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Mr Andrew Rode
NSW Department of Planning and Environment
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Dear Mr Rode

Tahmoor South Coal Project (SSD 8445)

I am writing to you regarding the Tahmoor South Coal Project (SSD 8445). I understand that you have previously received comments from the Environment Protection Authority (EPA) on the proposed development. I also note that you have received a draft submission from Wollondilly Shire Council regarding potential impacts of the development on the Bargo Waste Management Centre (BWMC). In response to the issues raised by Council, we provide the following comments.

EPA comments on issues raised by Council

The Subsidence Impact Assessment submitted in support of the proposed development states that the BWMC "is located directly above the proposed longwall mining area" and "is expected to experience the full range of predicted subsidence movement". This report also indicates that the full potential impacts of subsidence on the BWMC are unknown at this stage and further study into such impacts is required. The EPA supports this recommendation, particularly given the facility's proximity to Dog Trap Creek.

Wollondilly Shire Council hold Environment Protection Licence No. 6061 for the BWMC. In Council's draft submission they have raised concerns that subsidence from the proposed development may cause damage to critical infrastructure such as leachate collection systems and landfill batters. Their concerns are particularly related to the fact that the facility is adjacent to Dog Trap Creek which is within the catchment of the Nepean River. They have also raised concerns that subsidence may interfere with the calibration of the weighbridge that is being installed at the facility. Council state that these potential impacts may lead to repercussions from the EPA such as revocation of their licence and expensive mitigation measures.

Whilst revoking of licences is rare, it is a regulatory tool available to the EPA for facilities that continually fail to meet their environmental and licence obligations. Generally, the EPA would require the remediation of any environmental impacts from licenced premises, which would include BWMC. The costs of remediation have the potential to be high, particularly in situations where leachate impacts groundwater or where there are landfill gas issues that need to be managed.

Prior to determining the proposal, we recommend that the full impacts of mine subsidence on BWMC be thoroughly assessed and considered. Mitigation measures will need to be implemented to address any potential impacts to ensure the surrounding environment is protected.

Next steps

Council have indicated that they would like to meet with the Department of Planning and Environment along with Subsidence Service NSW and the EPA. We are available to attend a meeting if required.

If you have any questions about this matter or wish to arrange a meeting, please contact Greg Frost on (02) 4224 4113.

Yours sincerely



MEGAN WHELAN
Unit Head Waste Compliance
Environment Protection Authority