surrounding residences</td> <td>35</td> <td>35</td> <td>35</td> <td>45</td> </tr> </tbody> </table>	Locality and Location	Day- LAeq (15 minute)	Evening- LAeq (15 minute)	Night- LAeq (15 minute)	Night- LA1 (1 minute)	All surrounding residences	35	35	35	45	NC	A review of monitoring data identified an exceedance of 1 dB at 'Surrey' location 28/09/2012 of the daytime maximum of 35 dB. No other exceedances were identified for the audit period.
Locality and Location	Day- LAeq (15 minute)	Evening- LAeq (15 minute)	Night- LAeq (15 minute)	Night- LA1 (1 minute)									
All surrounding residences	35	35	35	45									
L 3.2	For the purpose of the table above: a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays; b) Evening is defined as the period from 6pm to 10pm; c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.	C	Spectrum Acoustics Report (January 2013) Section 2.0.										
L 3.3 Determining Compliance	To determine compliance:												
	a) with the Leq(15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located:	C	Sighted Spectrum Acoustics Report (January 2013)										
	i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or	C	Spectrum Acoustics Report (January 2013) Section 2.2.										
	ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable												
	iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.												
	b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located within 1 metre of a dwelling façade.	C	Spectrum Acoustics Report (January 2013) Section 2.2.										
	c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:	C	Spectrum Acoustics Report (January 2013) Section 2.0.										
i) at the most affected point at a location where there is no dwelling at the location; or	C	Spectrum Acoustics Report (January 2013) Section 1.2, 2.1 and 2.2											
ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.	C	Spectrum Acoustics Report (January 2013) Section 1.2, 2.1 and 2.2											

L 3.4	The noise limits set out in the Noise Limits table apply under all meteorological conditions except for the following:	Noted		
	a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or	C	Spectrum Acoustics Report (January 2013 Section 2.3).	
	b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or	C	Spectrum Acoustics Report (January 2013 Section 2.3).	
	c) Stability category G temperature inversion conditions.	C	Spectrum Acoustics Report (January 2013 Section 2.3).	
	For the purposes of this condition:			
	a) Data recorded by the meteorological station identified as EPA Identification Point(s) W1 must be used to determine meteorological conditions; and	C	The weather station was previously located at the Glenroc property but has now been relocated to the Costa Vale property due to the expansion of the northern emplacement area.	
b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.	C	Monitoring data reviewed during the audit demonstrated that the met station is capable of monitoring the parameters required.		
L 3.5	For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.	C	Spectrum Acoustics Report (January 2013 Section 3).	
L 3.6	The noise limits set by this licence do not apply where a current legally binding agreement exists between the licensee and the occupant of a residential property that:	Noted		
	a) agrees to an alternative noise limit for that property; or	C	Rocglen currently has a written private agreement with the owner of the Roseberry property which provides for higher levels of dust and noise than those specified in the Project Approval.	
	b) provides an alternative means of compensation to address noise impacts from the premises.	NT		
	A copy of any agreement must be provided to the EPA before the licensee can take advantage of the agreement.	V	A copy of the agreement was sighted during the audit, however it was not clear that it had been submitted to EPA.	Rocglen should verify that a copy of the agreement has been sent to EPA as required.
L 4 Blasting				
L 4.1	The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	C	Monitoring data for all blasts was reviewed during the audit. There was no exceedances of the airblast overpressure criteria.	
L 4.2	The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	C	Monitoring data for all blasts was reviewed during the audit. There was no exceedances of the airblast overpressure criteria.	
L 4.3	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	C	Monitoring data for all blasts was reviewed during the audit. There was no exceedances of ground vibration criteria.	
L 4.4	Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.	C	Monitoring data for all blasts was reviewed during the audit. There was no exceedances of ground vibration criteria.	

4 Operating Conditions				
O 1 Activities must be carried out in a competent manner				
O 1.1	Licensed activities must be carried out in a competent manner.			
	This includes:			
	(a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and (b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.	C		
		C	Measures to minimise wastes are outlined in the currently approved EMS under PA 06_0198, Section 5.10 Waste. Table 5.10 Controls for the storage, handling and disposal of wastes were provided in Section 5.10 of the currently approved EMS. Waste management on site was observed to be well managed.	
O 2 Maintenance of Plant and Equipment				
O 2.1	All plant and equipment installed at the premises or used in connection with the licensed activity:			
	(a) must be maintained in a proper and efficient condition; and	C	Maintenance and defects reporting systems reviewed during the audit indicated Rocglen has established maintenance reporting procedures and pre-start checklists are used to identify defects.	Plant maintenance and defects reporting systems were reviewed in detail during the previous audit. Records were reviewed this audit to confirm that the systems are still in place.
	(b) must be operated in a proper and efficient manner.	C	Rocglen have developed Training and Assessment Records to provide training and assessment of competency.	Training and competency records were reviewed in detail during the previous audit and found to be satisfactory. Records reviewed identified that the systems are still being implemented.
O 3 Dust				
O 3.1	All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.	C	Air quality controls and management procedures for the Rocglen site are described in Section 3 of the AQGGMP. This includes a description of the real time monitoring provided by a PM10 TEOM monitor. No visible dust was observed at the time of the audit. Water carts were observed on site watering haul roads and hard stand areas, and very little dust was observed to be generated as a result of the blast that took place on the day.	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program - Section 5.3 and Table 5.1
O3.2	Trucks transporting coal from the premises must be covered immediately after loading to prevent wind blown emissions and spillage. The covering must be maintained until immediately before unloading the trucks.	C	During the site inspection it was noted that trucks leaving the site were observed to be placing their covers of the load prior to existing the site.	

5. Monitoring and Recording Conditions											
M 1 Monitoring Records											
M 1.1	The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.	C	Monitoring results are retained and recorded on site.								
M 1.2	All records required to be kept by this licence must be:										
	(a) in a legible form, or in a form that can readily be reduced to a legible form;	C	Copies of monitoring reports and summaries available in legible forms. Copies of monitoring records sighted during site inspection.								
	(b) kept for at least 4 years after the monitoring or event to which they relate took place; and	C	Monitoring data from 2008 onwards is available on the Whitehaven website.								
	(c) produced in a legible form to any authorised officer of the EPA who asks to see them.	C	Monitoring records in a legible form are retained on site.								
M 1.3	The following records must be kept in respect of any samples required to be collected for the purposes of this licence:										
	(a) the date(s) on which the sample was taken;	C	Monitoring results include time, date, location of sample and the person who collected the sample.								
	(b) the time(s) at which the sample was collected;										
	(c) the point at which the sample was taken; and										
(d) the name of the person who collected the sample.											
M 2 Requirement to monitor concentration of pollutants discharged											
M 2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:										
M 2.2	Air Monitoring Requirements	C	Approved Air Quality Monitoring Program (under PA 06_0198) indicates the monitoring protocol for Points 4, 6 and 7 are being adhered to. Submitted, not approved, AQGHGMP indicates the monitoring protocol for Points 10 and 17 are being adhered to.								
	POINT 4,6,7 <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Particulates - Deposited Matter</td> <td>grams per square metre per month</td> <td>Continuous</td> <td>AM-19</td> </tr> </tbody> </table>			Pollutant	Units of measure	Frequency	Sampling Method	Particulates - Deposited Matter	grams per square metre per month	Continuous	AM-19
	Pollutant			Units of measure	Frequency	Sampling Method					
Particulates - Deposited Matter	grams per square metre per month	Continuous	AM-19								
POINT 10 <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Every 6 days</td> <td>AM-18</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Every 6 days	AM-18			
Pollutant	Units of measure	Frequency	Sampling Method								
PM10	micrograms per cubic metre	Every 6 days	AM-18								
POINT 17 <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>micrograms per cubic metre</td> <td>Continuous</td> <td>AM-22</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	PM10	micrograms per cubic metre	Continuous	AM-22			
Pollutant	Units of measure	Frequency	Sampling Method								
PM10	micrograms per cubic metre	Continuous	AM-22								

