

Independent Environmental Audit

Bengalla Mine

Development Approval 211/93 (as modified)																																																																																																																																																																																																																				
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3	1	<p>The Applicant shall ensure that the noise generated by the development does not exceed the criteria in Table 1 at any residence on privately-owned land or on more than 25% of any privately-owned land.</p> <p><small>Table 1 Noise criteria dBA</small></p> <table border="1"> <thead> <tr> <th rowspan="2">Location</th> <th colspan="2">Day</th> <th colspan="2">Night</th> </tr> <tr> <th>Leapt 200</th> <th>Leapt 200</th> <th>Leapt 200</th> <th>Leapt 200</th> </tr> </thead> <tbody> <tr><td>14 Drake</td><td>35</td><td>35</td><td>30</td><td>40</td></tr> <tr><td>34 Moore</td><td></td><td></td><td></td><td></td></tr> <tr><td>72 Halloran</td><td>35</td><td>35</td><td>30</td><td>40</td></tr> <tr><td>73 Zahra</td><td></td><td></td><td></td><td></td></tr> <tr><td>82 Latham</td><td></td><td></td><td></td><td></td></tr> <tr><td>11 Drake (residence)</td><td></td><td></td><td></td><td></td></tr> <tr><td>13 Schwen (residence)</td><td></td><td></td><td></td><td></td></tr> <tr><td>16 Englebrecht</td><td></td><td></td><td></td><td></td></tr> <tr><td>17 Croftland</td><td></td><td></td><td></td><td></td></tr> <tr><td>18 Croftland</td><td></td><td></td><td></td><td></td></tr> <tr><td>19 Good</td><td>35</td><td>35</td><td>37</td><td>40</td></tr> <tr><td>20 Kewens</td><td></td><td></td><td></td><td></td></tr> <tr><td>21 Gleeson</td><td></td><td></td><td></td><td></td></tr> <tr><td>27 Andrews</td><td></td><td></td><td></td><td></td></tr> <tr><td>28 Schway</td><td></td><td></td><td></td><td></td></tr> <tr><td>45 Roots</td><td></td><td></td><td></td><td></td></tr> <tr><td>89 Latham</td><td>35</td><td>35</td><td>37</td><td>45</td></tr> <tr><td>81 Rankin</td><td></td><td></td><td></td><td></td></tr> <tr><td>89 Zahra</td><td>35</td><td>35</td><td>38</td><td>45</td></tr> <tr><td>89 Rankin</td><td>35</td><td>35</td><td>38</td><td>45</td></tr> <tr><td>47 Rankin</td><td>35</td><td>35</td><td>40</td><td>45</td></tr> <tr><td>81 Paul M</td><td>36</td><td>36</td><td>36</td><td>45</td></tr> <tr><td>42 Moore</td><td></td><td></td><td></td><td></td></tr> <tr><td>23 Sawetney</td><td></td><td></td><td></td><td></td></tr> <tr><td>23 Doble</td><td></td><td></td><td></td><td></td></tr> <tr><td>24 Robinson</td><td></td><td></td><td></td><td></td></tr> <tr><td>25 Smith</td><td>36</td><td>36</td><td>37</td><td>40</td></tr> <tr><td>28 Barby</td><td></td><td></td><td></td><td></td></tr> <tr><td>9 Almond</td><td></td><td></td><td></td><td></td></tr> <tr><td>4 Englebrecht</td><td></td><td></td><td></td><td></td></tr> <tr><td>88 Jabarin</td><td>37</td><td>37</td><td>37</td><td>40</td></tr> <tr><td>5 Bamert</td><td>37</td><td>37</td><td>38</td><td>40</td></tr> <tr><td>8 McCosgrock</td><td></td><td></td><td></td><td></td></tr> <tr><td>38 Hamilton</td><td>38</td><td>38</td><td>37</td><td>45</td></tr> <tr><td>40 Ellis</td><td></td><td></td><td></td><td></td></tr> <tr><td>44 Lane</td><td>38</td><td>38</td><td>38</td><td>45</td></tr> <tr><td>9 Englebrecht</td><td>38</td><td>38</td><td>39</td><td>45</td></tr> <tr><td>89 Webber (25% area)</td><td>38</td><td>38</td><td>40</td><td>45</td></tr> <tr><td>10 Race Club</td><td>40</td><td>40</td><td>40</td><td>-</td></tr> <tr><td>All other privately owned land</td><td>35</td><td>35</td><td>35</td><td>45</td></tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> - To identify the locations referred to in Table 1, refer to Figure 1 in Appendix 3; and - Noise generated by the development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy. <p>However, these criteria do not apply if the Applicant has a written agreement with the relevant landowner to exceed the criteria, and the Applicant has advised the Department in writing of the terms of this agreement.