

| Item | Section | Assessment Requirements | Comments | Audit Classification | ERM Response/Action | ICH Response | Corrective Action |
|----------|---------|---|--|-------------------------------|---|---|---|
| EPL 2504 | G 1.1 | A copy of this licence must be kept at the premises to which the licence applies. | Licence displayed on notice boards, control rooms and on ipick. Noted to be out of date version of the EPL. | Administrative Non Compliance | Updated version of the licence to be held and displayed on Site. | Licences to be printed and placed in Control and on Notice Boards. Action 1 - Print copies. C.Bishop 30/4/17 Action 2 - Place copies as above. A.Parro & M.Grierson 14/5/17 | Created as action in KaiNexus, #99236 Action complete 16/5/17 |
| EPL 2504 | G 1.3 | The licence must be available for inspection by any employee or agent of the licensee working at the premises | Licence displayed on notice boards, control rooms and on ipick. Noted to be out of date version of the EPL. | Administrative Non Compliance | Updated version of the licence to be held and displayed on Site. | As per ICH response for Item EPL2501 , Section G1.1 (Above) | Not created as addressed above. |
| EPL 2504 | G 2.1 | Each monitoring and discharge point must be clearly marked by a sign that indicates the EPA point identification number. | Appropriate signage was observed at all water discharge monitoring points inspected by the auditor. A PM10 dust monitoring site at Appin Colliery did not have signage clearly marked with the EPA point identification number. | Administrative Non Compliance | Signage should be installed at all specified EPA monitoring points. | Audit being conducted to confirm locations of missing signage. A.Parro 30/5/17 Signage to be ordered and installed for missing locations. A.Parro 31/7/17 | Created as actions in KaiNexus, #100244 - complete 7/7/17 #100245 - complete 7/7/17 |
| EPL 2504 | L 2.1 | For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table. | Exceedances were reported in discharge as discussed below. | Non Compliance | | Noted. No further action required. Non-compliances will continue to be reported in the Annual Returns process. | No further action required |
| EPL 2504 | L 2.4 | Water and/or Land Concentration Limits: Point 3 | AR 2016 reported marginal Oil and Grease exceedance of the prescribed concentration limit. It was reported as unlikely to be an actual breach of the limit. | Non Compliance | No further recommendation | Noted. No further action required. Non-compliances will continue to be reported in the Annual Returns process. | No further action required |
| EPL 2504 | L 2.4 | Water and/or Land Concentration Limits: Point 10 | AR 2015 reported exceedances of the Oil and Grease and EC limits at LDP10. These were investigated and actions undertaken where required. | Non Compliance | No further recommendation | Noted. No further action required. Non-compliances will continue to be reported in the Annual Returns process. | No further action required |
| EPL 2504 | L 2.4 | Water and/or Land Concentration Limits: Point 22 | AR 2016 reported marginal Oil and Grease (12mg/L) exceedance of the prescribed concentration limit. An issue with sewage treatment sludge was cited as a possible cause. An aeration system was subsequently installed in sewage lagoons to improve treatment efficiency and reduce sludge production. | Non Compliance | No further recommendation | Noted. No further action required. Non-compliances will continue to be reported in the Annual Returns process. | No further action required |
| EPL 2504 | L 2.4 | Water and/or Land Concentration Limits: Point 23 | AR 2015 reported exceedance of pH limit with result of 9.2pH. Follow-up in-situ retesting and laboratory testing were within g the reporting limits. The result was considered likely to be an anomaly from laboratory testing. | Non Compliance | No further recommendation | Noted. No further action required. Non-compliances will continue to be reported in the Annual Returns process. | No further action required |
| EPL 2504 | L 2.5 | Water and/or Land Concentration Limits: Point 24 | AR 2016 reported an Oil and Grease (21mg/L) exceedance of the prescribed concentration limit. Cause not clear. | Non Compliance | No further recommendation | Noted. No further action required. Non-compliances will continue to be reported in the Annual Returns process. | No further action required |
| EPL 2504 | L 3.1 | For each discharge point or utilisation area specified in the L3.1 of EPL2504, the volume/mass of: a) liquids discharged to water; or; b) solids or liquids applied to the area; must not exceed the volume/mass limit specified for that discharge point or area. | AR 2016 reported electrical conductivity (highest value of 3080 microsiemens per centimetre) exceeding the 80th percentile concentration limit. AR 2016 reported total dissolved solids marginally exceeding (highest value of 1990 milligrams per litre) the 80th percentile concentration limit. AR 2015 reported electrical conductivity exceeding (highest value of 3080 microsiemens per centimetre) the 80th percentile concentration limit. Refer condition U1.1 in relation to Pollution Reduction program. | Non Compliance | No further recommendation | Noted. No further action required. Non-compliances will continue to be reported in the Annual Returns process. | No further action required |
| EPL 2504 | M 2.3 | Water and/or Land Monitoring Requirements Point 36 | Samples collected at the required frequency when discharging during the audit period. This condition incorrectly refers to Condition L3.3. It should reference the concentration limits specified in Condition L3.1. | Opportunity | It is recommended that the EPL is amended to reference the correct condition. | Illawarra Coal to liase with EPA to rectify incorrect reference. Responsible - P.McMillan Due Date - 31/7/17 | Created as action in KaiNexus, #99227 Action complete 2/11/17 |
