



DOC20/5159-4

Department of Planning, Infrastructure & Environment
Returned via the Major Projects Portal

Attention: Ms Lauren Evans

15 January 2020

Dear Ms Evans

**Secretary's Environmental Assessment Requirements
Mount Pleasant Optimisation Project (SSD 10418)**

I refer to the email from the Department of Planning, Industry and Environment (DPIE) to the Environment Protection Authority (EPA) dated 6 January 2020 seeking the EPA's Secretary's Environmental Assessment Requirements (SEARs) to assist with the preparation of an Environmental Assessment for the Mount Pleasant Optimisation Project (SSD 10418) at the Mount Pleasant Coal Mine.

Based on the information provided, the EPA understands that the Proponent is seeking to optimise operations at the Mount Pleasant Coal Mine by accessing additional run of mine coal reserves and extending the life of the mine from 2026 to 2048, among other changes. The Premises is already the subject of environment protection licence 20850 (Licence) issued under Chapter 3 of the *Protection of the Environment Operations Act 1997* (POEO Act) and therefore these SEAR's are only in relation to those matters that relate to the proposed optimisation.

The EPA has considered the proposal and provides at **Attachment A** the information it requires to properly assess the Proposal. The EPA's key information requirements for the Proposal must include an adequate description and assessment of:

1. Potential air quality impacts due to construction and operation;
2. Potential noise impacts due to construction and operation;
3. Potential impacts on water quality and site-wide water management; and
4. Waste management and disposal.

Given the location of the Proposal in relation to the town of Muswellbrook, particular attention will need to be paid to the assessment of cumulative impacts, especially for air quality.

The EPA has provided the appropriate guidance material to be considered (but not limited too) at **Attachment B**.

It is important that all assumptions and conclusions made in the environmental assessment are supported by adequate data. The proponent should also be aware that any commitments made in the environmental assessment may be formalised as approval conditions and/or environment protection licence conditions.

If you have any questions about this matter, please contact Matthew Corradin on 02 4908 6830 or by email to hunter.region@epa.nsw.gov.au.

Yours sincerely

MITCHELL BENNETT
Head Strategic Operations Unit
Environment Protection Authority

Encl: **Attachment A** – EPA's Recommended Secretary's Environmental Assessment Requirements
 Attachment B – Guidance Material

ATTACHMENT A – EPA’s Recommended Secretary’s Environmental Assessment Requirements – Mount Pleasant Optimisation Project (SSD 10418)

How to use these requirements

The EPA requirements have been structured in accordance with relevant guidelines, as follows. It is suggested that the EIS follow the same structure:

- A. Executive summary
- B. The proposal
- C. The location
- D. List of required approvals and licences
- E. Identification and prioritisation of all issues
- F. The environmental issues
- G. The mitigation measures
- H. Justification for the proposal and conclusion

The EIS should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines/standards at **Attachment B**.

A Executive summary

The document's executive summary should include a discussion of the proposed development, the key environmental risks, the identified mitigation measures, and an overall conclusion for the proposal.

B The proposal

The proposed development must be adequately described and should clearly state and refer to:

- a) the type, the nature and size of the proposed development, including proposed average and maximum annual extraction and production rates that are expected to occur;
- b) the type, the nature and amount of the processes and the products to be used, including the plant and equipment proposed for use, fuel and chemicals required and proposed methods for their transportation, storage, use and their emergency management provisions;
- c) the by-products produced and/or wastes produced (including the fate of such products);
- d) the staging and timing of the proposal (including any construction works and any plans for potential future expansion plans etc) and the proposed construction and operational hours (including and heavy vehicle movements);
- e) the anticipated benefits to relevant industry, community, etc; and
- f) the proposal's relationship to any other facility or industry both locally and abroad.

C The location

Provide an overview of the setting in which the proposed development is to take place in its local and regional environmental context including:

- a) the location of the proposed facility, its layout (including plant and equipment) and details of the surrounding environment (including land use zoning and appropriate maps/diagrams);
- b) the topography;
- c) meteorological data (e.g. temperature, wind (prevailing wind direction and strength), rainfall, evaporation, etc);
- d) surrounding land uses (including ownership details of any residence and/or land likely to be affected by the proposed facility and appropriate maps/diagrams);
- e) ecological information (vegetation, fauna, waters) and appropriate maps/diagrams; and
- f) availability of services and the accessibility of the site for passenger and freight transport.

D List of approvals and licences

Identify all approvals, licences or permits required to undertake the proposed development as well as those already obtained (including whether any changes are required i.e. scale of the activity if approval is given) and those to be obtained.

E Identification and prioritisation of issues / scoping of impact assessment

Identify a scoping risk assessment methodology, undertake a risk assessment, and identify and prioritise key issues.