M 2.3	<p>Water and/ or Land Monitoring Requirements</p> <p>POINT 11,12</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Special Frequency 1</td> <td>In situ</td> </tr> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 1</td> <td>In situ</td> </tr> <tr> <td>Total organic carbon</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 1</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 13,14,15</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Special Frequency 2</td> <td>In situ</td> </tr> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Special Frequency 2</td> <td>In situ</td> </tr> <tr> <td>Total organic carbon</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Special Frequency 2</td> <td>Grab sample</td> </tr> </tbody> </table> <p>POINT 16</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Units of measure</th> <th>Frequency</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Aluminium</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Arsenic</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Bicarbonate</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Chloride</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Conductivity</td> <td>microsiemens per centimetre</td> <td>Quarterly</td> <td>In situ</td> </tr> </tbody> </table> <table border="1"> <tbody> <tr> <td>Iron</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Manganese</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Oil and Grease</td> <td>milligrams per litre</td> <td>Quarterly</td> <td>Grab sample</td> </tr> <tr> <td>pH</td> <td>pH</td> <td>Quarterly</td> <td>In situ</td> </tr> <tr> <td>Sodium</td> <td>milligrams per litre</td> <td>Yearly</td> <td>Grab sample</td> </tr> <tr> <td>Total organic carbon</td> <td>milligrams per litre</td> <td>Quarterly</td> <td>Grab sample</td> </tr> <tr> <td>Total suspended solids</td> <td>milligrams per litre</td> <td>Quarterly</td> <td>Grab sample</td> </tr> </tbody> </table>	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Special Frequency 1	In situ	Oil and Grease	milligrams per litre	Special Frequency 1	Grab sample	pH	pH	Special Frequency 1	In situ	Total organic carbon	milligrams per litre	Special Frequency 1	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Conductivity	microsiemens per centimetre	Special Frequency 2	In situ	Oil and Grease	milligrams per litre	Special Frequency 2	Grab sample	pH	pH	Special Frequency 2	In situ	Total organic carbon	milligrams per litre	Special Frequency 2	Grab sample	Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample	Pollutant	Units of measure	Frequency	Sampling Method	Aluminium	milligrams per litre	Yearly	Grab sample	Arsenic	milligrams per litre	Yearly	Grab sample	Bicarbonate	milligrams per litre	Yearly	Grab sample	Chloride	milligrams per litre	Yearly	Grab sample	Conductivity	microsiemens per centimetre	Quarterly	In situ	Iron	milligrams per litre	Yearly	Grab sample	Manganese	milligrams per litre	Yearly	Grab sample	Oil and Grease	milligrams per litre	Quarterly	Grab sample	pH	pH	Quarterly	In situ	Sodium	milligrams per litre	Yearly	Grab sample	Total organic carbon	milligrams per litre	Quarterly	Grab sample	Total suspended solids	milligrams per litre	Quarterly	Grab sample	<p style="text-align: center;">C</p>	<p>Approved WMP (under PA 06_0198) indicates the monitoring protocol is being adhered to.</p> <p>Submitted, not approved, WMP - Section 4.9.4 indicates the monitoring protocol is being adhered to.</p>	
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M 2.4	<p>For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after each discharge commences and in any case not more than 12 hours after each discharge commences.</p>	<p style="text-align: center;">Noted</p>																																																																																																						
M 2.5	<p>For the purposes of the table(s) above Special Frequency 2 means the collection of samples quarterly (in the event of a flow during the quarter) at a time when there is flow and as soon as practicable after each wet weather discharge from points 11 and 12 commences and in any case not more than 12 hours after each discharge commences.</p> <p><i>Note: Groundwater monitoring points have not been formally included in the licence. However, the licensee is required to undertake groundwater monitoring in accordance with a Department of Planning approved Water Management Plan required under Schedule 3, condition 2 Project Approval 06-0198 dated 15 April 2008. The licensee has submitted the document "Site Water Management Plan for the Rocglen Coal Mine, Whitehaven Coal Mining Pty Ltd, 2008." This document has been approved by Planning following consultation by the licensee with the EPA. The results of this monitoring are required to be reported in the Annual Environmental Management Report (AEMR).</i></p>	<p style="text-align: center;">Noted</p>																																																																																																						
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M 3 Testing Methods - concentration limits																																																		
M 3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:																																																	
	(a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or	C	Requirements are identified in the approved Air Quality Monitoring Program (under PA 06_0198) - Section 4.5																																															
	(b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or																																																	
	(c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.																																																	
<i>Note: The Protection of the Environment Operations (Clean Air) Regulation 2002 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication Approved Methods for the Sampling and Analysis of Air Pollutants in NSW.</i>		Noted																																																
M 3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	C	Water monitoring is being undertaken in accordance with approved methods.																																															
M 4 Weather Monitoring																																																		
M 4.1	For each monitoring point specified in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns. POINT W1	C	Monitoring data reviewed during the audit demonstrated that the met station is capable of monitoring the parameters required.																																															
	<table border="1"> <thead> <tr> <th>Parameter</th> <th>Units of Measure</th> <th>Frequency</th> <th>Averaging Period</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Rainfall</td> <td>mm/h</td> <td>Continuous</td> <td>1 hour</td> <td>AM-4</td> </tr> <tr> <td>Wind speed @10 metres</td> <td>m/s</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Wind direction @10 metres</td> <td>°</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Temperature @2 metres</td> <td>°C</td> <td>Continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Temperature @10 metres</td> <td>°C</td> <td>Continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Sigma theta @10 metres</td> <td>°</td> <td>Continuous</td> <td>15 minute</td> <td>AM-2 & AM-4</td> </tr> <tr> <td>Solar radiation</td> <td>W/m2</td> <td>Continuous</td> <td>15 minute</td> <td>AM-4</td> </tr> <tr> <td>Additional Requirements: - Siting</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-1 & AM-4</td> </tr> <tr> <td>Additional Requirements: - Measurement</td> <td>-</td> <td>-</td> <td>-</td> <td>AM-2 & AM-4</td> </tr> </tbody> </table>				Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method	Rainfall	mm/h	Continuous	1 hour	AM-4	Wind speed @10 metres	m/s	Continuous	15 minute	AM-2 & AM-4	Wind direction @10 metres	°	Continuous	15 minute	AM-2 & AM-4	Temperature @2 metres	°C	Continuous	15 minute	AM-4	Temperature @10 metres	°C	Continuous	15 minute	AM-4	Sigma theta @10 metres	°	Continuous	15 minute	AM-2 & AM-4	Solar radiation	W/m2	Continuous	15 minute	AM-4	Additional Requirements: - Siting	-	-	-	AM-1 & AM-4	Additional Requirements: - Measurement
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M 4.2	The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in this section.	C	Weather data reviewed during the audit indicate that the required parameters are measured as required by condition M 4.1																																															

M 5 Recording of pollution complaints			
M 5.1	The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.	C	An electronic register of complaints from 2008 to 2013 (current) was reviewed during the audit. These complaints records are also available on the Rocglen website.
M 5.2	The record must include details of the following:		
	(a) the date and time of the complaint;	C	Complaints records includes date and time.
	(b) the method by which the complaint was made;	C	Complaints records includes method by which complaint was made.
	(c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;	C	Complaints records includes person details of the complainant and allows for comment where no details were provided.
	(d) the nature of the complaint;	C	Complaints records includes nature of complaint.
	(e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and	C	Complaints records includes actions taken in relation to complaint.
	(f) if no action was taken by the licensee, the reasons why no action was taken.	C	Complaints records includes section to provide reason why no action was taken (if the case).
M 5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	C	An electronic register of complaints from 2008 to 2013 (current) was reviewed during the audit. These complaints records are also available on the Rocglen website.
M 5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	C	Rocglen personnel confirmed there have been no requests from the EPA in regards to this condition.
M 6 Telephone complaints line			
M 6.1	The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.	C	A telephone complaints line is listed on the Rocglen website and operates under the number - 0439 441 251
M 6.2	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	C	A telephone complaints line is listed on the Rocglen website and operates under the number - 0439 441 251
M 6.3	The preceding two conditions do not apply until 3 months after:		
	a) the date of the issue of this licence or	NT	Licence was issued more than 3 months ago.
	b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.	NT	Licence is not a replacement licence as defined by the he provisions in this condition.

