



Delta Coal – Mannering Colliery Independent Environmental Audit 2022 Action Plan

Corrective Actions and Recommendations prepared by GHD Group Pty Ltd

Comments and Commitments made by Delta Coal

Audit conducted on: 2nd May 2022

Version Prepared: 11th July 2022

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Table 1 – Corrective Actions										
Action Number	Condition	Details	Compliance status	Relevant evidence	Commentary	Delta Coal Comments	Proposed Completion Date	Person Responsible	Percentage Complete	
Environmental Protection License 191										
1	L1.1	Continue to undertake mitigation measures to comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> .	Non-compliance (low-risk)	Annual Reviews for 2019, 2020 and 2021 Annual Return for 2019, 2020 and 2021 Monitoring data for 2019, 2020, 2021 and 2022.	2019 IEA Recommendations: Continue to undertake mitigation measures to comply with section 120 of the Protection of the Environment Operations Act 1997 . 2022 IEA Findings: There were several non-compliances relating to pollution of waters over the reporting period. These non-compliances were: Exceedance of TSS limit for September 2019 Exceedance of pH limit in October 2019 Exceedance of oil and grease limit in April 2021 Exceedance of oil and grease limit in November 2021 These exceedances constitute a ‘pollution’ of waterways under the POEO Act. The recommendation of the previous audit would be continued over into the next audit period.	Agree Actions taken to address non-compliances have been detailed in incident reports with preventative/corrective action undertaken each incident. Where practicable, all incidents will have proposed corrective actions to prevent re-occurrence.	Completed - License requirement	Environmental Compliance Coordinator	100%	
2	L2.4	Continue to undertake mitigation measures to comply with section 120 of the <i>Protection of the Environment Operations Act 1997</i> .	Non-compliance (low-risk)	Annual Reviews for 2019, 2020 and 2021 Annual Return for 2019, 2020 and 2021 Monitoring data for 2019, 2020, 2021 and 2022.	2019 IEA Recommendation: Continue to undertake water quality monitoring. If a water quality exceedance is detected undertake measures to improve water quality 2022 IEA Findings: Several non-compliances regarding water quality were identified over the reporting period: Exceedance of TSS limit for September 2019 following a heavy rain event Exceedance of pH limit in October 2019 Exceedance of oil and grease limit in April 2021 Exceedance of oil and grease limit in November 2021 This therefore constitutes a non-compliance against this condition. The recommendation of the previous audit would be continued over into the next audit period.	Agree Corrective and preventative actions proposed/undertaken are presented in incident investigation reports to stakeholders following an incident.	Completed - License requirement	Environmental Compliance Coordinator	100%	
3	O1.1	As bins are clearly labelled and adequate disposal facilities are available across the site. Delta Coal should investigate means to address the workforce culture in relation to inadequate disposal of waste that has persisted across this, and the previous, audit.	Non-compliance (administrative)	Site interviews conducted 2 May 2022 Site inspection conducted 2 May 2022	2019 IEA Recommendation: Finish sorting out the piles of rubbish at the pit top area. Undertake contaminated sites/waste material assessment at the waste stockpile area. SLR recommends none of the waste from the stockpile material is removed from site for waste disposal until an assessment on the waste is undertaken. Install signage at the land farm material at the pit top. 2022 IEA Findings: During the conduct of the audit, documentation reviewed, and the site inspection indicates that the site is being operated generally in compliance with the requirements of this condition. The auditors did notice that some inappropriate waste management occurred on site, such as general waste being placed in oily rag bins.	Agree Delta Coal will implement a waste management system to address this non-compliance.	30 June 2023	Environmental Compliance Coordinator.	100% Completed: Waste management plan, site training, and waste sorting area implemented.	

