

Werris Creek Coal - Independent Environmental Audit Action Plan 2020

Schedule and Condition Number	Condition	Compliance Status	Evidence	Recommendation	Werris Creek Coal Response	Timeframe
Project Approval – PA 10-0059 – MOD3						
Schedule 3 Condition 8	<p>The Proponent shall not carry out more than:</p> <p>(a) 1 blast a day on site, unless an additional blast is required following a blast misfire;</p> <p>and</p> <p>(b) 15 blasts a month on site.</p> <p>This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately-owned land, or blasts required to ensure the safety of the mine or its workers.</p> <p>Note: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.</p>	C (Obs)	<p>There were 365 blasts undertaken during the reported audit period. The blasting frequency was of approximately 10 blasts per month.</p> <p>September 2018 had 17 blasts, two blasts over the criteria limits. Blast were divided along four receptors: R11, R98, R62 and R92.</p> <p>Maximum values were above the Blast Vibration Criteria for the receptors R98 (0.93 mm/s) R62 (0.68 mm/s) and R92 (0.54 mm/s).</p> <p>Average values were only slightly above the criteria for the receptor R98 (0.51 mm/s).</p> <p>There were only 5 blast events that exceeded 0.5mm/s during September 2018. Therefore condition is considered compliant.</p>	Consider implementing an alert mechanism to identify potential blast exceedances.	WCC will implement a blast management tracking system to track each planned blast event and provide a mechanism that identifies planned blast events that exceed the prescribed monthly limits.	September 30 2020
Schedule 3 Condition 14	The Proponent shall ensure that no offensive odours, as defined under the POEO Act, are emitted from the site.	Non-Compliant	<p>The Site has received 15 odour related complaints during the audit period, primarily relating to a 'burning' smell attributed to spontaneous combustion odours:</p> <ul style="list-style-type: none"> • June 2017 to June 2018 – 10 complaints; • June 2018 to June 2019 – 5 complaints; and • June 2019 to June 2020 – No complaints. 	Although the Site did receive odour related complaints, indicating offensive odour was emitted from Site, the site has robust odour management process to mitigate odours from spontaneous combustion. No actions required.	Mining of former underground area complete. Risk of Spontaneous Combustion and subsequent odour generation has substantially declined. No further action required.	Closed
Environment Protection Licence – EPL 12290						
L1.1	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.	Non-Compliant	<p>An uncontrolled discharge occurred from dams titled EPA14 that commenced on 9 February 2020. The discharge event was 'Special Frequency' as rainfall exceeded 39.2mm, therefore the discharge itself was not a non-compliance.</p> <p>However, a low pH exceedance at EP14 occurred during this discharge event which was reported to the EPA and included in annual returns as required. Investigation of this event did not identify a source of the exceedance and no subsequent monitoring has identified similar results.</p>	Investigation indicates that the exceedance appears to be anomalous. No further action required. Continue to monitor water quality during discharge events.	Discharge water quality will continue to be monitored as per approval requirements and the approved WCC Water Management Plan.	Closed
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	Non-Compliant)	One exceedance reported low pH 5.5 for discharge point EPL14 uncontrolled discharge, sampled on 18th February 2020.	Investigation indicates that the exceedance appears to be anomalous. No further action required. Continue to monitor water quality during discharge events.	Discharge water quality will continue to be monitored as per approval requirements and the approved WCC Water Management Plan.	Closed