M 7 Blasting												
M 7.1	To determine compliance with condition(s) L4.1, L4.2, L4.3 and L4.4:											
	a) Airblast overpressure and ground vibration levels experienced at the following noise sensitive locations must be measured and recorded for all blasts carried out in or on the premises and electronically recorded at points BB1 and BB3.	C	PA 06_0198 required a Blast Monitoring Program rather than a Blast Management Plan. Although the currently approved plan remains the Blast Monitoring Program, a review of Rocglen's submitted, but not yet approved Blast Management Plan has been undertaken. Monitoring results reviewed during the audit indicate that monitoring has been undertaken as required.									
	b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.	C	Sighted Blast Monitoring records which include details of blast monitors utilised for the blast, as well as the dates the monitors were calibrated.									
	<i>Note: A breach of the licence will still occur where airblast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limit specified in the conditions of this licence at any "noise sensitive locations" other than the locations identified in the above condition.</i>	Noted										
M 7.2	For the purpose of condition M7.1, the blasting monitoring locations are described as: <table border="1" data-bbox="557 1119 1317 1224"> <thead> <tr> <th>EPA Identification No.</th> <th>Description of Location</th> </tr> </thead> <tbody> <tr> <td>BB1</td> <td>Property 'Retreat' residence</td> </tr> <tr> <td>BB3</td> <td>Property 'Roseberry' residence</td> </tr> </tbody> </table>	EPA Identification No.	Description of Location	BB1	Property 'Retreat' residence	BB3	Property 'Roseberry' residence	C	Monitoring result reviewed during the audit indicate blast monitoring is undertaken at these locations.			
EPA Identification No.	Description of Location											
BB1	Property 'Retreat' residence											
BB3	Property 'Roseberry' residence											
M 7.3	For the purpose of condition M8.1, the noise monitoring locations are described as: <table border="1" data-bbox="578 1346 1338 1514"> <thead> <tr> <th>EPA Identification No.</th> <th>Description of Location</th> </tr> </thead> <tbody> <tr> <td>N1</td> <td>Property 'Retreat' residence</td> </tr> <tr> <td>N2</td> <td>Property 'Surrey' residence</td> </tr> <tr> <td>N3</td> <td>Portable monitor</td> </tr> </tbody> </table>	EPA Identification No.	Description of Location	N1	Property 'Retreat' residence	N2	Property 'Surrey' residence	N3	Portable monitor	C	Monitoring records indicate that the monitoring locations N1 and N2 are as described. N3 noted as being a mobile noise monitoring location.	
EPA Identification No.	Description of Location											
N1	Property 'Retreat' residence											
N2	Property 'Surrey' residence											
N3	Portable monitor											
M 7.4	<i>Note: N3 is a portable monitor enabling the monitor to be relocated to areas of potential greatest impact. The licensee is responsible to ensure that it is located at the most suitable location.</i>	Noted										
M 7.5	The location, frequency of monitoring and the parameters to be monitored may be varied by the EPA once the variability of the noise impact is established.	Noted										

M 8 Other monitoring and recording Conditions								
M 8.1 NOISE MONITORING	For each monitoring point specified below, the Licensee must monitor the noise or vibration parameter specified in Column 1. The Licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns. POINTS: N1, N2	C	Monitoring data confirms that monitoring is being undertaken using the identified sampling methods. Sighted Spectrum Acoustics Report (January 2013) Section 1.2, 2.1 and 2.2					
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M 8.2	To assess compliance with the noise limits presented in the Noise Limits table, attended noise monitoring must be undertaken in accordance with the condition titled <u>Determining Compliance</u> , outlined above, and:							
	a) at each one of the locations listed in the Noise Limits table;	C	Monitoring records indicate that the monitoring locations N1 and N2 are as described.					
	b) occur quarterly in a reporting period;	C	Noise monitoring required by this condition has been conducted quarterly.					
	c) occur during each day, evening and night period as defined in the NSW Industrial Noise Policy for a minimum of:							
	i) 1.5 hours during the day; ii) 30 minutes during the evening; and iii) 1 hour during the night.	C	Noise reports reviewed during the audit demonstrated that noise monitoring is undertaken in accordance with the requirements of this condition.					
d) occur for three consecutive operating days.	C	Noise reports reviewed during the audit demonstrated that noise monitoring is undertaken in accordance with the requirements of this condition.						

6. Reporting Conditions				
R 1 Annual return documents				
What documents must an Annual Return contain?				
R 1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:			
	(a) a Statement of Compliance; and	C	Annual returns submitted for EPL 12870 for the following report periods: 2011 - 2012: submitted 28 September 2012 2010 - 2011: submitted 27 September 2011 Annual returns reviewed included a statement of compliance.	
	(b) a Monitoring and Complaints Summary.	C	Annual returns submitted for EPL 12870 for the following report periods: 2011 - 2012: submitted 28 September 2012 2010 - 2011: submitted 27 September 2011 Annual returns reviewed included a monitoring and complaints summary.	
At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.		Noted		
Period Covered by Annual Return				
R 1.2	An Annual Return must be prepared in respect of each reporting period, except as provided below.	C	Annual returns prepared as detailed in condition R1.1 above.	
	<i>Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</i>	Noted		
R 1.3	Where this licence is transferred from the licensee to a new licensee:	NT	There have been no transfers of the licence during the audit period.	
	(a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and			
	(b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.			
Note: An application to transfer a licence must be made in the approved form for this purpose.				
R 1.4	Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:	NT	The licence has not been surrendered or revoked during the audit period.	
	(a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or			
	(b) in relation to the revocation of the licence - the date from which notice revoking the licence operates			

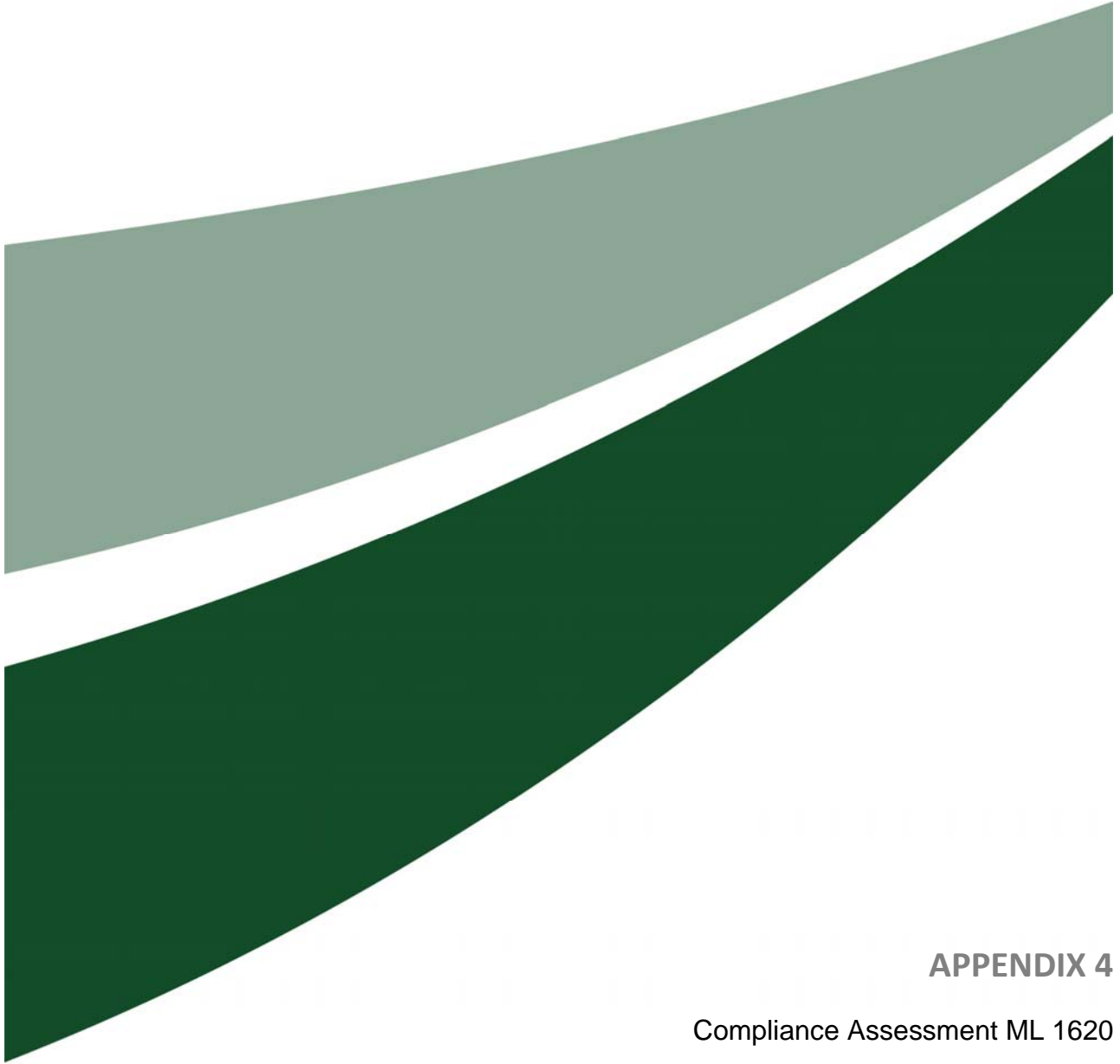
Deadline for Annual Return				
R 1.5	The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').	C	Annual returns submitted for EPL 12870 for the following report periods: 2011 - 2012: submitted 28 September 2012 2010 - 2011: submitted 27 September 2011 Annual returns reporting period finishes 30 July each year, reports have therefore been submitted in accordance with required timeframes. Submission of reports was confirmed by information on EPA website.	
Licensee must retain copy of annual return				
R 1.6	The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.	C	Copies of annual returns for relevant report periods stored on site. Submission of reports was confirmed by information on EPA website.	
Certifying of statement of Compliance and signing of Monitoring and Complaints Summary				
R 1.7	Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:			
	(a) the licence holder; or	C	Copies of Annual Return sighted were noted to be signed by the relevant company personnel. This is in accordance with the requirements for signing and certification as listed on the Annual Return form.	
	(b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	NT		
R 1.8	A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.	NT		