| EPL 2504 | O 1.1 | Licensed activities must be carried out in a competent manner. This includes: a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity. | The auditor observed an area for improvement in relation to housekeeping and storage of chemicals and hydrocarbons at the Appin West maintenance yard and laydown. One example included a pallet of chemicals that was observed to not be in a contained or covered area, and contents of the containers was not known as labels had worn off. | Opportunity | It is recommended that all chemicals are stored in appropriately banded and covered area to minimise the prudential for release to the environment. | Noted. Illawarra Coal has since addressed auditors concerns. Chemicals and hydrocarbons stored correctly. | No further action required |

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| EPL 2504 | U 1.1 | <p>The aim of this Environment Improvement Program (EIP) is to improve water quality and aquatic health in the Georges River downstream of licenced discharge point 10 (Brennans creek discharge).</p> <p>The licensee must undertake its commitments to works and activities described in the latest controlled version of the document titled "Illawarra Coal, Bulli Seam Operations, Georges River Environmental Improvement Program".</p> <p>The latest version of the document must be displayed on the licensee's website.</p> <p>In addition to the reporting and consultation commitments in document, the licensee must submit a report to the EPA by the due date recommending licence limits for discharge point 10.</p> <p>DUE DATE: 31 DECEMBER 2018</p> <p>Note: This EIP follows from Pollution Reduction Programs 19 and 20.</p> | <p>The document titled "Illawarra Coal, Bulli Seam Operations, Georges River Environmental Improvement Program" was not uploaded to the licensee's website at the time of the site audit.</p> <p>What appears to be the most current up-to-date report has since been uploaded. The report however is not dated and does not identify the current review or control status.</p> <p>Review of the referenced documents, along with in-field observations and discussions, demonstrates that the licensee is generally meeting the stated commitments to improvement works and monitoring activities</p> | Administrative Non Compliance | It is recommended that the report be updated to include a document control page. | Add document control details to document and publish on website. Lynne... 30/6/17 | Created as action in KaiNexus, # 100240 Action complete 18/8/17 |
| Ministers Conditions of Approval PA 08-0150 (Modification 1) | Sch 3.1 | If the Proponent exceeds the performance measures in Table 1 and the Secretary determines that: a) it is not reasonable or feasible to remediate the impact or environmental consequence; or b) remediation measures implemented by the Proponent have failed to satisfactorily remediate the impact or environmental consequence; then the Proponent shall provide a suitable offset to compensate for the impact or environmental consequence, to the satisfaction of the Secretary. | None identified at this stage. Georges River Remediation Plan of Minor (Level 2) impacts to rock bars under review. Assessed as compliant pending outcomes of Georges River Remediation Plan. | Opportunity | Review findings of Georges River Remediation Plan | Noted. Will review once remediation works have commenced. | No further action required |
| Ministers Conditions of Approval PA 08-0150 (Modification 1) | Sch 4.1 | From the end of June 2013, the Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 1 at any residence on privately-owned land or on more than 25 percent of any privately-owned land. | <p>Attended monitoring conducted on a quarterly basis. Non-compliance recorded at AE-NS4 - Night time LA1 criteria exceeded 4 September 2014 considered to be associated with loading at site and compressor noise.</p> <p>These were investigated and actions undertaken where required.</p> | Non Compliance | No further recommendation | Noted. No further action required. Non-compliances will continue to be reported in the Annual Report (AEMR) process. | No further action required |
| Ministers Conditions of Approval PA 08-0150 (Modification 1) | Sch 4.11 | The Proponent shall: (a) implement best practice air quality management on site, including all reasonable and feasible measures to minimise the off-site odour, fume and dust emissions generated by the project, including from any spontaneous combustion on site, (b) minimise any visible air pollution generated by the project; and (c) regularly assess the air quality monitoring and meteorological forecasting data, and relocate, modify and/or stop operations on site to ensure compliance with the relevant conditions of this approval; to the satisfaction of the Secretary. | No exceedance of EPL long term particulate matter criteria at private residences reported during the audit. However, a high black dust plume was observed from some distance (while driving to VS#6) emanating from coal handling activities at the West Cliff CPP stockpile. There was a moderate to high breeze at the time, noting that dust was not observed from other areas of the site either from afar or during the site inspection earlier in the day. The dust suppression cart was active at the site during the site inspection. | Opportunity | It is recommended that all efforts continue to minimise the potential for dust emission, albeit noting that no EPL criteria was exceeded during the audit period. | Noted. Will continue to manage dust in accordance with Air Quality Management Plan. | No further action required |
| Ministers Conditions of Approval PA 08-0150 (Modification 1) | Sch 4.15 | The Proponent shall ensure that all surface water discharges from the site (including from the Brennans Creek Dam) comply with the discharge limits (both volume and quality) set for the project in any EPL. | Refer EPL Compliance Table, A.2, EPL 2504 conditions under L2. | Non Compliance | No further action required | Noted. No further action required. Non-compliances will continue to be reported in the Annual Returns process. | No further action required |
