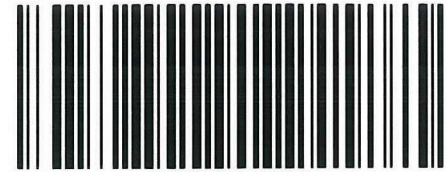


DOC17/364949-03; EF13/3519



PCU071736

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Alexander Grierson
alexander.grierson@planning.nsw.gov.au

**EPA Assessment of Proposed Modifications to
Rix's Creek Open Cut Mine (DA 49/94 Mod 9) and Rix's Creek North (DA 08_0102 Mod 7)**

I refer to your email to the Environment Protection Authority (EPA), dated 10 July 2017, requesting the EPA review the modification applications for the Rix's Creek Open Cut Mine, reference DA 49/94 Modification 9, and Rix's Creek North Open Cut, reference DA 08_0102 Modification 7.

The EPA has reviewed the modification applications, as detailed in the document titled "*Attachment 1 Environmental Assessment for Proposed Modifications to Rix's Creek DA 49/94 N90/00356 (Mod 9) and Rix's Creek North Open Cut Project 08-0102 (Mod 7)*" (EA).

The EPA's review has identified that while the proposal is not predicted to result in significant increases to noise or air quality impacts from the existing Rix's Creek Coal Mine operations, further information is required in relation to the exploration drilling activities. The EPA requires additional information detailing:

- if exploration drilling will occur within the licence boundary or outside of the licence boundary applicable for Rix's Creek Coal Mine (Environment Protection Licence 3391);
- how the drilling muds are to be disposed of;
- how any groundwater make will be re-used or disposed; and
- how core material will be disposed of.

These matters are discussed further below

Exploration Drilling

The EA is required to clearly identify if exploration drilling will occur within the licence boundary applicable for Rix's Creek Coal Mine, Environment Protection Licence 3391, or outside of the licence boundary. The proponent needs to identify the current licence boundary to Figure 2 to enable the EPA to provide appropriate advice.

If drilling occurs outside of the licence boundary, the proponent should apply for a licence variation to vary the boundary of the licence to reflect the consents, should the Department of Planning and Environment approve the modifications.

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If the ~~proponent~~ is drilling outside of the licence boundary and does not chose to apply to vary the licence boundary the proponent must characterise the waste in accordance with the *EPA's Waste Classification Guidelines* and dispose of the waste in a lawful manner. The proponent may only bring waste onto the licence premises if the waste complies with a valid resource recovery order or resource recovery exemption. A copy of the EPA's Waste Classification Guidelines can be accessed at: <http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm>

The EA does not address how the drilling muds are to be disposed of, how any groundwater make will be re-used or disposed of or how core material will be re-used or disposed of.

This information will help inform the appropriate regulatory approach, which is dependent upon whether the exploration occurs within the licence premises boundary or outside the licence premises boundary.

If you require any further information regarding this matter, please contact Natasha Ryan on 4908 6833 or by email to hunter.region@epa.nsw.gov.au

Yours sincerely



20/7/17

MICHAEL HOWAT
Regional Operations Officer - Hunter
Environment Protection Authority