R 2 Notification of environmental harm				
	<i>Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.</i>	Noted		
R 2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	NC	Existing EMS schedule 5(3) states that within 24 hours of detecting an exceedance of the limits/performance criteria in this approval, or the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the exceedance/incident. Penalty Infringement Notice (PIN) recorded for discharge 21 February 2012 for discharge from SD3. Discharge occurred 21 February, reported via letter to EPA 1 March 2013. An incident report was submitted to EPA on 9 March 2012. TSS from SD3 measured 340 mg/L with 25 mm of rain being recorded in the preceding 5 days, and therefore the licence exemption was not triggered.	Whilst notification of the incident was provided, it was not made using the Environment Line number. Notification was undertaken by letter.
R 2.2	The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.	NC	Letters to EPA regarding 21 February 2012 discharge sighted. Letter not submitted to EPA within 7 days of the incident. Letter submitted to EPA 1 March 2012, 8 days after the incident.	
R 3 Written report				
R 3.1	Where an authorised officer of the EPA suspects on reasonable grounds that:	Noted		
	(a) where this licence applies to premises, an event has occurred at the premises; or	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
	(b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
R 3.2	The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	

R 3.3	The request may require a report which includes any or all of the following information:			
	(a) the cause, time and duration of the event;	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
	(b) the type, volume and concentration of every pollutant discharged as a result of the event;	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
	(c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
	(d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
	(e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
	(f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
	(g) any other relevant matters.	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
R 3.4	The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.	NT	Rocglen personnel confirmed that this has not been triggered at Rocglen Coal Mine.	
R 4 Other Reporting Conditions				
R 4.1	The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.	NT	There were no exceedances of blasting limits during the audit period	
R 4.2	A noise compliance assessment report must be submitted to the EPA within thirty (30) days of the completion of the quarterly noise monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:	C	Sighted emails to EPA submitting reports as required.	
	a) an assessment of compliance with noise limits detailed in the limit conditions of this licence; and	C	Reports provide an assessment of compliance.	
	b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits detailed in the limit conditions of this licence.	C	Only one minor exceedance was recorded during the period covered by the audit. Appropriate investigations and management measures were identified in the report for that period.	
General Conditions				
G 1 Copy of licence kept at premises				
G 1.1	A copy of this licence must be kept at the premises to which the licence applies.	C	A copy of EPL 12870 is located on site within the Environmental Officers Workstation.	
G 1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	NT	A copy of the EPL is held on site, although no authorised officer has requested to see it.	
G 1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	C	A copy of EPL 12870 is located on site within the Environmental Officers Workstation.	

Pollution studies and reduction programs				
U 1 PRP 1: Coal Mine Particulate Matter Control Best Practice				
U 1.1	The Licensee must conduct a site specific Best Management Practice (BMP) determination to identify the most practicable means to reduce particle emissions.	C	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program, prepared by PAEHolmes 29 June 2012 - Sighted	
U 1.2	The Licensee must prepare a report which includes, but is not necessarily limited to, the following:			
	- identification, quantification and justification of existing measures that are being used to minimise particle emissions;	C	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program - Section 2.0	
	- identification, quantification and justification of best practice measures that could be used to minimise particle emissions;	C	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program - Section 3.0	
	- evaluation of the practicability of implementing these best practice measures; and	C	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program - Section 4.0	
	-a proposed timeframe for implementing all practicable best practice measures;	C	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program - Section 4.0	
	In preparing the report, the Licensee must utilise the document entitled Coal Mine Particulate Matter Control Best Practice – Site Specific Determination Guideline - November 2011.	C	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program - Section 6.0	
U 1.3	All cost related information is to be included as Appendix 1 of the Report required by condition U1.2 above.	C	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program - Appendix 3	
U 1.4	The report required by condition U1.2 must be submitted by the Licensee to the Environment Protection Authority, Manager Armidale Region, at PO Box 494 Armidale NSW 2350 by 29 June 2012.	V	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program (Pae Holmes, June 2012.)	Rocglen to confirm that the PRP was submitted to EPA on 29 June 2012.
U 1.5	The report required by condition U1.2 above, except for cost related information contained in Appendix 1 of the Report, must be made publicly available by the Licensee on the Licensee's website 6 July 2012.	C	Rocglen Coal Mine - Particulate Matter Control Best Practice Pollution Reduction Program is available on the Rocglen website.	

Compliant	80
Non-compliant	5
Verification	2
Observation	0
Not Triggered	20



APPENDIX 4

Compliance Assessment ML 1620

Mining Lease No: 1620				
Lease granted 10 June 2008 - due to expire June 2029				
Conditions 2-8 and 17-23 are identified as conditions relating to environmental management.				
Condition No.	Requirement	Compliance Y/N/NT/V/NA	Evidence	Comments
1. Notice to Landholders	Within a period of three months from the date of the grant/renewal of this lease or within such further time as the minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice. If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.	NA	Not applicable to environmental audit.	
2. Environmental Harm	The proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of the development.	C	The site inspection and audit of compliance documentation related to the mining lease found no significant issues relating to environmental management at the site. Generally, the site is well maintained and there were no reported exceedances of the relevant criteria in the last 12 months.	It is acknowledged that Rocglen has made significant improvements to water management on the site such that there have been no wet weather discharge exceedances since February 2012.
3. Mining Operations Plan	(a) Mining operations must not be carried out otherwise than in accordance with: a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries.	C	Mining Operations Plan (MOP) commencement date 1/10/2011. MOP approval letter received from DP&I 21/10/2011 which was prior to the commencement of construction and mining.	
	(b) The MOP must:			
	i) identify areas that will be disturbed by mining operations;	C	MOP - Section 3: Proposed Mining Activities.	
	ii) detail the staging of specific mining operations;	C	MOP - Section 3: Proposed Mining Activities.	
	iii) identify how the mine will be managed to allow mine closure;	C	MOP - Section 4: Proposed Rehabilitation Activities During MOP Term; and Section 5: Final Rehabilitation.	
	iv) identify how mining operations will be carried out on site in order to prevent and or minimise harm to the environment;	C	MOP - Section 6 Environmental and Rehabilitation Risk Identification.	
	v) reflect the conditions of approval under:			
	•the Environmental Planning and Assessment Act 1979	C	MOP - Table 1 lists the current approvals and licences relevant to the operations. Project Approval 06 0198.	
	•the Protection of the Environment Operations Act 1997	C	MOP - Table 1 lists the current approvals and licences relevant to the operations. Environment Protection Licence 12870.	
	•and any other approvals relevant to the development including the conditions of this lease; and	C	MOP - Table 1 lists the current approvals and licences relevant to the operations.	
	vi) have regard to any relevant guidelines adopted by the Director -General.	C	Section 1.1 of approved MOP states that the MOP has been prepared in accordance with the Guidelines to the Mining, Rehabilitation and Environmental Management Process.	A review of the MOP found that it had generally been prepared in accordance with the guidelines.
	(c) The titleholder may apply to the Director -General to amend an approved MOP at any time.	C	MOP amended 1/05/2012.	

