

Duralie Coal Mine - Independent Environmental Audit 2023
Response to Recommendations

Table 1: IEA 2023 Audit Findings - Non Compliances					
Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Stratford Coal Proposed Action/Action Taken/Response	Proposed Action Due Date
Project Approval 08_0203					
Schedule 2, Condition 8	The Proponent shall: (a) only dispatch shuttle trains from the site between 6am and 10pm; (b) only receive shuttle trains on site between 6am and midnight; and (c) only operate shuttle trains on the North Coast railway between midnight and 1am in exceptional circumstances	A shuttle train was dispatched from Duralie at 5:55 am on Wednesday 27 October 2021 which is outside the approved hours (between 6am and 10pm). Reported to the EPA and DPE on 29 October 2021. No further actions are required.	No further action required	Reported in accordance with PA08_0203 and PIRMP. No further action required	
Schedule 3, Condition 7	(c) include a noise monitoring program that: •uses a combination of real-time and supplementary attended monitoring measures to evaluate the performance of the project; •includes a program to evaluate the effectiveness of the noise mitigation measures referred to in 7(b) above; •includes a protocol for determining exceedances of the relevant conditions of this approval; and •includes a program to monitor the actual sound power levels of the plant on site, compare it with the benchmark levels used in the EA, and evaluate the effectiveness of any attenuation.	Annual mobile plant sound power monitoring was not undertaken at Duralie during the 2021 reporting period. This was due to the reduced fleet, reduced operating periods and no evening or night-time operations. No adverse effects were anticipated resulting from the noncompliance and no noise complaints were received. Sound power monitoring was conducted in September 2021. The NMP has been revised to reflect monitoring requirements during periods of reduced operations. The NMP was revised in October 2021. No further actions are required.	No further action required	DCPL notes that the sound power testing did not occur through the 2021 EPL annual return period but was completed within the 2021 Calander year. Sound Power level testing successfully occurred in the 2022 and 2023 EPL annual return periods. Action: Ensure sound power level testing occurs annually within the EPL annual return period.	Annually reoccurring.
Schedule 3, Condition 19	The Proponent shall ensure that particulate matter emissions generated by the project do not exceed the criteria listed in Tables 5, 6 or 7 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.	Cracked sample bottle at EPL Point 32 causing failure to monitor (Depositional Dust Gauge 8) which resulted in less than required depositional dust monitoring. Table 6.5 in the AR shows a “no result” reading for gauge D8 in April 2022. Dust monitor has been effective after this date. No further actions are required.	No further action required	Cracked sample bottle due to wind damage or similar impact insitu. DCPL notes that there has been no further missed samples from Depositional Dust Gauge during the reporting period. No further action required	
Schedule 3, Condition 25	The Proponent shall ensure that: (a) mine water or runoff from the irrigation area is not discharged directly into Mammy Johnsons River; and (b) all surface water discharges from the site comply with section 120 of the POEO Act or, if an EPL has been issued regulating water discharges from the site, the discharge limits (both volume and quality) set for the project in the EPL.	Uncontrolled discharge of mine related water (rehabilitated area runoff) on 21 March 2021 from sediment dam VC1 south of established rehab area (EPL Monitoring Point 27) reporting to Coal Shaft Creek as a result of significant rainfall event exceeding design capacity. Reported to the EPA on 26 March 2024 .1 Pumping of sediment dam was undertaken and water samples were collected from monitoring sites upstream, downstream and at point of discharge and sent for analysis. It was concluded that no material harm resulted from the discharge.	No further action required	Reported in accordance with PA08_0203 and PIRMP. No further action required	
Schedule 3, Condition 25		Two pH results outside of the 100 percentile concentration limit at point 36 on 28 February 2021 and point 27 on 21 March 2021. Marginal exceedance with downstream monitoring point 35 within 100 percentile concentration limits on all dates the results are outside the 100 percentile. No further actions are required.	No further action required	Reported in accordance with PA08_0203 and WMP. No further action required	