| Ministers Conditions of Approval PA 08-0150 (Modification 1) | Sch 4.2 | From the end of December 2014, the Proponent shall ensure that the noise generated by the project does not exceed the criteria in Table 2 at any residence on privately-owned land or on more than 25 percent of any privately-owned land. | Attended monitoring conducted on a quarterly basis. Non-compliance recorded with night time LA1 criteria exceeded. Four non-compliance recorded at AW-NS3, one at AW – NS4 and six at AW – NS5. These were investigated and actions undertaken where required. | Non Compliance | No further recommendation | Noted. No further action required. Non-compliances will continue to be reported in the Annual Report (AEMR) process. | No further action required |

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| Ministers Conditions of Approval PA 08-0150 (Modification 1) | Sch 4.20 | The Proponent shall prepare and undertake an Underground Coal Wash Emplacement Trial for the project to the satisfaction of the Secretary. The design of the trial must: (a) be undertaken in consultation with OEH; (b) be submitted to the Secretary for approval by the end of December 2012; (c) contain a two year program to undertake both pilot scale and demonstration scale trials of underground coal wash disposal; (d) include commitments for ongoing development and/or implementation of underground emplacement options following this two-year trial; and (e) include 6 monthly progress reporting to the Department and OEH. | Revised trial submitted to the Department, October 2013. As indicated in previous IEA approval by December 2012 was not achieved. The revised Plan proposed to defer the trial for 5 years for the following reasons: The declaration of Dharawal National Park has eliminated a significant area of potentially suitable roadways for underground coalwash emplacement; BSO's focus on diverting material from surface emplacement via alternative beneficial uses continues; Following discussions with the Department, further commitments have been included in the Plan to report on the research annually in the AEMR during the deferred period. | Administrative Non Compliance | Continue reporting in Annual Review. | The underground coal wash trial plan was submitted to DPE for approval prior to December 2012. There is no requirement for it to be approved prior to December 2012. A deferral of 5 years was granted for the trial. | No further action required |
| Ministers Conditions of Approval PA 08-0150 (Modification 1) | Sch 6.11 | From 30 June 2012, the Proponent shall: (a) make copies of the following publicly available on its website: • the documents referred to in Condition 2 of Schedule 2; • all current statutory approvals for the project; • all approved strategies, plans and programs required under the conditions of this approval; • a comprehensive summary of the monitoring results of the project, reported in accordance with the specifications in any conditions of this approval, or any approved plans and programs; • a complaints register, updated on a monthly basis; • minutes of CCC meetings; • the annual reviews of the project; • any independent environmental audit of the project, and the Proponent's response to the recommendations in any audit; • any other matter required by the Secretary; and (b) keep this information up-to-date, to the satisfaction of the Secretary. | Required documentation available on website at time of the audit however it is noted that only the previous year's available on the website. | Opportunity | Make previous year's Annual Environmental Management Reports available on the website. | Upload previous years AEMRs onto Regulatory website. C.Bishop (via Nathan) 30/4/17 | Created as action in KaiNexus, #99238 Action complete 9/5/17 |
| Statement of Commitments PA 08-0150 (Modification 1) | - | ICHPL Commitment ICHPL will fund and commence development of a pilot-scale research and development trial for underground coal wash emplacement technology at the Project, to the satisfaction of the Secretary. The trial will draw upon available information/technical data from similar investigations and trials in the Southern Coalfield and internationally. The results of the trial will be used to inform a value analysis of the feasibility of a portion of the coal wash being emplaced underground at the Project. The value analysis will include consideration of aspects such as: • practical application and mine safety for underground emplacement at the Project design volumes/rates; • infrastructure requirements (including supporting equipment) for underground emplacement; • water and other materials consumption/use requirements; and consideration of benefits/costs of underground emplacement versus ongoing surface emplacement at the West Cliff pit top. | Refer Schedule 4, Condition 20 of PA 08_015 (Mod 2) Revised trial submitted to the Department, October 2013. As indicated in previous IEA approval by December 2012 was not achieved. The revised Plan proposed to defer the trial for 5 years for the following reasons: The declaration of Dharawal National Park has eliminated a significant area of potentially suitable roadways for underground coalwash emplacement; BSO's focus on diverting material from surface emplacement via alternative beneficial uses continues; Following discussions with the Department, further commitments have been included in the Plan to report on the research annually in the AEMR during the deferred period. | Administrative Non Compliance | Continue reporting in Annual Review. | Noted. ICH will continue to report in Annual Review process. | No further action required |

NOTE: No record found of these response to recommendations being sent to Department of Planning and Environment in accordance with Cond. 10 Sch 6 of Project Approval 08_0150. This was identified as a non-compliance in the IEA undertaken in 2019.