	(d) It is not a breach of this condition if:			
	i) the operations constituting the breach were necessary to comply with a lawful order or direction given under the Mining Act 1992 , the Environmental Planning and Assessment Act 1979 , Protection of the Environment Operations Act 1997 or the Occupational Health and Safety Act 2000 , and	NT		
	ii) the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.	NT		
	(e) A MOP ceases to have affect 7 years after date of approval or other such period as identified by the Director-General. An approved amendment to the MOP under condition 5 does not constitute an approval for the purpose of this paragraph unless otherwise identified by the Director-General.	NT		
4. Environment Management Reporting	The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.	C	2011-2012 AEMR lodged.	Consultation with DRE identified that the annual site inspection for the AEMR was to be undertaken in May 2013.
5. The EMR must:	a) report against compliance with the MOP;	C	The AEMR for 2011-2012 was reviewed.	It was noted that the AEMR primarily includes comparison with the predictions made in the EA, however, for rehabilitation in particular, the environmental performance in relation to the MOP was discussed
	b) report on progress in respect of rehabilitation completion criteria;	C	AEMR 2011/2012 - Section 5.2	
	c) report on the extent of compliance with regulatory requirements;	C	AEMR 2011/2012 - Appendix 3 details Compliance Reviews based on Project Approval Conditions, Environment Protection Licence 12870 and Mining Lease 1620.	
	d) have regard to any relevant guidelines adopted by the Director -General.	C	Section 1.1 of 2011-2012 AEMR states that the AEMR has been prepared in accordance with the Guidelines to the Mining, Rehabilitation and Environmental Management Process.	
6	Additional environmental reports may be required on specific surface disturbing operations or environmental incidents from time to time as directed in writing by the Director-General and must be lodged as instructed.	NT	No additional reports requested.	
7. Rehabilitation	Disturbed land must be rehabilitated to a sustainable/agreed end land use to the satisfaction of the Director-General.	C	MOP has been approved by DP&I and includes agreed end use and rehabilitation activities.	During the audit site inspection, rehabilitation was in progress around the northern limit of the northern emplacements area. It was observed that rehabilitation was generally in accordance with the schedule outlined in the MOP

8. Subsidence Management	(a) The lease holder shall prepare a Subsidence Management Plan prior to commencing any underground mining operations which will potentially lead to <u>subsidence of the land surface</u> .	NT	Auger mining has not yet commenced.	
	(b) Underground mining operations which will potentially lead to subsidence include secondary extraction panels such as longwalls or miniwalls, associated first workings (gateroads, installation roads and associated main headings, etc) and pillar extractions and are otherwise defined by the Applications for subsidence Management Approvals guidelines (EDG17) .	NT		
	(c) The lease holder must not commence or undertake underground mining operations that will potentially lead to subsidence other than in accordance with a Subsidence Management Plan approved by the Director -General, an approval under the Mine Health & Safety Act 2004, or the document New Subsidence Management Plan Approval Process - Transitional Provisions (EDG17)	NT		
	(d) Subsidence Management Plans are to be prepared in accordance with the <i>Guideline for Applications for Subsidence Management Approvals</i> .	NT		
	(e) Subsidence Management Plans as approved shall form part of the Mining Operations Plan required under Condition 2 and will be subject to the Annual Environmental Management Report process as set out under Condition 3. The SMP is also subject to the requirements for subsidence monitoring and reporting set out in the document New Approval Process for Management of <i>Coal Mining Subsidence - Policy</i>	NT		
9. Working Requirement	The lease holder must:			
	(a) ensure that at least fifteen (15) competent people are efficiently employed on the lease area on each week day except Sunday or any week day that is a <u>public holiday</u> .	NA	Not applicable to environmental audit.	
	OR			
	(b) expend on operations carried out in the course of prospecting or mining the lease area, an amount of not less than \$262 500 per annum whilst the lease is in force. The minister may at any time or times, by instrument in writing served on the lease holder, increase or decrease the expenditure required or the number of people to be employed	NA	Not applicable to environmental audit.	
10. Control of Operations	(a) If an Environmental Officer of the Department believes that the lease holder is not complying with any provision of the Act or any condition of this lease relating to the working of the lease, he may direct the leaseholder to:	NT	There is no evidence that any directions from an Environmental Officer of the Department have been given in relation to the Rocglen site.	
	(i) <u>cease working the lease</u> ; or	NT		
	(ii) cease that part of the operation not complying with the Act or conditions; until in the opinion of the Environmental Officer the situation is rectified.	NT		
	(b) The lease holder must comply with any direction given. The Director-General may confirm , vary or evoke any such direction.	NT		
	(c) A direction referred to in this condition may be served on the Mine Manager	NT		

11. Reports	The lease holder must provide an exploration report, within a period of 28 days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:	NA	Not applicable to environmental audit.	
	(a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the 12 month period;	NA	Not applicable to environmental audit.	
	(b) Details of expenditure incurred in conducting that exploration;	NA	Not applicable to environmental audit.	
	(c) A summary of all geological findings acquired through mining or development evaluation activities	NA	Not applicable to environmental audit.	
	(d) Particulars of exploration proposed to be conducted in the next 12 month period	NA	Not applicable to environmental audit.	
	(e) All plans, maps, sections and other data necessary to satisfactorily interpret the report	NA	Not applicable to environmental audit.	
12. Licence to Use Reports	(a) The lease holder grants to the Minister, by way of a non-exclusive licence, the right in copyright to publish, print, adapt and reproduce all exploration reports lodged in any form and for the full duration of copyright	NA	Not applicable to environmental audit.	
	(b) The non-exclusive licence will operate as a consent for the purpose of section 365 of the Mining Act 1992	NA	Not applicable to environmental audit.	
13. Confidentiality	(a) All exploration reports submitted in accordance with the conditions of this lease will be kept confidential while the lease is in force, except in cases where:	NA	Not applicable to environmental audit.	
	(i) the lease holder has agreed that specified reports may be made non-confidential.	NA	Not applicable to environmental audit.	
	(ii) reports deal with exploration conducted exclusively on areas that have ceased to be part of the lease.	NA	Not applicable to environmental audit.	
	(b) Confidentiality will be continued beyond the termination of a lease where an application for a flow-on title was lodged during the currency of the lease. The confidentiality will last until that flow-on title or any subsequent flow-on title, has terminated.	NA	Not applicable to environmental audit.	
	(c) The Director-General may extend the period of confidentiality	NA	Not applicable to environmental audit.	
14. Terms of the non-exclusive licence	The terms of the non-exclusive copyright licence granted under condition 12 are:	NA	Not applicable to environmental audit.	
	(a) the Minister may sub-licence others to publish, print, adapt and reproduce but not on-licence reports.	NA		
	(b) the Minister and sub- licensee will acknowledge the lease holder's and any identifiable consultants ownership of copyright in any reproduction of the reports, including storage of reports onto an electronic database.	NA		
	(c) the lease holder does not warrant ownership of all copyright works in any report and, the lease holder will use best endeavours to identify those parts of the report for which the lease holder owns the copyright.	NA		
	(d) there is no royalty payable by the Minister for the licence	NA		
	(e) If the lease holder has reasonable grounds to believe that the Minister has exercised his rights under the non-exclusive copyright licence in a manner which adversely affects the operations of the lease holder, that licence is revocable on the giving of a period of not less than three months notice.	NA		

15. Blasting	(a) Ground Vibration: The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10 mm/second and does not exceed 5 mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment and Climate Change	C	Blast results for the audit period indicate no exceedances of 10mm/sec or 5mm/sec.	
	(b) Blast Overpressure: The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment and Climate Change.	C	Blast results for the audit period indicate no exceedances of the blast overpressure criteria.	
16. Safety	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.	NA	Not applicable to environmental audit.	
17. Exploratory Drilling	(a) At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Water and Energy Regional Hydrogeologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.	C	Letter sighted from Whitehaven to Regional Hydrologist NSW Water and Energy dated 20/4/2011.	
	(b) If the lease holder drills exploratory drill holes he must satisfy the Director-General that:-			
	(i) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;	C	Survey plan sighted.	
	(ii) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;	C	Sealing certificates sighted.	
	(iii) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;	C	Sealing certificates sighted.	
	(iv) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape;	NT		
	(v) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.	NT		
	(vi) once any drill hole ceases to be used the hole must be sealed in accordance with Departmental guidelines. Alternatively, the hole must be sealed as instructed by the Director-General.	C	Sealing certificates sighted.	
(vii) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.	C	Observed during on-site inspection.		
18. Prevention of Soil Erosion and Pollution	Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.	C	Measures are implemented to prevent soil erosion and pollution.	
19. Transmission lines, Communication lines and Pipelines	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions he may stipulate.	C	Sighted letter to I&I requesting approval to relocate powerlines dated 13/7/2012 and letter from I&I approving relocation dated 11/10/2012.	