Schedule 3, Condition 25		Uncontrolled discharge of mine related water (rehabilitated area runoff) from sediment dam RS1 (EPL Point 15) near rail sighting on 4 March 2022. Reported to DPE and EPA on 4 March 2022. Pumping of sediment dam was undertaken and water samples were collected from monitoring sites upstream, downstream and at point of discharge and sent for analysis. It was concluded that no material harm resulted from the discharge.	No further action required	Reported in accordance with PA08_0203 and PIRMP. No further action required	
Schedule 3, Condition 25		Two pH results (Point 36 - North Drain) during the audit period were marginally outside the pH criteria. Recorded pH value of 6.05 (below the range of 6.5 - 8.5). This is negligible in the context of the monitoring undertaken and was not determined to be related to operational impacts. No further directives were received from regulators. No further actions are required.	No further action required	Reported in accordance with PA08_0203 and PIRMP. No further action required	
Schedule 3, Condition 45	After each Independent Environment Audit (see Condition 8 of Schedule 5), the Proponent shall review and adjust the sum of the bond to the satisfaction of the Secretary.	The bond is required to be reviewed after each Independent Environmental Audit. The review of the bond has commenced but has not been completed in the audit period. At the time of the site inspection, a third revision was being undertaken. Provide evidence for 2nd and third revisions and status please – or confirm wrapped in with Stratford. Recommend bond provided to DPE asap for approval and ensure undertaken in next audit	Recommend bond provided to DPE asap for approval and ensure undertaken in next audit period.	Biodiversity Offset Conservation bond is currently under review and is expected to be submitted H1 2024. Bond total security is expected to be reduced by 60%. Action: Complete Biodiversity Conservation Bond Review for DCM and submit to DPHI	31-Aug-24
EPL 11701					
M2.3	Water and/ or Land Monitoring Requirements	Less than required monitoring undertaken as per EPL 11701 - M2.3 Water and or Land Monitoring Requirements – Point 4. A sample is required once a month (min. of 4 weeks) and was not sampled on 31 January 2023, 27 April 2023, 31 May 2023, 29 June 2023, 31 July 2023 and 28 August 2023. Access to Point 4 (Weismantel Open Cut Pit) on these dates was not achieved due to progressive backfilling within the pit footprint. As water is contained in the pit no adverse effects resulted from the non-compliance. DCM investigated alternative methods to complete monitoring at unsafe locations. WMP to be updated to include finalised methods.	WMP to be updated to include finalised methods.	SCPL notes that no safe access was available to complete pit water samples at Weismantel Open Cut Pit due to backfilling within the pit footprint. SCPL investigated alternate methods for sampling including drone and pit pump line sampling however were not deemed viable at the time of investigation. DCM WMP does not currently require the suggested update. Following completion of backfilling works access to this Weismantel Pit has been reinstated to allow pit water sampling. Action: DCPL to review if water monitoring within the Weismantle Pit is likely to be impacted, alternate sampling methods must be updated within the DCM WMP	31-Aug-24
Mining Lease 1646					

Condition 3	<p>a) Mining operations must not be carried out otherwise than in accordance with a Mining Operations Plan (MOP) which has been approved by the Director-General.</p> <p>(b) The MOP must:</p> <ul style="list-style-type: none"> (i) identify areas that will be disturbed by mining operations; (ii) detail the staging of specific mining operations; (iii) identify how the mine will be managed to allow mine closure; (iv) identify how mining operations will be carried out in order to prevent and or minimise harm to the environment; (v) reflect the conditions of approval under: <ul style="list-style-type: none"> •the Environmental Planning and Assessment Act 1979 •the Protection of the Environment Operations Act 1997 •and any other approvals relevant to the development including the conditions of this lease; and •have regard to any relevant guidelines adopted by the Director-General. <p>The lease holder may apply to the Minister to amend an approved MOP at any time. It is not a breach of this condition if: the operations constituting the breach were necessary to comply with a lawful order or direction given under the Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997, the Work Health and Safety (Mines and Petroleum Sites) Act 2013 and Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 or the Work Health and Safety Act 2011; and Work Health and Safety Regulation 2011 (ii) the Director General had been notified in writing of the terms of the order or direction prior to the operations constituting the breach being carried out.</p>	<p>Alleged failures to conduct mining operations in compliance with the DCM Mining Operations Plan (MOP). Specifically, the commitments set out in Table 13 in Section 8 of the MOP were not completed in the required timeframe.</p> <p>Official Caution Notice issued by Resources Regulator on 20 August 2021 and Section 240 notice issued on 31 August 2021. Section 240 requests were completed.</p>	<p>No further action required</p>	<p>An Official Caution Notice was issued by Resources Regulator on 20 August 2021 regarding alleged failures to conduct mining operations at the Duralie Coal Mine (DCM) in compliance with the DCM Mining Operations Plan (MOP). Specifically, the commitments set out in Table 13 in Section 8 of the MOP were not completed in the required timeframe. Following on from this a Section 240 Notice was issued by the Resources Regulator on 31 August 2021. The Mining Act Section 240 Notice gives directives for mine closure planning and also relates to the recent Landform Establishment TAP. Mine closure planning directives were established for the audit period and were complied with by DCPL.</p> <p>No further action required</p>	
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Table 2: IEA 2023 Audit Findings - Recommendations