</p>	Location	Day		Night		Leapt 200	Leapt 200	Leapt 200	Leapt 200	14 Drake	35	35	30	40	34 Moore					72 Halloran	35	35	30	40	73 Zahra					82 Latham					11 Drake (residence)					13 Schwen (residence)					16 Englebrecht					17 Croftland					18 Croftland					19 Good	35	35	37	40	20 Kewens					21 Gleeson					27 Andrews					28 Schway					45 Roots					89 Latham	35	35	37	45	81 Rankin					89 Zahra	35	35	38	45	89 Rankin	35	35	38	45	47 Rankin	35	35	40	45	81 Paul M	36	36	36	45	42 Moore					23 Sawetney					23 Doble					24 Robinson					25 Smith	36	36	37	40	28 Barby					9 Almond					4 Englebrecht					88 Jabarin	37	37	37	40	5 Bamert	37	37	38	40	8 McCosgrock					38 Hamilton	38	38	37	45	40 Ellis					44 Lane	38	38	38	45	9 Englebrecht	38	38	39	45	89 Webber (25% area)	38	38	40	45	10 Race Club	40	40	40	-	All other privately owned land	35	35	35	45	<p>There has been an exceedance of these criteria. Monitoring results taken during the day of 20 June 2012 recorded a noise level of 41 dBA. Monitoring was being undertaken at Racecourse Road (i.e. the Farrell residence). An incident report was prepared, and provided to DP&I.</p> <p>Following the incident, Bengalla implemented several operational restrictions and containment measures to ensure ongoing compliance with noise criteria.</p>
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3	7	<p>The Applicant shall, to the satisfaction of the Director-General:</p> <p>7(a) Implement best practice noise management, including all reasonable and feasible noise mitigation measures to minimise the operational, low frequency and rail noise generated by the development;</p> <p>7(b) Minimise the noise impacts of the development during temperature inversions;</p> <p>7(c) Regularly assess the real-time noise monitoring and meteorological forecasting data and relocate, modify, and/or stop operations on site to ensure compliance with the relevant conditions of this consent, and</p> <p>7(d) Co-ordinate the noise management on site with the noise management at nearby mines (including the Mt Pleasant mine) to minimise the cumulative noise impacts of the mines.</p>	<p>Administrative non-compliance –</p> <p>This is managed as per the Bengalla Mining Company Pty Limited Noise Management Plan (Bengalla, August 2013). The Management Plan satisfies the requirements of this condition however approval from the director general has not been provided to the audit team. Bengalla have made best efforts to obtain approval from DP&I.</p>																							
3	8	<p>The Applicant shall prepare and implement a Noise Management Plan for the development to the satisfaction of the Director-General.</p>	<p>Administrative non-compliance –</p> <p>The Bengalla Mining Company Pty Limited Noise Management Plan (Bengalla, August 2013) fulfils these requirements. The Noise Management Plan has been reviewed by DP&I representative (291013) however has not been approved.</p>																							
3	19	<p>The Applicant shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the development do not exceed the criteria listed in Tables 7, 8 or 9 at any residence on privately-owned land or on more than 25 percent of any privately-owned land.