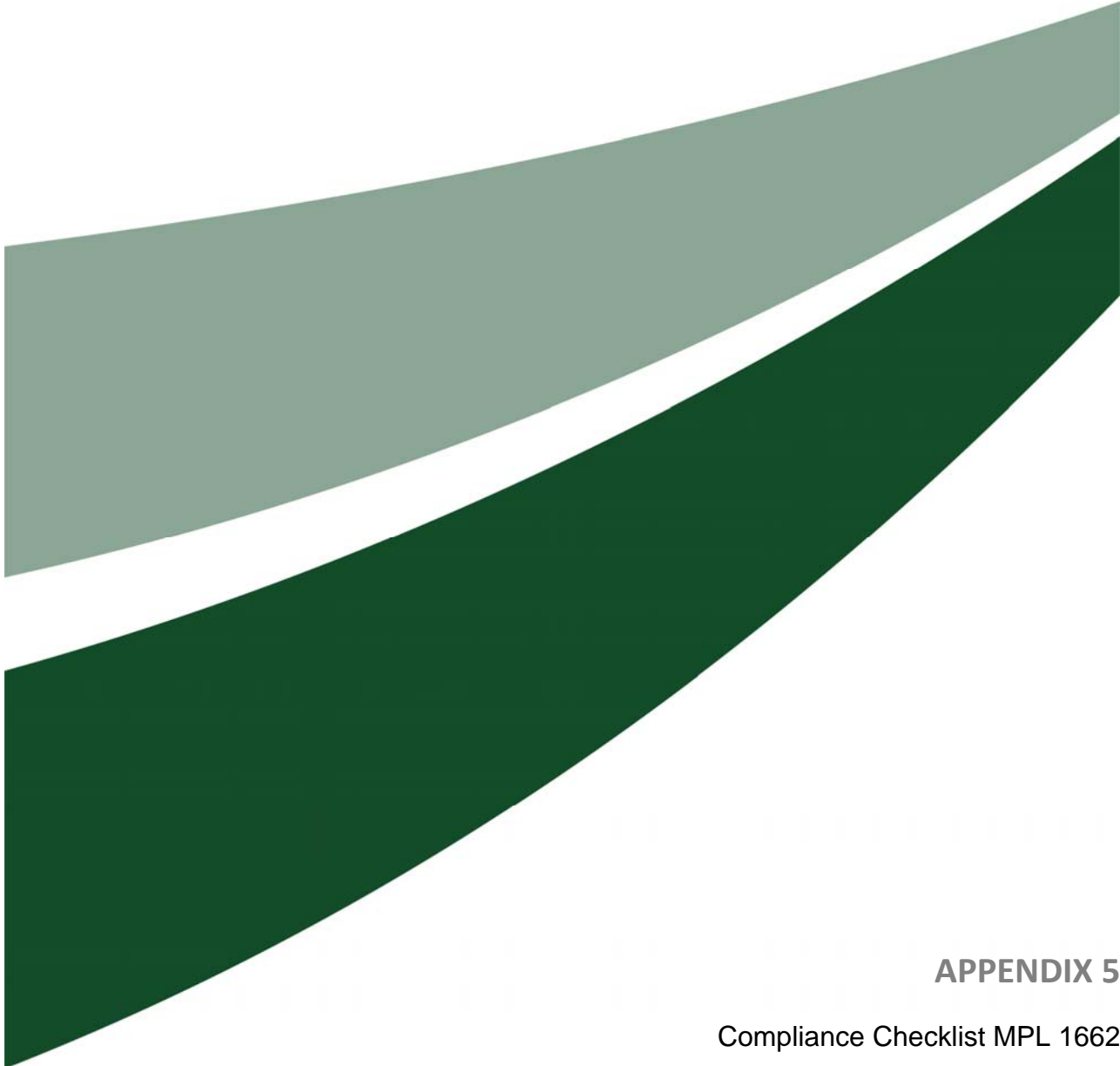
20. Fences, Gates	(a) Activities on the lease must not interfere with or damage fences without the prior written approval of the owner thereof or the Minister and subject to any conditions the Minister may stipulate.	C	Rocglen owns the land upon which surface disturbances are being undertaken.	
	(b) Gates within the lease area must be closed or left open in accordance with the requirements of the landholder.	C	Rocglen owns the land upon which surface disturbances are being undertaken.	
21. Roads and Tracks	(a) Operations must not affect any road unless in accordance with an accepted Mining Operations Plan or with the prior written approval of the Director-General and subject to any conditions he may stipulate.	C	Operations carried out in accordance with MOP and management plans.	
	(b) The lease holder must pay to the designated authority in control of the road (generally the local council or the Roads and Traffic Authority) the cost incurred in fixing any damage to roads caused by operations carried out under the lease, less any amount paid or payable from the Mines Subsidence Compensation Fund.	C	Road maintenance agreement sighted.	
22	Access tracks must be kept to a minimum and be positioned so that they do not cause any unnecessary damage to the land. Temporary access tracks must be ripped, topsoiled and revegetated as soon as possible after they are no longer required for mining operations. The design and construction of access tracks must be in accordance with specifications fixed by the Department of Climate Change and Environment	C	During the site inspection, it was observed that access tracks are generally kept to the minimum required for mining operations. Access tracks in use were generally observed to be maintained with little evidence of erosion sighted.	
23. Trees and Timber	(a) The lease holder must not fell trees, strip bark or cut timber on the lease without the consent of the landholder who is entitled to the use of the timber, or if such a landholder refuses consent or attaches unreasonable conditions to the consent, without the approval of a warden.	C	Land on which works are undertaken is owned by Rocglen.	
	(b) The lease holder must not cut, destroy, ringbark or remove any timber or other vegetative cover on the lease area except such as directly obstructs or prevents the carrying on of operations. Any clearing not authorised under the Mining Act 1992 must comply with the provisions of the Native Vegetation Act 2003	C	Rocglen has a site clearing procedure and examples of the implementation of this procedure were sighted during the audit. No evidence of clearing outside of the approved mine footprint were observed during the site inspection.	
	(c) The lease holder must obtain all necessary approvals or licences before using timber from any Crown land within the lease area.	C	No timber used from Crown Land	

25. Resource Recovery	(a) Notwithstanding and description of mining methods and their sequence or of proposed resource contained within the Mining Operation Plan, if at any time the Director-General is of the opinion that minerals which the lease entitles the lease holder to mine and which are economically recoverable at the time are not being recovered from the lease area, or that any such minerals which are being recovered are not being recovered to the extent which should be economically possible or which for environmental reasons are necessary to be recovered; he may give notice in writing to the lease holder requiring the holder to recover such minerals.	NA	Not applicable to environmental audit.	
	(b) The notice shall specify the minerals to be recovered and the extent to which they are to be recovered, or the objectives in regard to resource recovery, but shall not specify the processes the lease holder shall use to achieve the specified recovery.	NA	Not applicable to environmental audit.	
	(c) The lease holder must, when requested by the Director-General, provide such information as the Director-General may specify about the recovery of the mineral resources of the lease area.	NA	Not applicable to environmental audit.	
	(d) The Director-General shall issue no such notice unless the matter has firstly been thoroughly discussed with and a report to the Director-General has incorporated the views of the lease holder.	NA	Not applicable to environmental audit.	
	(e) The lease holder may object to the requirements of any notice issued under this condition and on receipt of such an objection the minister shall refer it to a Warden for inquiry and report under Section 334 of the <i>Mining Act, 1992</i> .	NA	Not applicable to environmental audit.	
	(f) After considering the Warden's report the Minister shall decide whether to withdraw, modify or maintain the requirements specified in the original notice and shall give the lease holder written notice of the decision. The lease holder must comply with the requirements of this notice.	NA	Not applicable to environmental audit.	
26. Indemnity	The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.	NA	Not applicable to environmental audit.	