Condition Number (ID)	Compliance Requirement	Independent Audit Finding	Independent Audit Recommendation	Stratford Coal Proposed Action/Action Taken/Response	Proposed Action Due Date
Project Approval 08_0203					
Schedule 3, Condition 7	<p>The Proponent shall prepare and implement a Noise Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <ul style="list-style-type: none"> (a) be prepared in consultation with EPA, and submitted to the Secretary for approval within 3 months of the date of this approval. 	<p>Consider whether variation to EPL is required for revised noise monitoring requirements.</p>	<p>Consider whether variation to EPL is required for revised noise monitoring requirements.</p>	<p>DCPL accepts this recommendation</p> <p>Action: Consider whether variation to EPL is required for revised noise monitoring requirements.</p>	31 June 2024
Schedule 3, Condition 29	<p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be prepared in consultation with EPA and NOW by suitably qualified and experienced persons whose appointment has been approved by the Secretary, and submitted to the Secretary within 3 months of the date of this approval.</p> <p>In addition to the standard requirements for management plans (see Condition 2 of Schedule 5), this plan must include:</p> <ul style="list-style-type: none"> (a) a Site Water Balance that: <ul style="list-style-type: none"> •includes details of: <ul style="list-style-type: none"> -sources of water supply; -water use on site; -water management on site; and -reporting procedures; and •describes what measures would be implemented to minimise potable water use on site; and b) a Surface Water Management Plan that includes: <ul style="list-style-type: none"> •a detailed description of the water management system on site, including the: 	<p>The presence of monitoring aligns with operations and currently going through the process of ceasing monitoring</p>	<p>All plans will be updated for detailed closure planning in the next audit period.</p>	<p>DCPL accepts this recommendation</p> <p>Action: Complete environment management plan revision and update following the completion of Detailed Mine Closure Plan</p>	31-Dec-24
Schedule 3, Condition 29		<p>Three dams on site have declared status with Dam Safety NSW (DSNSW), application to de-declare AD1 is with with Dams Safety NSW. AD2 will be removed from the declared dams register following removal of the dam structure.</p>	<p>Ensure completion of removal of declared dam status for rehabilitated declared dam, AD2.</p>	<p>DCPL notes that de-declaration of AD1 is currently with Dam Safety NSW for approval. Application to de-declare AD2 will commence directly following decommissioning of the dam wall structure.</p> <p>Action: Apply to de-declare AD2 directly following decommissioning of the dam wall structure</p>	Directly following Dam decommissioning