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Project Approval MP06_0311										
4	Schedule 2 Condition 16 Schedule 3 Conditions 11 & 12 Schedule 5, Conditions 3 & 5	To ensure compliance with relevant conditions of PA 06_0311, undertake updates to the WMP to include: – Any relevant changes and requirements under modification 5 – Baseline data for surface water quality – Baseline data for groundwater quality	Non-compliance (administrative)	<p>Aboriginal Cultural Heritage Management Plan (Rev 2.2 – 4 December 2019).</p> <p>Air Quality and Greenhouse Gas Management Plan (V2 – dated 21 January 2022).</p> <p>Land Management Plan (Rev 1 – Dated 30 April 2016).</p> <p>Noise Management Plan (Rev 1 dated 20 April 2022)</p> <p>Non-indigenous Cultural Heritage Management Plan (Rev 1.3 – 4 December 2019).</p> <p>Mine Operations Plan Amendment 2 Rehabilitation Management Plan 2020 – 2023 (Rev 2)</p> <p>Water Management Plan (Rev 6.1 – 3 February 2020)</p>	<p>A review of the management plans prepared under the condition found that the implementation of plans would not be staged. The revised AQGGMP has been prepared to be combined with Chain Valley Colliery. Approval from DPE was granted in October 2020.</p> <p>The following plans were also approved to be combined plans between Mannering Colliery and Chain Valley Colliery, however, have not been produced during the reporting period: Heritage Management Plan Land Management Plan</p> <p>Plans were generally updated following the 2019 IEA and modification of development consent and are within the review dates and frequency, except for the WMP which has not been updated to reflect MOD5. This is required as per Schedule 5, Condition 5, therefore constituting a non-compliance against the requirements of this condition.</p> <p>At the time of Audit, the Land Management Plan required under this consent has not been updated since the previous IEA period therefore constituting an administrative non-compliance with Schedule 5, Condition 5. The auditor notes that the Land Management Plan is currently being updated, and therefore no corrective action is proposed.</p>	<p>Agree</p> <p>Delta Coal will update the:</p> <ul style="list-style-type: none"> Mannering Colliery Water Management Plan Heritage Management Plan Land Management Plan <p>As of 31 March 2023, the Heritage Management Plan and Land Management Plan are pending the completion of consultation and approval.</p>	12 October 2022	Environmental Compliance Coordinator	100%	
5	Schedule 3 Condition 16	Ensure that exceedances of criteria are reported.	Non-compliance (low-risk)	<p>Air Quality and Greenhouse Gas Management Plan (V2 – dated 21 January 2022).</p> <p>Monitoring data for 2019, 2020, 2021 and 2022</p> <p>Site interviews on 2 May 2022</p> <p>Site inspection on 2 May 2022</p>	<p>2019 IEA Recommendations: Update the AQGGMP Include in the updated AQGGMP a plan showing dust monitoring locations and the location of the weather station.</p> <p>2022 IEA findings: The AQGGMP was updated in December 2019, with dust monitoring points and the meteorological monitoring station shown in Figure 2. Several non-compliances against dust criteria were recorded and reported during the reporting period: Exceedance at DG004 in December 2020 which was attributed to contamination and not the development Exceedance at DG003 in May 2021 attributed to contamination and not the development Exceedance at DG003 in October 2021 attributed to contamination and not the development. Two increases of greater than 2 g/m2/month were observed over the reporting period: An increase of 2.1 g/m2/month was recorded for depositional dust between November 2019 and December 2019 at DG001. An increase of 2.4 g/m2/month was recorded for depositional dust between August 2021 and September 2021 at DG003. These exceedances were not reported as an incident and therefore a non-compliance (low risk) is recorded against this condition.</p>	<p>Agree</p> <p>Delta Coal has revised procedures and requirements with the sampling contractor and analytical laboratory to prevent recurrence.</p>	Completed	Environmental Compliance Coordinator	100%	

