

22 April 2025

Tegan Cole
Department of Planning, Housing and Infrastructure
Via Major Projects Portal

EPA Comment on Modification Report Bengalla Mine Temporary Overburden Emplacement Area Modification 7 (SSD-5170-Mod-7)

Dear Tegan

I am writing in response to your request (PAE-82179217) for the NSW Environment Protection Authority (EPA) to review the Modification Report for the proposed Modification 7 to the Bengalla Open Cut coal mine at Bengalla Road, Singleton, NSW.

The EPA has reviewed the following documents:

- Bengalla Mine Temporary Emplacement Area Modification Report (Version 1) – James Bailey & Associates Pty Ltd – 20 February 2025
- Air Quality assessment - Bengalla Temporary Overburden Emplacement Area (TOEA) – Todoroski Air Sciences – 18 February 2025
- Acoustic Review Bengalla Mine Temporary Overburden Emplacement Area Modification – Xenith Consulting Pty Ltd – 13 February 2025

The EPA understands the proposal is for:

- The construction of a temporary overburden emplacement area to temporarily stockpile 11 million loose cubic metres of waste overburden material within the existing overburden emplacement area footprint.

Bengalla mine is regulated by environment protection licence (EPL) 6538, however the modification report states that no variation to the EPL would be required for the proposed modification.

Air impacts

The EPA notes the use of the new TOEA is still within the existing TOEA footprint and will have no discernible air impacts from existing dust emission levels from the premises. The EPA consider the current conditions of consent will adequately address any potential air emissions. The EPA would like to remind the applicant the Air Quality Management Plan for the premises must be implemented to mitigate any potential dust impacts from the development. The applicant must ensure the activities from the modification adhere to all requirements in their environment protection licence and the *Protection of the Environment Operations Act 1997*.

Noise Impacts

NSW Environment Protection Authority

As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

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The EPA notes the noise generated from the use of the new TOEA will not result in any appreciable changes in noise limits at any receptors and can be managed under the current noise management plan. The proponent should ensure the adaptive noise management plan is appropriate and updated as required to ensure compliance with all noise limits on the consent and the environment protection licence.

If you have any questions about this request, please contact Nick Vlasoff via email at environmentprotection.planning@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jackson', written in a cursive style.

CHRISTIE JACKSON
Unit Head – Environment Protection Planning
NSW Environment Protection Authority