Schedule 3, Condition 57	<p>The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the Secretary of DTIRIS.</p> <p>This plan must:</p> <p>a) be prepared in consultation with the Department, OEH, NOW, Council and the CCC;</p> <p>b) be prepared in accordance with any relevant DRE guideline;</p> <p>(c) build, to the maximum extent practicable, on the other management plans required under this approval;</p> <p>c1) address all aspects of mine closure and rehabilitation, including post-mining land use domains, rehabilitation objectives, completion criteria and rehabilitation monitoring and management;</p> <p>(d) provide for scientific knowledge gained during the rehabilitation, to be made publicly available;</p> <p>(e) be submitted to the Secretary of DTIRIS for approval within 3 months of the date of this approval, unless otherwise agreed by the Secretary.</p>	<p>Yancoal advised that there is no new knowledge to be gained. Viewed Annual Rehabilitation Report and Forward Program dated July 2022 which states that "amendments to the monitoring programs during the post-closure phase, following identification of any rehabilitation performance issues or knowledge gaps in the Annual Rehabilitation Report, will be reflected in the relevant environmental management plan revisions as well as future iterations of the ARRFPP". Recommend RMP updated at next update to include this statement to address condition.</p>	<p>Recommend RMP is updated at next update to include a statement regarding scientific knowledge to make clear scientific knowledge will be made public if gained.</p>	<p>DCPL accepts this recommendation</p> <p>Action: At next revision of DCM RMP, include a statement regarding scientific knowledge to make clear scientific knowledge will be made public if gained.</p>	31-Aug-24
Schedule 3, Condition 57			<p>Update RMP to specifically if new scientific knowledge is gained during rehabilitation monitoring programs to be made publicly available and include information at public location (e.g. website).</p>	<p>DCPL accepts this recommendation</p> <p>Action: Update RMP to specify if new scientific knowledge is gained during rehabilitation monitoring programs to be made publicly available and include information at public location (e.g. website).</p>	Directly following new knowledge gained
Schedule 5, Condition 9A	<p>By the end of December 2013, and with every Independent Environmental Audit thereafter, unless the Secretary directs otherwise, the Proponent shall commission and pay the full cost of a Rail Haulage Audit of the project. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced and independent experts whose appointment has been endorsed by the Secretary;</p> <p>(b) review the existing rail haulage operations and determine whether all reasonable and feasible measures are being implemented to minimise the:</p> <ul style="list-style-type: none"> • noise and dust impacts of these operations; • use of the shuttle train during the approved night-time hours; • dispatch of trains from the site between 9.25pm and 1am the following day; and <p>(c) recommend appropriate measures or actions to improve the efficiency of these rail haulage operations and minimize their associated impacts; and</p> <p>(d) evaluate the use of the exceptional circumstances provision in condition 8 of schedule 2, and the associated reporting on any use of this provision on the Proponent's website (see condition 8A in schedule 2).</p> <p>Within 6 weeks of the completion of this audit, or as otherwise agreed by the Secretary, the Proponent shall submit a copy of the</p>	<p>Seek confirmation from DPE that the Rail Haulage Audit can be excluded from future audits as rail haulage complete</p>	<p>Seek confirmation from DPE that the Rail Haulage Audit can be excluded from future audits as rail haulage complete</p>	<p>DCPL accepts this recommendation.</p> <p>Action: Seek confirmation from DPE that the Rail Haulage Audit can be excluded from future audits as rail haulage complete</p>	31 June 2026
EPL 11701					
A1.1	<p>This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation. Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this</p>	<p>Consider whether a licence variation to reduce the scale of the activities is appropriate (currently includes coal works, extractive activities and mining for coal).</p>	<p>Consider whether a licence variation to reduce the scale of the activities is appropriate (currently includes coal works, extractive activities and mining for coal).</p>	<p>DCPL Accepts this recommendation.</p> <p>Action: Consider whether a variation to EPL 11701 to reduce the scale of the activities is appropriate (currently includes coal works, extractive activities and mining for coal).</p>	30-Jun-24

L4.2	<p>To determine compliance:</p> <p>a) with the Leq(15 minute) noise limits in condition L4.1, the noise measurement equipment must be located:</p> <ul style="list-style-type: none"> •approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or •within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable •within approximately 50 metres of the boundary of a National Park or a Nature Reserve. <p>b) with the LA1(1 minute) noise limits in condition L4.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.</p> <p>c) with the noise limits in condition L4.1, the noise measurement equipment must be located:</p> <ul style="list-style-type: none"> •at the most affected point at a location where there is no dwelling at the location; or 	<p>Noise monitoring was conducted guided by the requirements of the NMP and EPL11701. Operator-attended noise measurements were conducted during the day, evening and night-time periods for 15 minutes per period at each of the four nominated noise monitoring locations.</p>	<p>NMP should be updated at new review to include discussion for each monitoring location's relationship to the 30 m condition.</p>	<p>DCPL Accepts this recommendation.</p> <p>Action: Update NMP at next review to include discussion for each monitoring location's relationship to the 30 m condition.</p>	31-Aug-24
L4.7	<p>For the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used.</p>	<p>At next review of NMP that condition details are specifically described (i.e. for the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used).At next review of NMP that condition details are specifically described (i.e. for the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used).</p>	<p>At next review of NMP that condition details are specifically described (i.e. for the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used).</p>	<p>DCPL Accepts this recommendation.</p> <p>Action: At next review of NMP that condition details are specifically described (i.e. for the purposes of determining the noise generated at the premises a Class 1 or 2 noise monitoring equipment as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing, must be used).</p>	31-Aug-24
P1.2	<p>The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.</p>	<p>Request this condition deleted in next variation as it has no content.</p> <p>The condition states "The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area" however does not contain a table of values.</p>	<p>Request this condition deleted in next variation as it has no content.</p> <p>The condition states "The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area" however does not contain a table of values.</p>	<p>DCPL Accepts this recommendation.</p> <p>Action: Request EPL11701 Condition P1.2 is deleted in next variation as it has no content.</p> <p>The condition states "The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area" however does not contain a table of values.</p>	31-Aug-24
P1.3	<p>The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.</p>	<p>At next variation, the figure dated '20 October 2017' should be updated to current version reference.</p>	<p>At next variation, the figure dated '20 October 2017' should be updated to current version reference.</p>	<p>DCPL Accepts this recommendation.</p> <p>Action: At next variation, update the figure dated '20 October 2017' to reference current version</p>	At next EPL variation