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Action Number	Condition	Details	Compliance status	Relevant evidence	Commentary	Delta Coal Comments	Proposed Completion Date	Person Responsible	Percentage Complete
6	Schedule 3 Condition 17	Update the AQGGMP to include TARPs.	Non-compliance (administrative)	Air Quality and Greenhouse Gas Management Plan (V2 – dated 21 January 2022).	The AQGGMP was updated in January 2022. This plan was granted approval from DPIE on 21 March 2022. The AQGGMP was reviewed against the requirements of this condition and it was found to be satisfactory. The plan was prepared by a suitably qualified person. Mitigation measures are described Section 3, as is the Air Quality Management System. The mitigation measures were generally compliant with the requirements of this condition, however no Trigger Action Response Tables (TARPs) were included in the plan. This constitutes a non-compliance with clause (a)(iii) of this condition.	Agree Delta Coal will revise the AQGHGMP to include TARPs 31 March 2023: Delta Coal has revised the AQGHGMP	12 October 2022	Environmental Compliance Coordinator	100%
7	Schedule 5 Condition 8	Include historical trends in noise monitoring data in the annual review.	Non-compliance (administrative)	Annual Review for 2019, 2020 and 2021	<p>2019 IEA Recommendation Ensure Annual Reviews are submitted to DPE by 31 March.</p> <p>Future Annual Reviews should clearly state noise and water quality performance criteria, and provide monitoring results against these.</p> <p>Include in future Annual Reviews:</p> <ul style="list-style-type: none">- Requirements of plans/programs required under PA 06_0311 for noise and water quality;- The monitoring results of previous years, for noise and water;- The relevant predictions in environmental assessments for air quality, noise and water;- Trends in the monitoring data for air quality, noise and water, over the life of the project; and- Discrepancies between the predicted impacts in the EAs for air quality, noise and water, and actual impacts of the project. <p>* The Annual Reviews are set out differently to the DPE Annual Review Guidelines (2015). Ensure table of contents matches the guidelines.</p> <p>* IEA Actions Plans should be included in every Annual Review going forward.</p> <p>2022 IEA findings: A review of the 2019, 2020 and 2021 Annual Review documents identified that they were generally prepared in compliance with the requirements of this condition.</p> <p>The annual review documents adequately describe the events at the development over the reporting period. Non-compliances are identified in the Statement of Compliance and Section 11 for the 2019 and 2021 Annual Review where the exceedances of monthly dust criteria were not reported. Refer to Schedule 3 Condition 16.</p> <p>Environmental performance is reported upon in Section 6 and Section 7. Measures to be implemented over the next reporting period are described in Section 12. The Annual reviews were found to be generally compliant with the requirements of this condition.</p> <p>In regard to the 2019 IEA recommendations, Delta Coal have incorporated suggestions of the previous audit into the annual review documentation for 2019, 2020 and 2021. However, the inclusion of data trends for noise monitoring has not been included in the annual reviews, therefore constituting an administrative non-compliance against clause (e) of this condition.</p>	Agree Noise trends will be included in future Annual Reviews. 31 March 2023 Update – Delta Coal has included noise trends for Mannering Colliery in the 2022 Annual Review and will continue to include the results in 2023.	31 March 2023	Environmental Compliance Coordinator	100%

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8	Schedule 5 Condition 13	Ensure that incidents from May 2019 to December 2019 are included on the public complaints register.	Non-compliance (administrative)	Delta Coal Website (https://www.deltacoal.com.au/).	<p>2019 IEA Recommendation: Include the following documentation on the project website: The documents referred to in condition 2 of Schedule 2 (EAs for the original project and Mod 1 - Mod 4); Up-to-date Complaints Register. The Register only includes complaints up to February 2019; CCC minutes for 2017, 2018 and 2019; 2016 Audit Action Plan; Noise monitoring data not included in the Monthly Website Report; and 2018 - 2020 MOP.</p> <p>2022 IEA findings: A review of the website for the site found that monitoring plans, approvals and community related items are on the website and up to date. The recommendations of the 2019 IEA have been addressed, except for the recommendation that noise monitoring be included in the monthly environmental reports. Noise monitoring is presented in a separate report located beneath the monthly environmental reports which is considered satisfactory to close out the 2019 IEA recommendations.</p> <p>Monthly noise monitoring reports for November 2021 and December 2021 are not on the website, therefore forming an administrative non-compliance. This was rectified following the site inspection and therefore no corrective is proposed.</p> <p>The complaints and incidents register provided by Delta Coal was missing incidents from May 2019 to December 2019. This therefore constitutes a non-compliance.</p>	<p>Agree</p> <p>Delta Coal has reviewed the 2019 incident register to include identified incidents.</p> <p>Delta Coal has uploaded monthly noise monitoring reports for November 2021 and December 2021 on the website.</p>	Completed	Environmental Compliance Coordinator	100%	

