

Notice

Environmental Protection Act 1994

Information request

This information request is issued by the administering authority under section 140 of the Environmental Protection Act 1994 to request further information needed to assess an amendment application for a site-specific environmental authority.

To: Monto Coal 2 Pty Ltd; H & J Enterprises
(QLD) Pty Ltd; Sanrus Pty Ltd
Level 15, 40 Creek Street BRISBANE
QLD 4000 Australia

Email: rpane@qcoal.com.au

ATTN: Ryan Pane, Senior Environmental Officer

Our reference: EPML00418713

Further information is required to assess an amendment application for environmental authority

1. Application details

The amendment application for a site-specific environmental authority was received by the administering authority on 22 February 2021.

The application reference number is: EPML00418713

Land description: ML80101 and MLA80175

2. Information request

The administering authority has considered the abovementioned application and is writing to inform you that further information is required to assess the application (an information request).

The information requested is provided below:

Table 1: Environmentally relevant activities (ERAs)

Matter of Interest	DES Comment	Requested Action/s
<p>Ancillary Activity 62 – Resource recovery and transfer facility operation 1: Operating a facility for receiving and sorting, dismantling, baling or temporarily storing—; (d) category 1 regulated waste.</p>	<p>ERA 62 is likely not applicable to the Monto Coal Project (hereon referred to as ‘the Project’) as the activities authorised and those proposed to be carried out on-site do not include the receipt of waste generated off-site.</p> <p>If the project does intend on accepting waste from external sources, it may be liable to pay the waste levy under the <i>Waste Reduction and Recycling Act 2011</i>.</p>	<p>Confirm if ERA 62 is applicable to the site.</p> <p>Where it is believed ERA 62 is applicable, please clarify the intentions behind the addition of ERA 62, confirm if the Project will be accepting waste generated off-site and provide details as to:</p> <ul style="list-style-type: none"> • The entities from which waste will be received; • A description of waste (e.g. regulated/general, putrescible, etc.) including the weight and volume to be received; • how this waste will be stored to prevent environmental harm; and • if this waste will be disposed of on-site, how will it be disposed of so as to prevent environmental harm.
<p>Ancillary Activity 31 – Mineral processing 2</p>	<p>Pre-approved ERA 31 is currently absent from permit’s list of approved ERAs.</p> <p>As per the explanatory notes of the <i>Environmental Protection Act 1994</i> where multiple activities are undertaken under one environmental authority, the relevant ERA(s) from schedule 2 of the EP Reg is used to describe the activities which are authorised. This then makes clear in the event of a change in an operation, when an amendment application must be made and when conditions are needed for the prescribed ERA. Further the inclusion of an ERA should occur regardless of whether the activity is being undertaken as part of a resource activity or not.</p> <p>Approved ERAs (ancillary or otherwise) to be listed on the corresponding permit. Further, if a particular ERA has the highest annual fee of all the approved</p>	<p>Acknowledge ERA 31 – Mineral Processing will be included on EA EPML00418713.</p> <p>Clarify the precise threshold under which ERA 31 will be carried out.</p>

	<p>activities on the permit, that annual fee is charged irrespective of whether an operator has commenced undertaking that particular activity.</p> <p><i>NOTE: The EA holder may still be eligible for a reduced annual fee for ERA 31 until such time the activity is carried out. The EA holder should approach PaL regarding this matter.</i></p>	
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Table 2: Environmental Values (EVs)

Matter of Interest	DES Comment	Requested Action/s
<p>Acoustics (Noise and Vibration) and Air (Dust)</p>	<p>The proposed amendment will expand mining activities northward to be closer in proximity to sensitive receptors identified for previous approval of activities on ML80101.</p> <p>However, the impacts to EVs of noise, vibration and air at these sensitive receptors due to the proposed expansion are unclear.</p>	<p>Identify the sensitive receptors which will become closer in proximity to the Project.</p> <p>Confirm if the Project will remain compliant with the existing limits and associated conditions of EA EPML00418713 for EVs of Acoustics and Air.</p> <p>Provide confirmation for example, via modelling which demonstrates the level of impact to sensitive receptors under the proposed amendment. Modelling should describe the individual potential impacts of noise, vibration and dust at each sensitive receptor.</p>
<p>Air – Environmental objective 1 (EO1) and Performance outcome 1.2 (PO1.2)</p> <p><i>See Schedule 8, Part 1, 2 and 3 of the Environmental Protection Act 2019 for more details regarding Environmental objectives and Performance outcomes.</i></p>	<p>The Project must continue to implement effective environmental strategies with regards to Air, including all of the following performance outcomes:</p> <ul style="list-style-type: none"> a) fugitive emissions of contaminants from storage, handling and processing of materials and transporting materials within the site are prevented or minimised; b) implement contingency measures that will prevent or minimise adverse effects of dust on the environment from unplanned emissions and shut-down and start- up emissions of dust to air. c) releases of contaminants to the atmosphere for dispersion will be managed to prevent or minimise adverse effects on environmental values. 	<p>Confirm that the existing mitigation and management measures to be implemented will be able to meet the listed performance outcomes with the expanded scale of the Project.</p> <p>Where the existing mitigation and management measures cannot achieve the listed performance outcomes, provide details of how additional and/or modified mitigation and management measures will be implemented to meet these performance outcomes.</p>