F The environmental issues

1. Air

- Identify the existing air quality environment and identify applicable air quality goals (i.e. ground level concentrations for pollutants and odour assessment criteria) in line with relevant guidance/standards; and
- Identify potential air quality and odour sources and impacts (including point source emissions from any site-based plant and equipment and/or fugitive dust or other emissions) during both construction and operational stages and identify best practice mitigation measures (pollution control) and strategies to minimise point and/or fugitive and/or odour emissions/impacts (with proposed timing), including monitoring, in line with relevant guidance/standards; and
- Include an emission inventory of all sources of air emissions.

Note: this will require a detailed Air Quality Impact Assessment to be completed.

2. Noise

- Identify the existing noise environment and identify applicable noise goals in line with relevant guidance/standards; and
- Identify potential noise and vibration sources and impacts during both construction and operational stages and identify best practice mitigation measures (pollution control) and strategies to be incorporated for both stages to minimise noise and vibration emissions/impacts (with proposed timing), including validation monitoring, in line with relevant guidance/standards.

Note: this will require a detailed Noise Impact Assessment to be completed.

3. Water

- Identify the condition of the local catchment and those immediate areas on and around the proposed development e.g. soils, erosion potential, vegetation cover, etc; and
- Identify nearby water resources, the background water conditions (including river flow data, water flow/direction and quality data, the depth to groundwater, groundwater flow/gradient and quality data, reliance on water resources by surrounding users and by the environment) and relevant water quality objectives in line with relevant guidance/standards; and
- Identify existing impacts to water resources (including other industrial discharges); and
- Identify any water intakes, intake frequency and volumes related to the proposed development; and
- Identify any expected discharges (including stormwater), discharge quality, discharge frequency and volumes related to the proposed development; and
- Identify all practical measures that can be taken to prevent any expected discharges or an explanation of why any specific discharges cannot be prevented; and
- Identify potential impacts to surface and groundwater during both construction and operational stages and identify best practice mitigation measures (pollution control) and strategies to protect surface and groundwater resources, particularly erosion and sediment controls during the construction stage and the rehabilitation stage and the inclusion of permanent erosion and sediment controls where required and applicable; and
- Include a detailed water balance and discharge inventory; and
- Include an assessment of any mixing zones; and
- Include any proposed discharge limits.

Note: this will require a detailed Water Quality Assessment to be completed.

4. Land

- Identify if the soils in the area of the Proposal are contaminated or are acid forming (i.e. acid sulphate soils) and if so, identify best practice mitigation measures (pollution control) and strategies or remedial and/or disposal actions that will be required/undertaken if applicable in accordance with relevant guidance/standards; and
- Identify potential impacts to soils/land resources as a result of the proposed development and identify best practice mitigation measures (pollution control) and strategies that will be required/undertaken if applicable in accordance with relevant guidance/standards.

5. Waste

- Identify all waste types that will be generated as a result of the proposed development during both construction and operation, their classification and the ways in which they will be legally handled, stored, transported, reused, recycled or disposed of, including sampling/monitoring, record keeping, waste tracking, contingency measures and any other verification practices, in accordance with relevant guidance/standards; and
- Identify options and strategies for waste minimisation; reuse and recycling across all activities and processes during both construction and operational stages.

7. Storage and use of fuels / chemicals etc

- Identify all fuels/chemicals/products/dangerous goods to be stored/used onsite; and
- Identify adequate handling, storage, control and usage requirements for any fuels/chemicals/products/dangerous to be stored/used onsite.

8. Incident Management

Identify adequate incident management procedures to be established including notification requirements to the Appropriate Regulatory Authority and other relevant authorities for incidents that cause or have the potential to cause material harm to the environment (Part 5.7 of the POEO Act).

9. Cumulative impacts

- Identify the extent that the receiving environment is already stressed by existing development and background levels of emissions to which this proposal will contribute; and
- Identify the cumulative impacts of the proposed development in a local context.

10. Monitoring Programs

Include a detailed proposal of any noise, air, water, land, waste, meteorological etc monitoring during construction and operation to ensure and assumptions, predictions, goals, criteria etc are achieved. The proposal should include a detailed description of the monitoring locations, sample analysis methods and the level of reporting proposed.

G. Compilation of mitigation measures

- Outline how the proposal and its environmental protection measures would be implemented and managed in an integrated manner so as to demonstrate that the proposal is capable of complying with statutory obligations under EPA licences or approvals (e.g. outline of an environmental management plan).
- Include any Statement of Commitments to be made by the Proponent.

H. Justification for the proposed development and conclusion

Reasons should be included which justify undertaking the proposal in the manner proposed, having regard to the potential environmental impacts.

