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Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

22 OCT 2012

Dear Ms Greenway

INTEGRA OPEN CUT AND UNDERGROUND COAL PROJECTS – 75W MODIFICATION (08_0101 Mod 2 and 08_0102 Mod 2)

Reference is made to your letter of 21 September 2012 inviting the Environment Protection Authority (EPA) to provide advice and recommended condition of approval for the proposed modification to the Integra Open Cut and Underground Coal Projects.

The proposed modification includes:

- removing the requirement for the installation and operation of an overland conveyor;
- amending the definitions and operation of an overland conveyor;
- providing noise mitigation measures upon request to an additional property;
- adjusting the noise criteria associated with an existing property; and
- biodiversity offsets

The EPA provides the following comments and advice in relation to the project. Recommended conditions of approval are provided at **Attachment A**.

Air Quality

The air quality impact assessment has been assessed and notes that:

- Integra is an existing operational mine;
- This is a relatively minor modification that proposes continued use of truck haulage from the Underground surface facilities;
- The predicted increase in emissions due to the continued use of truck haulage is less than 6% from the currently approved project; and
- Only two private residences are predicted to experience exceedences of the acquisition criteria and that these residences are already entitled to acquisition;

The EPA's Dust Stop Pollution Reduction Program (PRP) process applies to all operational mines in NSW. The dust stop PRPs require all mines to conduct a best practice determination, and to develop particle controls that are transparent and legally enforceable, with the methods for determining compliance clearly identified.

Given the minor air quality impacts of the proposed modification and the existing Dust Stop PRP process to manage air quality impacts, the EPA believes there is neither the scope, or need for, any new approval conditions relating to air quality.

Noise Impacts – General Comments

The EA includes in Appendix C the modelling results which compare the noise levels of the conveyor option against the haul truck option. There is little detail in the EA on the modelling methodology and it appears that the 'criteria' listed in the Tables in Appendix C are not the same as the noise limits in the Project Approval. This makes it difficult to assess compliance or otherwise with the noise limits if haulage by trucks was maintained over constructing the conveyor.

It appears from the noise levels in Appendix C that some properties will be worse off by continued haulage by trucks compared with the conveyor, however the discussion in Appendix C indicates that modelling did not include the 3 metre bund which the EA states has now been constructed. As predicted noise levels are not provided for operations with and without the bund, it is not clear what benefit the 3 metre bund will have for those receivers who may have benefited from the conveyor. EPA considers that the onus is on the proponent to achieve the noise limits in the existing Project Approval (and Environment Protection Licence (EPL)).

With regard to the proposed 7am start on Sundays (rather than 8am), the EPA considers that community consultation is an important aspect to this proposed change, and any complaints or concerns from the community will need to be addressed. In accordance with the guidance contained within the NSW Industrial Noise Policy (INP), temperature inversions will need to be considered for a 7am start on a Sunday as 7am-8am is contained within the 'night' period. The EA does not include predicted noise levels for the proposed change in hours for the open cut, however the EPA notes from the modelling results contained in Appendix C (for the haul truck vs conveyor scenarios) that the predicted levels for the open cut operations during the day, evening and night time under adverse met conditions (at the four nearest receivers: 20, 31, 47 and 48) do not exceed the noise limits in the Project Approval (and EPL). Again, the EPA considers that the onus is on the proponent to achieve the noise limits in the Project Approval (and EPL).

The EPA does not have any concerns or additional comments with regard to the changes to receptor details in Section 3.4 of the EA.

The EPA can support the proposal provided that there are no changes to the noise limits in the EPL and current Project Approval.

Given that the current EPL includes a condition stating that the noise limits apply under temperature inversions up to 3degrees Celcius/100m, EPA intends to also include conditions to allow for direct measurement of temperature inversions and a requirement for a noise assessment compliance report.

The EPA would appreciate receiving a copy of the submissions received by the Department of Planning and Infrastructure (or a report summarising these submissions) in response to the exhibition of the EA. This will enable the EPA to review the appropriateness of, and determine the need for any amendments to, recommended conditions of approval.

If you require any further information please contact Bill George on (02) 4908 6821.

Yours sincerely



KAREN MARLER
Head Regional Operations Unit – Hunter
Environment Protection Authority

ATTACHMENT A

Recommended conditions of approval for Integra Open Cut and Underground Coal Projects DA's 08_0101 Mod 2 and 08_0102 Mod 2

ADMINISTRATIVE CONDITIONS

Works to be undertaken in accordance with information supplied

1. Except as provided by these recommended conditions of approval, the works and activities shall be undertaken in accordance with the proposal contained in:
 - (a) The development application DA's 08_0101 Mod 2 & 08_0102 Mod 2 submitted to the NSW Department of Planning and Infrastructure;
 - (b) The document *"Integra Mine Complex Modification 2 Environmental Assessment"* (the EA) prepared by EMN and dated September 2012

unless otherwise specified in these conditions of approval.

NOISE LIMITS

2. The noise limits, as set out in Table 2 (Noise Criteria) of Project Approvals 08_0101 & 08_0102 apply under all meteorological conditions except for the following:
 - a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or
 - b) Temperature inversion conditions up to 3°C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
 - c) Temperature inversion conditions greater than 3°C/100m.
3. For the purposes of condition 2:
 - a) Data recorded by the meteorological station identified as EPA Identification Point 7 must be used to determine meteorological conditions ; and
 - b) Temperature inversion conditions (vertical temperature gradient in degrees C) are to be determined by direct measurement over a minimum 50m height interval as referred to in Part E2 of Appendix E to the NSW Industrial Noise Policy.

NOISE MONITORING COMPLIANCE REPORT

4. Noise Monitoring Report

A noise compliance assessment report must be submitted to the EPA within 90 days of the commencement of activities approved by Project Approval application 08_0101 Mod 2 and 08_0102 Mod 2. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include an assessment of compliance with noise limits presented in Condition L2.2 of Environment Protection Licence 3390.