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L7.1	<p>No condition in this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.</p> <p>Note: Section 129 of the Protection of the Environment Operations Act 1997 provides that the licensee must not cause or permit the emission of any Offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.</p>	Non-Compliant	<p>The Site has received 15 odour related complaints during the audit period, primarily relating to a 'burning' smell attributed to spontaneous combustion odours:</p> <ul style="list-style-type: none"> - June 2017 to June 2018 – 10 complaints; - June 2018 to June 2019 – 5 complaints; and - June 2019 to June 2020 – No complaints. <p>The mine has implemented procedures to minimise emissions of odour from spontaneous combustion through the use of water curtains or sprinklers to suppress hot areas; and uncovering and mining the higher risk workings quickly and soaking any hot coal immediately.</p> <p>Workers utilise personal gas monitors at the boundary of the site in the direction of complaints when they occur to identify whether detectable hydrogen sulphide is present. ERM sighted photographs of multi-gas monitoring units on days when spontaneous combustions complaints had been received. No elevated gas readings were detected at the boundary.</p> <p>It is noted that the higher risk of spontaneous combustion areas of the mine (the former underground workings) have now been mined, reducing the future odour emission risk profile of the mine.</p>	<p>No actions required.</p> <p>The site has robust odour management process to mitigate odours from spontaneous combustion.</p>	Noted	Closed
O5.3	<p>Pollution Incident Response Management Plan</p> <p>The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions, fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment.</p>	C (Obs)	<p>The scope and content of the PIRMP complies with the requirements of this condition. It was observed that the previous Operations Manager's contact details were in the PIRMP (the change in roles has only occurred within the last few months).</p>	<p>The operations manager's contact details should be updated in the PIRMP and amended copies issued where relevant.</p>	Complete	Closed
M6.2	<p>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.</p>	Non-Compliant	<p>ERM tested the complaints number published on the Werris Creek Mine Whitehaven Coal website. The complaints number was not functional.</p> <p>It is noted that the complaints number on the sign at the entrance to the mine was correct.</p>	<p>Update the website complaints line number to reflect the correct phone number.</p>	Complete	Closed
R1.5	<p>The Annual Return for the reporting period must be supplied to the EPA via eConnect EPA or 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').</p>	Non-Compliant	<p>The submission times for Annual Returns are summarised below:</p> <ul style="list-style-type: none"> • 2020 – on 29th May 2020 (due date 30th May 2020); • 2019 – on; 30th May 2019 (due date 30th May 2019); and • 2018 – on 31st May 2018 (due date 30th May 2018). 	<p>Communicate with Environmental Team at Whitehaven confirming Annual Return submission date is 30th May each year. Update calendars accordingly.</p>	<p>The introduction of a notification system to notify and escalate prior to approval reporting and submission dates has been implemented at WCC.</p>	Closed

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			The late submission of an Annual Return in 2018 related to a Misunderstanding at Site level regarding the submission date. Management reported that they have historically worked to an 'end of May' deadline, when the statutory submission date is on 30 th May each year.			
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.	C (Obs)	ERM sighted copies of Annual Returns for 2017 to 2020 and evidence of submission and EPA acceptance. Only the Annual Return provided for 2020 was signed by the General Manager	Ensure a signed copy of the annual return is maintained for records.	A signed copy of future Annual Returns will be kept on file.	Closed
R4.1	A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the monthly monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include: a) an assessment of compliance with noise limits presented in the Noise Limits table; and b) an outline of any management actions taken within the monitoring period to address any exceedances of the limits contained in the Noise Limits table.	Non-Compliant	Consultants are taking more than 30 days to create report.	WCC should review noise monitoring supplier contract to require reporting completed within 30 days.	Complete	Closed
EA Statement of Commitments						
14.2	Complete and distribute regular newsletters regarding project progress and operations	C (Obs)	A water Management Information flyer was made publically available during the audit period (2017) and is available for any community member who raises any water related concerns. The Site regularly communicates with the community through the CCC and Annual Reporting. It is noted that the only significant change to operations which has occurred during the audit period relates to water management.	It is ERM's opinion that publication of a regular newsletter would duplicate effort already achieved during CCC meetings and annual reporting. No action deemed required.	Noted	Closed
Mining Leases ML1671, ML1672, ML1563						
Nil – non compliances						
Water Access Licences – WAL 29506 and WAL 32224						
Nil – non compliances						