

26 October 2017

Mr Matthew Sprott
Team Leader – Resource Assessments
Resource Assessments & Compliance Division
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Sprott

Mount Pleasant Coal Mine (DA 92/97 MOD 3) – Response to Submissions

I refer to your email of 13 October 2017 inviting comment on the Response to Submissions (RTS) exhibited on the NSW Department of Planning & Environment web site in relation to the Mount Pleasant Coal Mine Optimisation Modification (the Project).

Thank you for the opportunity to comment on the Response to Submissions. While we note the proponent's responses, residual concerns remain, as detailed below.

Air Quality: Outdated Annual Average Criterion for 25 µg/m³

Both EPA and NSW Health advised that the proponent had used an outdated goal for annual PM10 levels with nine private residences exceeding the current goal of 25 µg/m³. The response from the proponent was that the current model is overly conservative and does not accurately predict actual impacts. If the current model does not accurately predict the geographical coverage of the 25 µg/m³ isopleth it would be useful to review the methods and produce a revised figure.

Air Quality: Meeting Future Particulate Matter Standards

In commenting on the future air quality impacts of the mine out to approximately 2025, we cited the variation in the NEPM, 2015: <http://www.nepc.gov.au/resource/variation-ambient-air-quality-nepm-%E2%80%93-particles-standards>

The proponent stated:

“MACH Energy considers that it is unreasonable for NSW Health to request the Mount Pleasant Operation to assess and report against potential future standards that do not currently apply to NSW population centres, let alone the regulation of individual industrial projects.”

NSW Health contends that it is appropriate that future air standard goals should be considered when planning future operations and the National Environment Protection Council has published their aim to achieve a more stringent goal by 2025. A key consideration of future impacts of this development will be whether it can meet future national goals. The proponent makes a distinction between “NSW population centres” and the regulation of “individual industrial projects”.

The proponent states that the “NEPM standards for particulate matter...”, “...do not automatically apply to industrial operations.” It is not clear why this distinction would be made at this point in the process when: The exceedances of concern relate to residential areas not the mine property, and

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The NEPM standards are picked up in *The Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (NSW EPA, 2017)* which are the criteria that should be used in the assessment of impact on the community.

Surface Water

It is noted in the RTS that the proposed Hunter River offtake and discharge points for the Project are downstream of the Muswellbrook drinking water supply offtake, and would therefore be expected to have no impact on the quality or quantity of water available for the Muswellbrook supply.

Potable Water

It is noted that the proponent intends to treat Hunter River water in order to provide a potable water supply on-site, or alternatively to source potable water from an accredited supplier (water carter). There was no mention in the RTS regarding the quality assurance program for this private water supply. The proponent is reminded that the *Public Health Act 2010* (the Act) and the *Public Health Regulation 2012* require drinking water suppliers, including private water suppliers, to develop and adhere to a quality assurance program. The proponent is advised that a recent amendment to Section 25 of the Act has introduced separate penalties of up to \$27500 each for not having, not complying with, and not providing a quality assurance program.

The quality assurance program for the site should be submitted to this office at the address on the front page of this letter prior to commencement of use. Further information and templates can be found at: <http://www.health.nsw.gov.au/environment/water/Pages/private-supplies.aspx>.

Should you wish to discuss this matter further, please contact Carolyn Herlihy, Environmental Health Officer on (02) 4924 6477 or Carolyn.herlihy@hnehealth.nsw.gov.au.

Yours Sincerely



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