Matter of Interest	DES Comment	Requested Action/s
<p>Water (Surface Water, Groundwater and Groundwater Dependent Ecosystems)</p>	<p>The proposed amendment will expand mining activities northward to be closer in proximity to sensitive receptors identified for previous approval of activities on ML80101.</p> <p>However, the impacts to EVs of surface water, groundwater and groundwater dependent ecosystems at these sensitive receptors due to the proposed expansion are unclear.</p>	<p>Identify all potential sensitive receptors now in closer proximity to the Project.</p> <p>Confirm if the Project will remain compliant with the existing limits and associated conditions of EA EPML00418713 for EVs of Water.</p> <p>Provide confirmation for example, via modelling which demonstrates the level of impact to sensitive receptors under the proposed amendment. Modelling should describe the individual impacts to surface water, groundwater and groundwater dependent ecosystems.</p>
<p>Water – EO2 and PO2.2</p>	<p>The Project must continue to implement effective environmental strategies with regards to Water, including all the following performance outcomes:</p> <ul style="list-style-type: none"> a) the storage and handling of contaminants will include effective means of secondary containment to prevent or minimise releases to the environment from spillage or leaks; b) contingency measures will prevent or minimise adverse effects on the environment due to unplanned releases or discharges of contaminants to water; c) the activity will be managed so that stormwater contaminated by the activity that may cause an adverse effect on an environmental value will not leave the site without prior treatment; d) the disturbance of any acid sulfate soil, or potential acid sulfate soil, will be managed to prevent or minimise adverse effects on environmental values; e) acid producing rock will be managed to ensure that the production and release of acidic waste is prevented or minimised, including impacts during operation and after the environmental authority has been surrendered; 	<p>Confirm that the existing mitigation and management measures to be implemented will be able to meet the listed performance outcomes with the expanded scale of the Project.</p> <p>Where the existing mitigation and management measures cannot achieve the listed performance outcomes, provide details of what additional and/or modified mitigation and management measures will be implemented to meet these performance outcomes.</p>

Matter of Interest	DES Comment	Requested Action/s
	<p>f) any discharge to water or a watercourse or wetland will be managed so that there will be no adverse effects due to the altering of existing flow regimes for water or a watercourse or wetland;</p> <p>g) for a petroleum activity, the activity will be managed in a way that is consistent with the coal seam gas water management policy, including the prioritisation hierarchy for managing and using coal seam gas water and the prioritisation hierarchy for managing saline waste;</p> <p>h) the activity will be managed so that adverse effects on environmental values are prevented or minimised.</p>	
Groundwater (Abercorn Springs)	The Department notes that Figure 10 – Cross-section of Regional Stratigraphy of the supporting information ‘ <i>EA Amendment Supporting Document EPML00418713</i> ’ depicts the Mulgildie Coal Measures overlying the Hutton Sandstone, Evergreen Formation and the Precipice Sandstone.	<p>Confirm if mining activities within the Mulgildie Coal Measures are expected to impact the quantity and quality of groundwater within the underlying aquifers.</p> <p>If impacts are expected to occur to these aquifers, also confirm whether the Abercorn Springs will be impacted and the nature of the potential impacts.</p>
Groundwater – EO4 and PO4.2	<p>The Project must continue to implement effective environmental strategies with regards to Groundwater, including the following performance outcome:</p> <p>a) The activity will be managed to prevent or minimise adverse effects on groundwater or any associated surface ecological systems.</p>	<p>Confirm that the existing mitigation and management measures to be implemented will be able to meet the listed performance outcomes with the expanded scale of the Project.</p> <p>Where the existing mitigation and management measures cannot achieve the listed performance outcomes, provide details of how additional or altered mitigation and management measures will be implemented to meet these performance outcomes.</p>
Waste – EO6 and PO6.1	<p>The Project must continue to implement effective environmental strategies with regards to Waste, including all the following performance outcomes:</p> <p>a) waste generated, transported or received is managed in accordance</p>	Confirm that the existing mitigation and management measures to be implemented will be able to meet the listed performance outcomes with the expanded scale of the Project.

Matter of Interest	DES Comment	Requested Action/s
	with the waste and resource management hierarchy in the <i>Waste Reduction and Recycling Act 2011</i> ; b) if waste is disposed of, it is disposed of in a way that prevents or minimises adverse effects on environmental values	Where the existing mitigation and management measures cannot achieve the listed performance outcomes, provide details of how additional and/or modified mitigation and management measures will be implemented to meet these performance outcomes.