Table 2 – Recommendations										
Recommendation Number	Condition	Details	Compliance status	Relevant evidence	Commentary	Delta Coal Comments	Proposed Completion Date	Person Responsible	Percentage Complete	
Environmental Protection License 191										
nil	-	-	-	-	-	-	-	-	-	-
Project Approval MP06_0311										
1	Schedule 3 Condition 14	Attach the Bushfire Management Plan to the Land Management Plan.	-	Land Management Plan (Rev 1 – Dated 30 April 2016).	<p>2019 IEA Recommendation: Attach the Bushfire Management Plan to the Land Management Plan</p> <p>2022 IEA Findings: The LMP satisfies the requirements of this condition in Section 1.2, 3.1, 3.2, 4,5, 6 and 8.</p> <p>The recommendation from the previous audit to attach the bushfire management plan to the Appendix of the LMP has not been carried through.</p>	<p>Agree</p> <p>Delta Coal will update the LMP to include the bushfire management plan requirements.</p> <p>31 March 2023 update: Delta Coal has revised the LMP and submitted for consultation with stakeholders.</p>	12 October 2022	Environmental Compliance Coordinator	100%	
2	Schedule 3 Condition 15	Whilst not a non-compliance, it is recommended that the revision date for <i>Mine Operations Plan Amendment 2 Rehabilitation Management Plan 2020 – 2023</i> be included in the document, and the approval letter from Resources Regulator appended to Section 17.	-	Mine Operations Plan Amendment 2 Rehabilitation Management Plan 2020 – 2023 (Rev 2)	<p>The Mining Operations Plan (MOP) for the site fulfils the same role as the Rehabilitation Management Plan under this condition. A review of the MOP (Amendment 2) against the requirements of this condition found it generally compliant.</p> <p>Clause (a) is not applicable to this reporting period as this was satisfied during a previous reporting period. A review of the MOP against Clauses (b) to (e) of this condition found it satisfactory and compliant.</p>	<p>Disagree</p> <p>Considering the recent Rehabilitation Reform requirements and changes to the Mining Act being enforced as of 2 July 2022. Delta Coal will comply with the Resource Regulator's requirements under the Mining Act, and new Mining Lease conditions.</p>	Completed	Environmental Compliance Coordinator	100%	
3	Schedule 3 Condition 22	It is recommended that the standard be reviewed as the review date was 24 April 2021.	-	<p>Site interviews conducted 2 May 2022</p> <p>Site inspection conducted 2 May 2022</p> <p>STD 00110 – Standards Template – Fire Water Reticulation and Bushfire Fighting (Rev 1) – Dated 23 April 2018</p>	<p>STD 00110 – Standards Template – Fire Water Reticulation and Bushfire Fighting (Rev 1) outlines the procedure for bushfire fighting and water reticulation for the site. It is recommended that the standard be reviewed as the review date was 24 April 2021.</p> <p>Over the reporting period Delta Coal have provided the RFS with access during times of need.</p>	<p>Agree</p> <p>Delta Coal will revise STD 00110 – Fire Water Reticulation Fighting</p>	12 October 2022	Health and Safety Manager	100%	

Table 2 – Recommendations										
Recommendation Number	Condition	Details	Compliance status	Relevant evidence	Commentary	Delta Coal Comments	Proposed Completion Date	Person Responsible	Percentage Complete	
4	Schedule 3 Condition 3C	The outcomes of the noise mitigation study currently being completed should be captured in a revised noise management plan and reflect any changes to monitoring, as relevant.	-	Noise Management Plan (Rev 1 dated 20 April 2022) Noise monitoring reports for 2019, 2020, 2021 and 2022.	A review of the NMP (Rev 1) against the requirements of these conditions and monitoring data collected on site. The NMP was found to be compliant with clauses (a), (b), (c) and (d) of this condition.	Disagree The noise mitigation study is not relevant to Mannering Colliery.	N/A	N/A	100%	