ATTACHMENT B – EPA’s Guidance Material (not exhaustive)

Title	Web address
<u>Legislation</u>	
<i>Environmental Planning and Assessment Act 1979</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
<i>Protection of the Environment Operations Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
<i>Protection of the Environment Operations (Noise Control) Regulation 2017</i>	https://legislation.nsw.gov.au/#/view/regulation/2017/449
<i>Protection of the Environment Operations (Clean Air) Regulation 2010</i>	https://legislation.nsw.gov.au/#/view/regulation/2010/428
<i>Protection of the Environment Operations (Waste) Regulation 2014</i>	https://legislation.nsw.gov.au/#/view/regulation/2014/666
<i>Waste Avoidance and Resource Recovery Act 2001</i>	https://legislation.nsw.gov.au/#/view/act/2001/58
<i>Contaminated Land Management Act 1997</i>	http://www.legislation.nsw.gov.au/#/view/act/1997/140
<u>Licensing</u>	
Licensing Requirements	https://www.epa.nsw.gov.au/licensing-and-regulation/licensing
<u>Noise/Vibration</u>	
Interim Construction Noise Guideline (DECC, 2009)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/interim-construction-noise-guideline
Assessing Vibration: a technical guideline (DEC, 2006)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/assessing-vibration
Noise Policy for Industry (2017) and Implementation and Transitional arrangements for the Noise Policy for Industry (2017)	https://www.epa.nsw.gov.au/publications/noise/17p0524-noise-policy-for-industry https://www.epa.nsw.gov.au/publications/noise/17p0293-implement-transition-arrange-noise-pol-industry
NSW Road Noise Policy (DECCW, 2011)	http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf
<u>Air/Odour</u>	
Approved methods for the Modelling and Assessment of Air Pollutants in NSW (2016)	http://www.epa.nsw.gov.au/resources/epa/approved-methods-for-modelling-and-assessment-of-air-pollutants-in-NSW-160666.pdf
Approved methods for the Sampling and Analysis of Air Pollutants in NSW (2007)	http://www.epa.nsw.gov.au/resources/air/07001amsaap.pdf
National Environment Protection (Ambient Air Quality) Measure	http://www.nepc.gov.au/nepms/ambient-air-quality
No EPA specific guidance material exists for the control of dust from construction sites. Consideration should be given to the POEO Act and the Local Government Air Quality Toolkit (DECC, 2007)	http://www.epa.nsw.gov.au/air/lgaqt.htm
Technical Framework - Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006) and	http://www.epa.nsw.gov.au/air/odour.htm http://www.epa.nsw.gov.au/air/odour.htm

Title	Web address
Technical Notes - Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)	
<u>Water/Soils</u>	
ANZECC Guidelines for Fresh and Marine Water Quality (2018)	https://www.waterquality.gov.au/guidelines/anz-fresh-marine
NSW Water Quality and River Flow Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/water/approvedmethods-water.pdf
Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000)	https://www.shop.nsw.gov.au/publication/soil-and-landscape-issues-in-environmental-impact-assessment-technical-report-no-34-1324-6860-839
Managing urban stormwater: soils and construction, vol. 1 (Landcom, 2004) and Addendum Publications (Various)	http://www.environment.nsw.gov.au/stormwater/publications.htm
Floodplain Development Manual (DIPNR, 2005)	http://www.environment.nsw.gov.au/floodplains/manual.htm
Landslide Risk Management (2007)	http://www.australiangeomechanics.org/resources/downloads/
Site Investigations for Urban Salinity (DLWC, 2002)	http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf
Dryland Salinity Resources (Various)	http://www.environment.nsw.gov.au/salinity/solutions/urban.htm
<u>Contaminated Sites Assessment and Remediation</u>	
Contaminated Land – EPA website	https://www.epa.nsw.gov.au/your-environment/contaminated-land
Managing land contamination: Planning Guidelines – SEPP 55 Remediation of Land	http://www.epa.nsw.gov.au/clm/planning.htm
Guidelines for the NSW Site Auditor Scheme – 3rd Edition (EPA, 2017)	https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-the-nsw-site-auditor-scheme-third-edition
Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2000)	http://www.epa.nsw.gov.au/resources/clm/20110650consultantsguidelines.pdf
Sampling Design Guidelines (EPA, 1995)	http://www.epa.nsw.gov.au/resources/clm/95059samppgdline.pdf
National Environment Protection (Assessment of Site Contamination) Measure	http://www.nepc.gov.au/nepms/assessment-site-contamination
<u>Waste</u>	
NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	http://www.epa.nsw.gov.au/wastestrategy/warr.htm
Waste Classification Guidelines – 4 Parts (EPA, 2014)	http://www.epa.nsw.gov.au/wasteregulation/classify-waste.htm

Title	Web address
<u>Chemical and Fuel Storage</u>	
Storage and Handling of Dangerous Goods – Code of Practice (WorkCover, 2005)	http://www.safework.nsw.gov.au/_data/assets/pdf_file/0005/50729/storage-handling-dangerous-goods-1354.pdf