



Your reference :  
Our reference : SF17/26343; DOC18/176231-01  
Contact : Mr Allan Adams; (02) 6332 7610

Mr Paul Freeman  
Team leader  
Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

9 April 2018

Dear Mr Freeman

**Re: Wallerawang Ash Repository MOD 1**

I refer to your email correspondence on 22 March 2018 regarding the proposed importing of capping material to the Kerosene Vale Ash Repository (KVAR) and Sawyers Swamp Creek Ash Dam (SSCAD) by EnergyAustralia (EA). The EPA understands the capping material will comprise virgin excavated natural material (VENM) and excavated natural material (ENM) from various locations across New South Wales.

The EPA has reviewed the Environmental Assessment (EA) and notes Section 2.2.1 describes the requirement of the imported VENM to comply with the definition in the *Protection of the Environment Operations Act 1997* and for ENM to comply with the excavated natural material order 2014 as defined in the Resource Recovery order under Part 9, Clause 93 of the *Protection of the Environment Operations (Waste) Regulation 2014* (the Order). The EPA advises that EA may choose to ensure compliance with the 'Order' for both the ENM and VENM due to the existing defined framework of the 'Order'.

The EPA recommends that EA maintain a strict procedure to ensure vehicles either departing from source or arriving on-site contain VENM or ENM as per the Order from the specific source from which EA has arranged delivery.

Should you have any queries regarding this matter, please contact Mr Allan Adams at the Central West (Bathurst) Office of the EPA by telephoning (02) 6332 7610 or email [central.west@epa.nsw.gov.au](mailto:central.west@epa.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Darryl Clift'.

**DARRYL CLIFT**  
**Head Regional Operations Central West**  
**Environment Protection Authority**