Austen Quarry SSD 6084 – Independent Environmental Audit – 29 July 2020

Response to Items Raised as Non-Compliances

Issue No.	Condition	Requirement	Issue sighted and Recommendation	Hy-Tec Response
01	Schedule 3 2A	The Applicant must carry out the development in accordance with the conditions of this consent.	The site was not compliant with the requirements of Schedule 3-11, Schedule 3-16, Schedule 5-3 or Schedule 5-6. As such, the site was considered non-compliant with Condition Schedule 3-2A.	This is noted. While Hy-Tec aims to achieve compliance with all conditional requirements, it is noted that the mostly administrative non-compliance issues have not threatened environmental harm. The improvement in compliance issues raised since the last audit (7 issues here versus 26 in 2017) is testament to the efforts of personnel to operate in an environmentally responsible manner.
02	Schedule 3 11	The Applicant must: • implement best practice management to minimise the dust emissions of the development; • regularly assess meteorological and air quality monitoring data and relocate, modify and/or stop operations on site to ensure compliance with the air quality criteria in this consent; • minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events (see note under Table 4); • monitor and report on compliance with the relevant air quality conditions in this consent; and • minimise the area of surface disturbance and undertake progressive rehabilitation of the site, to the satisfaction of the Secretary.	Monitoring was not conducted for PM10/ TSP during the period 24/10/17 to 2/01/18, due to equipment failure. **Recommendation**: Consider providing alternative monitoring equipment during periods when equipment is under repair.	Hy-Tec will discuss the feasibility of installing replacement equipment during periods when the equipment on site is being repaired with our contracted supplier. The long history of compliance (with high particulate matter readings only occurring during periods when there are local bushfire) indicates that it is unlikely that exceedances of the criteria were missed during this period.

<table>
<tr><th>Issue No.</th><th>Condition</th><th>Requirement</th><th>Issue sighted and Recommendation</th><th>Hy-Tec Response</th></tr>
<tr><td>03</td><td>Schedule 3
16

EPL12323
L2.4</td><td>The Applicant must comply with the discharge limits in any EPL, or Section 120 of the POEO Act.</td><td>Monitoring results for surface water discharges on 24/10/2017 reported a pH reading of 8.6, which was outside of the range specified in the environmental protection licence (6.5 to 8.5). Subsequent to the incident, a pH meter has been purchased and used for measuring pH prior to discharge.

Recommendation: No further action required.</td><td>Water had been tested the previous day by a laboratory with a pH reading of 8.3. The following day during discharge it registered at 8.6. The results of testing during discharge were not received until the day after the water was discharged. As noted, this issue was immediately rectified by the purchase of a pH tester when it was identified. The pH meter permits personnel to measure pH at the point and time of the discharge.</td></tr>
<tr><td>04</td><td>Schedule 5
3
EPL12323
L2.4

EPL12323
M2.3</td><td>The Applicant must assess and manage development-related risks to ensure that there are no exceedances of the criteria and/or performance measures in Schedule 3. Any exceedance of these criteria and/or performance measures constitutes a breach of this consent and may be subject to penalty or offence provisions under the EP&A Act or EP&A Regulation.
Where any exceedance of these criteria and/or performance measures has occurred, the Applicant must, at the earliest opportunity:
• take all reasonable and feasible steps to ensure that the exceedance ceases and does not reoccur;
• consider all reasonable and feasible options for remediation (where relevant) and submit a report to the Department describing those options and any preferred remediation measures or other course of action; and
• implement remediation measures as directed by the Secretary;
to the satisfaction of the Secretary.</td><td>The site had provided a report to the Department for the following occurrences:
• pH of water discharged on 24/10/2017 did not comply with the limits identified in the EPL (L2.4).
• air quality monitoring was not conducted during the period 24/10/2017 to 2/01/2018 (equipment breakdown).
• Water quality monitoring was not conducted at Points 2 and 3 during the discharge event on 10/02/2020 (due to safety concerns - river in flood).