27. Security	(a) A security in the sum of \$100 000 must be given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfilment by the lease holder of the obligations under this lease. If the lease holder fails to fulfil any one more of such obligations the said sum may be applied at the discretion of the Minister towards the cost of fulfilling such obligations. For the purpose of this clause the lease holder shall be deemed to have failed to fulfil the obligations of this lease if the lease holder fails to comply with any condition or provision hereof, any provision of the Act or regulations made thereunder or any condition or direction imposed or given pursuant to a condition or provision hereof or of any provision of the Act or regulations made thereunder.	NA	Not applicable to environmental audit.	
	(b) The lease holder must provide the security required by sub-clause (a) in one of the following forms:			
	(i) Cash	NA	Not applicable to environmental audit.	
	(ii) A security certificate in a form approved by the minister and issued by an authorised deposit-taking institution.	NA	Not applicable to environmental audit.	

C	35
V	0
NC	0
NT	16
NA	33
Total Responses	84

% of non-compliances against all possible responses



APPENDIX 5

Compliance Checklist MPL 1662

Mining Lease (Purposes) No: 1662

Lease granted 9 January 2012 - due to expire January 2031

Condition No.	Requirement	Compliance C/NC/O/NT/V/NA	Evidence	Comments
1. Notice to Landholders	Within a period of three months from the date of the grant/renewal of this lease or within such further time as the minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice.	N/A	Not applicable to environmental audit.	
	If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.	N/A	Not applicable to environmental audit.	
2. Environmental Harm	(a) The proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the construction, operation or rehabilitation of the development.	C	The site inspection and audit of compliance documentation related to the mining lease found no significant issues relating to environmental management at the site. Generally, the site is well maintained and there were no reported exceedances of the relevant criteria in the last 12 months.	It is acknowledged that Rocglen has made significant improvements to water management on the site such that there have been no wet weather discharge exceedances since February 2012.
	(b) For the purposes of this condition:	Noted		
	(i) environment means components of the earth, including:	Noted		
	(A) land, air and water;	Noted		
	(B) any layer of the atmosphere;	Noted		
	(C) any organic or inorganic matter and any living organism; and	Noted		
	(D) human-made or modified structures and areas,	Noted		
	And includes interacting natural ecosystems that include components referred to in paragraphs (A)-(C)	Noted		
(ii) harm to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution, contributes to the extinction or degradation of any threatened species, populations or ecological communities and their habitats and causes impacts to places, objects and features of significance to Aboriginal people.	C	The site inspection and audit of compliance documentation related to the mining lease found no significant issues relating to environmental management at the site. Generally, the site is well maintained and there were no reported exceedances of the relevant criteria in the last 12 months.	It is acknowledged that Rocglen has made significant improvements to water management on the site such that there have been no wet weather discharge exceedances since February 2012.	

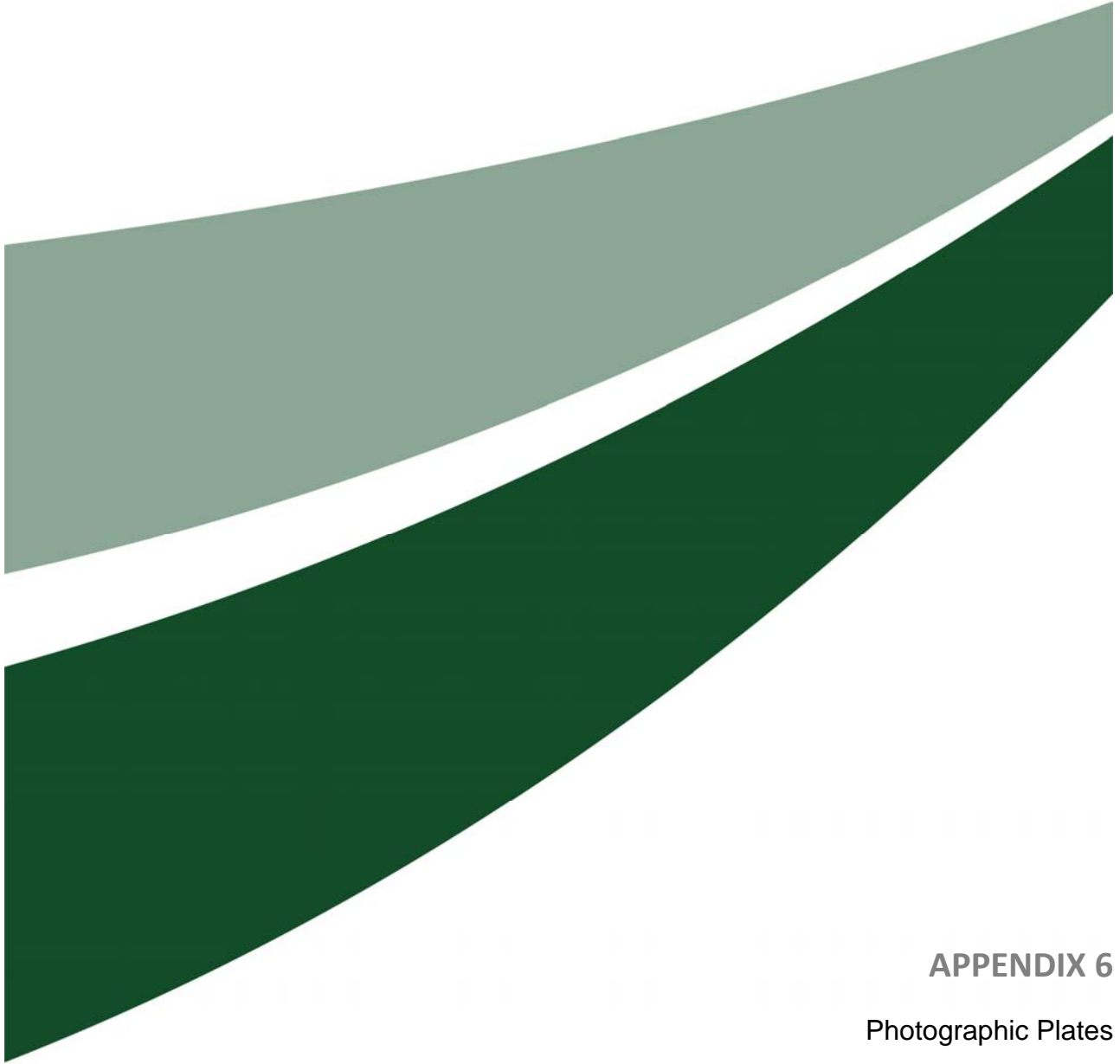
3. Mining Operations Plan	(a) Mining operations must not be carried out otherwise than in accordance with: a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries.	C	Mining Operations Plan (MOP) commencement date 1/10/2011. MOP approval letter received from DP&I 21/10/2011 which was prior to the commencement of construction and mining.	
	(b) The MOP must:			
	i) identify areas that will be disturbed by mining operations;	C	MOP - Section 3: Proposed Mining Activities.	
	ii) detail the staging of specific mining operations;	C	MOP - Section 3: Proposed Mining Activities.	
	iii) identify how the mine will be managed to allow mine closure;	C	MOP - Section 4: Proposed Rehabilitation Activities During MOP Term; and Section 5: Final Rehabilitation.	
	iv) identify how mining operations will be carried out on site in order to prevent and or minimise harm to the environment;	C	MOP - Section 6 Environmental and Rehabilitation Risk Identification.	
	v) reflect the conditions of approval under:			
	•the Environmental Planning and Assessment Act 1979	C	MOP - Table 1 lists the current approvals and licences relevant to the operations. Project Approval 06_0198.	
	•the Protection of the Environment Operations Act 1997	C	MOP - Table 1 lists the current approvals and licences relevant to the operations. Environment Protection Licence 12870.	
	•and any other approvals relevant to the development including the conditions of this lease; and	C	MOP - Table 1 lists the current approvals and licences relevant to the operations.	
•have regard to any relevant guidelines adopted by the Director -General.	C	Section 1.1 of approved MOP states that the MOP has been prepared in accordance with the Guidelines to the Mining, Rehabilitation and Environmental Management Process.		
(c) The titleholder may apply to the Director -General to amend an approved MOP at any time.	C	MOP amended 1/05/2012.		
(d) It is not a breach of this condition if:				
i) the operations constituting the breach were necessary to comply with a lawful order or direction given under the Mining Act 1992 , the Environmental Planning and Assessment Act 1979 , Protection of the Environment Operations Act 1997, Mine Health and Safety Act 2004/Coal Mine Health and Safety Act 2002 and Mine Health and Safety Regulation 2007/Coal Mine Health and Safety Regulation 2006 or the Occupational Health and Safety Act 2000 , and	NT			
ii) the Director-General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.	NT			
(e) A MOP ceases to have affect 7 years after date of approval or other such period as identified by the Director-General.	NT			