Table 3: Land use assessment

Matter of Interest	DES Comment	Requested Action/s
Site Suitability – EO1 and EO1.2	<p>The Project must continue to implement effective environmental strategies with regards to site suitability, including all the following performance outcomes:</p> <p>a) critical design requirements will prevent emissions having an irreversible or widespread impact on adjacent areas.</p>	<p>Confirm that the existing mitigation and management measures to be implemented will be able to meet the listed performance outcomes with the expanded scale of the Project.</p> <p>Where the existing mitigation and management measures cannot achieve the listed performance outcomes, provide details of how additional and/or modified mitigation and management measures will be implemented to meet these performance outcomes.</p>
Location on Site – EO2 and PO2.2	<p>The Project must continue to implement effective environmental strategies with regards to the location on site where activities are carried-out, including all the following performance outcomes:</p> <p>a) the activity, and components of the activity, are carried out on the site in a way that prevents or minimises adverse effects on the use of surrounding land and allows for effective management of the environmental impacts of the activity;</p>	<p>Confirm that the existing mitigation and management measures to be implemented will be able to meet the listed performance outcomes with the expanded scale of the Project.</p> <p>Where the existing mitigation and management measures cannot achieve the listed performance outcomes, provide details of how additional and/or modified mitigation and management measures will be implemented to meet these performance outcomes.</p>
Critical Design Requirements – EO3 and PO3.2	<p>The Project must continue to implement effective environmental strategies with regards to the critical design requirements for activities to be carried-out, including all the following performance outcomes:</p> <p>a) all storage provided for hazardous contaminants includes secondary containment to prevent or minimise releases to the environment from spillage or leaks;</p> <p>b) regulated structures comply with the 'Manual for assessing consequence categories and hydraulic performance of structures' published by the department;</p> <p>c) provide containers for the storage of hazardous contaminants that are</p>	<p>Confirm that the existing mitigation and management measures to be implemented will be able to meet the listed performance outcomes with the expanded scale of the Project.</p> <p>Where the existing mitigation and management measures cannot achieve the listed performance outcomes, provide details of how additional and/or modified mitigation and management measures will be implemented to meet these performance outcomes.</p>

	<p>secured to prevent the removal of the containers from the site by a flood event;</p> <p>d) the design of the facility prevents or minimises the production of hazardous contaminants and waste;</p> <p>e) if the production of hazardous contaminants and waste is not prevented or minimised under paragraph (d)—the design of the facility contains and treats hazardous contaminants rather than releasing them.</p>	
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Table 4: Other Approvals

Matter of Interest	DES Comment	Requested Action/s
Change to the exercise of underground water rights	The area surrounding MCP has multiple groundwater users. The amendment application states the rate of extraction at 700 mega litres per year (ML/yr) from the pre-existing production bore for MCP will remain unchanged. However, the impact of an increased scale of operations may affect the exercise of underground water rights. For example, an enlarged pit may cause an increased volume of groundwater to flow out of aquifers utilised by sensitive receptors.	<p>Please be advised an Underground water impact report (UWIR) may be required. The Underground Water Assessment Team within the Department's Energy and Extractive unit can assist in determining if a UWIR is required.</p> <p>Email: UndergroundWater@des.qld.gov.au</p> <p>Provide details of the UWIR requirements for the project.</p>
Strategic Cropping Areas	The land underlying MLA80175 is mapped as Strategic Cropping Area under the <i>Regional Planning Interests Act 2014</i> (RPI Act). Therefore, MLA80175 may require a Regional Interests Development Approval (RIDA) prior to commencing activities – which should be sought separately to the proposed amendment	<p>Please be advised a RIDA may be required. The Department of State Development, Manufacturing, Infrastructure and Planning can assist in determining if a RIDA is required.</p> <p>Provide details of how the RIDA requirements will be met.</p>

3. Actions

The abovementioned application will lapse unless you respond by giving the administering authority -

- (a) all of the information requested; or
- (b) part of the information requested together with a written notice asking the authority to proceed with the assessment of the application; or
- (c) a written notice –
 - i. stating that you do not intend to supply any of the information requested; and
 - ii. asking the administering authority to proceed with the assessment of the application.

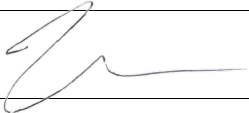
Should the information request require an EIS process or applicant to submit a progressive rehabilitation and closure (PRC) plan then it must be completed and submitted.

A response to the information requested must be provided by **12 November 2021** (the information response period). If you wish to extend the information response period, a request to extend the period must be made at least 10 business days before the last day of the information response period.

The response to this information request or a request to extend the information response period can be submitted to the administering authority by email to CRMining@des.qld.gov.au.

If the information provided in response to this information request is still not adequate for the administering authority to make a decision, your application may be refused as a result of section 176 of the *Environmental Protection Act 1994*, where the administering authority must have regard to any response given for an information request.

If you require more information, please contact the Department of Environment and Science using the contact details provided below.



Signature

12/05/2021

Date

Juliana McCosker
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
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Privacy statement

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