Recommendation: Where an exceedance of the criteria and/or performance measures in Schedule 3 has occurred, Hy-Tec should provide a report to the Department describing preferred remediation measures or other course of action.</td><td>Hy-Tec acknowledge the omission in not notifying the regulator of the non-compliance issues. The company is aware of this responsibility and regularly notifies issues for this site and other operations.

In this instance the failure to notify regulators following the pH exceedance was caused by the delay in results being returned from the laboratory and the minor nature of the exceedance.

Failure to notify regulators of omitted monitoring and equipment repair resulted from a misunderstanding of the requirements. These issues were not considered an exceedance of the conditional requirements and therefore not considered an incident. It is understood that these are non-compliances with the performance criteria for the operation and should have been notified to the relevant regulators.</td></tr>
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Issue No.	Condition	Requirement	Issue sighted and Recommendation	Hy-Tec Response
04 (Cont'd)	Schedule 5 3 (Cont'd)			All issues that are exceedances of criteria or non-compliances with performance criteria will be notified to the relevant regulators with a summary of intended remediation measures or alternative courses of action.
05	Schedule 5 6 EPL 12323 M2.3	The Applicant must immediately notify the Secretary and any other relevant agencies of any incident. Within 7 days of the date of the incident, the Applicant must provide the Secretary and any relevant agencies with a detailed report on the incident, and such further reports as may be requested. Water monitoring at Points 2 and 3 conducted monthly and daily during discharge from Point 1 for: • Oil and Grease / PH / Total suspended solids	The following non-compliances with EPL conditions had not been immediately reported to the Department: • pH of water discharged on 24/10/2017 did not comply with the limits identified in the EPL (L2.4). • air quality monitoring was not conducted during the period 24/10/2017 to 2/01/2018 (equipment breakdown). • Water quality monitoring was not conducted at Points 2 and 3 during the discharge event on 10/02/2020 (due to safety concerns - river in flood). **Recommendation**: Incidents, including noncompliance with EPL conditions, should be reported to the Secretary in accordance with the requirements of Condition Schedule 5-6.	See response to Non-Compliance issue 04 above.
06	Water Access Licence 25615 MW0036-00002	The volume of water taken in any three (3) consecutive water years from 1 July 2012 must be recorded in the logbook at the end of those three water years. The maximum volume of water taken in any three (3) consecutive water years permitted to be taken in those years must also be recorded in the logbook.	While a logbook was maintained, the 3 year cumulative average and the maximum volume of water permitted to be taken in those years was not recorded in the logbook. **Recommendation**: Amend the logbook to include recording of the 3 year cumulative volume and the maximum volume of water permitted to be taken.	This is an administrative omission. It is noted that Hy-Tec has never exceeded the annual volume of water provided under licence and therefore the 3-year cumulative volume would be much less than that permitted to be taken. Regardless, the logbook records have been updated to provide a running 3-year cumulative total (at the end of every water year (30 June).

Issue No.	Condition	Requirement	Issue sighted and Recommendation	Hy-Tec Response
07	Environmental Management Strategy 3.4	Update Material Safety Data Sheet Register – Event based or annually.	During the audit inspection it was noted that the hard copy files of the MSDSs stored at the site had not been updated recently. Some of the records were greater than 5 years old. This non-compliance issue was raised in the previous audit and remains open. **Recommendation:** Safety data sheets should be updated whenever changes occur or at least every 5 years. The most recent version of safety data sheets should be retained.	As noted in response to this issue at the previous audit, personnel principally rely on online MSDS records. However, it is accepted that having two different sources available on site may be confusing, especially if one is no longer up to date. Following the previous audit all hard copy MSDS records were updated, however the older records were retained under what the Quarry Manager mistakenly believed was required for internal record keeping. Hy-Tec has reviewed the hard copy MSDS records held at the Quarry and updated these to include the most recent and relevant version of the relevant sheet.