4. Environment Management Reporting	(a) The lease holder must lodge Environmental Management Reports (EMR) with the Director-General annually or at dates otherwise directed by the Director-General.	C	2011-2012 AEMR lodged.	Consultation with DRE identified that the annual site inspection for the AEMR was to be undertaken in May 2013.
	(b) The EMR must:			
	(i) report against compliance with the MOP;	C	The AEMR for 2011-2012 was reviewed.	
	(ii) report on progress in respect of rehabilitation completion criteria;	C	AEMR 2011/2012 - Section 5.2	
	(iii) report on the extent of compliance with regulatory requirements; and	C	AEMR 2011/2012 - Appendix 3 details Compliance Reviews based on Project Approval Conditions, Environment Protection Licence 12870 and Mining Lease 1620.	
(iv) have regard to any relevant guidelines adopted by the Director-General.	C	Section 1.1 of 2011-2012 AEMR states that the AEMR has been prepared in accordance with the Guidelines to the Mining, Rehabilitation and Environmental Management Process.		
5. Environmental Incident	(a) The lease holder must report any environmental incidents. The report must:	NT	Rocgen advised that there had been no incidents requiring reporting within the audit period It was also noted that there had been no breaches of the conditions of the Mining Lease during the audit period.	
(i) be prepared according to any relevant Departmental guidelines;				
(ii) be submitted within 24 hours of the environmental incident occurring;				
(b) For the purposes of this condition, environmental incident includes:				
(i) any incident causing or threatening material harm to the environment				
(ii) any breach of conditions 1 to 9 and 11 to 24				
(iii) any breach of environment protection legislation; or				
(iv) a serious complaint from landholders or the public.				
(c) For the purposes of this condition, harm to the environment is material if:				
(i) It involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or				
(ii) It results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000, where loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent mitigate or make good harm to the environment				
6. Additional Environmental	Additional environmental reports may be required from time to time as directed in writing by the Director-General and must be lodged as instructed.	NT	No additional reports requested.	
7. Rehabilitation	Any disturbance as a result of activities under this lease must be rehabilitated to the satisfaction of the Director-General.	C	MOP has been approved by DP&I and includes agreed end use and rehabilitation activities.	During the audit site inspection, rehabilitation was in progress around the northern limit of the northern emplacements area. It was observed that rehabilitation was generally in accordance with the schedule outlined in the MOP
10. Blasting	(a) Ground Vibration: The lease holder must ensure that the ground vibration peak particle velocity generated by any blasting within the lease area does not exceed 10mm/second and does not exceed 5mm/second in more than 5% of the total number of blasts over a period of 12 months at any dwelling or occupied premises as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water	C	Blast results for the audit period indicate no exceedances of 10mm/sec or 5mm/sec.	
	(b) The lease holder must ensure that the blast overpressure noise level generated by any blasting within the lease area does not exceed 120 dB (linear) and does not exceed 115 dB (linear) in more than 5% of the total number of blasts over a period of 12 months, at any dwelling or occupied premises, as the case may be, unless determined otherwise by the Department of Environment, Climate Change and Water	C	Blast results for the audit period indicate no exceedances of the blast overpressure criteria.	

11. Safety	Operations must be carried out in a manner that ensures the safety of persons or stock in the vicinity of the operations. All drill holes shafts and excavations must be appropriately protected, to the satisfaction of the Director-General, to ensure access to them by persons and stock is restricted. Abandoned shafts and excavations opened up or used by the lease holder must be filled in or otherwise rendered safe to a standard acceptable to the Director-General.	NA	Not applicable to environmental audit.	
12. Prevention of Soil Erosion and Pollution	Operations must be carried out in a manner that does not cause or aggravate air pollution, water pollution (including sedimentation) or soil contamination or erosion, unless otherwise authorised by a relevant approval, and in accordance with an accepted Mining Operations Plan. For the purpose of this condition, water shall be taken to include any watercourse, waterbody or groundwaters. The lease holder must observe and perform any instructions given by the Director-General in this regard.	C	Measures are implemented to prevent soil erosion and pollution.	
13. Transmission lines, Communication lines and Pipelines	Operations must not interfere with or impair the stability or efficiency of any transmission line, communication line, pipeline or any other utility on the lease area without the prior written approval of the Director-General and subject to any conditions he may stipulate.	C	Sighted letter to I&I requesting approval to relocate powerlines dated 13/7/2012 and letter from I&I approving relocation dated 11/10/2012.	
14. Roads and Tracks	(a) The lease holder must pay to the relevant roads authority in control of the road or track the reasonable costs incurred by the roads authority in making good any damage to roads or tracks caused by operations carried out under this lease, less any amount paid or payable from the Mines Subsidence Compensation Fund.	C	Operations carried out in accordance with MOP and management plans.	
	(b) During wet weather the use of any road or track must be restricted so as to prevent damage to the road or track.	C	Road maintenance agreement sighted.	
	(c) Existing access tracks should be used for all operations where reasonably practicable. New access tracks must be kept to a minimum and be positioned in order to minimise damage to the land, watercourses or vegetation.	C	During the site inspection, it was observed that access tracks are generally kept to the minimum required for mining operations. Access tracks in use were generally observed to be maintained with little evidence of erosion sighted.	
	(d) Temporary access tracks must be rehabilitated and revegetated to the satisfaction of the Director-General as soon as reasonably practicable after they are no longer required under this lease.	C	During the audit site inspection, temporary access tracks were observed to be maintained in good condition.	
15. Trees and Vegetation	(a) The lease holder must not fell trees, strip bark or cut timber on any land subject of this lease without the consent of the landholder who is entitled to the use of the timber.	C	Land on which works are undertaken is owned by Rocglen.	
	(b) The lease holder must contact Forests NSW and obtain any required permit, licence or approval before taking timber from any Crown land within the lease area.	NT		
	<i>Note: Any clearing not authorised under the Act must comply with the requirements of the Native Vegetation Act 2003. Any clearing or taking of timber on Crown land is subject to the requirements of the Forestry Act 1916.</i>	Noted		
18. Indemnity	The lease holder must indemnify and keep indemnified the Crown from and against all actions, suits, claims and demands of whatsoever nature and all costs, charges and expenses which may be brought against the lease holder or which the lease holder may incur in respect of any accident or injury to any person or property which may arise out of the construction, maintenance or working of any workings now existing or to be made by the lease holder within the lease area or in connection with any of the operations notwithstanding that all other conditions of this lease shall in all respects have been observed by the lease holder or that any such accident or injury shall arise from any act or thing which the lease holder may be licensed or compelled to do.	NA	Not applicable to environmental audit.	
21. Single Security	The single security given and maintained with the Minister by the lease holder for the purpose of ensuring the fulfillment by the lease holder of obligations under Mining Lease No. 1620 (Act 1992) is extended to apply to this lease.	NA	Not applicable to environmental audit.	

24. Cooperation Agreement	<p>The lease holder must make every reasonable attempt, and be able to demonstrate their attempts, to enter into a cooperation agreement with the holder(s) of any overlapping title(s). The cooperation agreement should address but not be limited to issues such as:</p> <ul style="list-style-type: none"> •access arrangements; •operational interaction procedures •dispute resolution •information exchange •well location •timing of drilling •potential resource extraction conflicts, and 	<p>NA</p>		
	<p><i>Note: Exploration Reports (Geological and Geophysical) - The lease holder must lodge reports to the satisfaction of the Director-General in accordance with Section 163C of the Mining Act 1992 and in accordance with Clause 57 of the Mining Regulation 2010.</i></p> <p><i>Reports must be prepared in accordance with Exploration Reporting: A guide to reporting on exploration and prospecting in New South Wales (Department of Trade and Investment; Regional Infrastructure and Services 2010).</i></p>	<p>Noted</p>		

C	27
V	0
NC	0
NT	6
NA	4



APPENDIX 6
Photographic Plates



PLATE 1
Western emplacement area sediment ponds



PLATE 2
Signage on dams indicating dam capacities



PLATE 3
Oil Storage Compound - note no secondary containment from toppling or leaks under pressure



PLATE 4
Active Mining Area



Newcastle

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