</p> <table border="1"> <caption>Table 7: Long term criteria for particulate matter</caption> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^dCriterion</th> </tr> </thead> <tbody> <tr> <td>Total suspended particulate (TSP) matter</td> <td>Annual</td> <td>^a 30 µg/m³</td> </tr> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>Annual</td> <td>^a 30 µg/m³</td> </tr> </tbody> </table> <table border="1"> <caption>Table 8: Short term criterion for particulate matter</caption> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>^dCriterion</th> </tr> </thead> <tbody> <tr> <td>Particulate matter < 10 µm (PM₁₀)</td> <td>24 hour</td> <td>^a 50 µg/m³</td> </tr> </tbody> </table> <table border="1"> <caption>Table 9: Long term criteria for deposited dust</caption> <thead> <tr> <th>Pollutant</th> <th>Averaging Period</th> <th>Maximum increase in deposited dust level</th> <th>Maximum total deposited dust level</th> </tr> </thead> <tbody> <tr> <td>^c Deposited dust</td> <td>Annual</td> <td>^b 2 g/m²/month</td> <td>^a 4 g/m²/month</td> </tr> </tbody> </table> <p>Notes to Tables 7-9:</p> <p>^a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>^b Incremental impact (i.e. incremental increase in concentrations due to the development on its own).</p> <p>^c Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10:2003 Methods for Sampling and Analysis of Ambient Air - Determination of Particulate Matter - Deposited Matter - Gravimetric Method.</p> <p>^d Excludes extraordinary events such as bushfires, prescribed burning, dust storms, sea fog, fire incidents, illegal activities or any other activity agreed by the Director-General in consultation with OEH.</p>	Pollutant	Averaging Period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 30 µg/m ³	Particulate matter < 10 µm (PM ₁₀)	Annual	^a 30 µg/m ³	Pollutant	Averaging Period	^d Criterion	Particulate matter < 10 µm (PM ₁₀)	24 hour	^a 50 µg/m ³	Pollutant	Averaging Period	Maximum increase in deposited dust level	Maximum total deposited dust level	^c Deposited dust	Annual	^b 2 g/m ² /month	^a 4 g/m ² /month	<p>During the audit period there were three exceedances of the 24 hour average criterion of PM10 in 2010. In 2011 there were three exceedances, and in 2012 there was one exceedance. In each of these years, the annual PM10 averaging criterion was not exceeded.</p>
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3	21(b)	Minimise any visible off site air pollution;	A small amount of fugitive dust was observed during the audit site inspection, with elevated dust levels observed in the pit. Lead Auditor noticed, on a day other than the day of the audit site visit, large amounts of dust leaving site at BCM. It should be noted that weather conditions on that day were particularly bad in the area causing neighbouring mines to have similar problems. The BCM management plans are acceptable in their content however application of their management plans requires a more aggressive approach.
3	26	The Applicant shall ensure that any mine water discharges from the site comply with the: (a) discharge limits (both volume and quality) set for the development in any EPL; or (b) relevant provisions in the POEO Act or Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.	On 11 January 2012 the failure of a scour valve located on a water pipe resulted in an uncontrolled water discharge of 2.5 mega litres of mine water from that pipeline. The incident was reported to the EPA and DP&I on the same day, and the EPA was subsequently provided with a written report on the incident on 17 January 2012. Water samples were collected from discharged water at two locations. The results indicated that the potential for environmental harm to have been caused by the incident was negligible.
3	34(d)	Ensure that all external lighting associated with the development complies with Australian Standard <i>AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i> .	Administrative non-compliance – Lighting at Bengalla is maintained according to PRO-0365 Placement and Operation of Lighting Sets. However there is nothing to suggest that this complies with <i>AS4282 (INT) 1997 – Control of Obtrusive Effects of Outdoor Lighting</i> .

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3	39	<p>The Applicant shall rehabilitate the site to the satisfaction of the Executive Director, Mineral Resources in DRE. This rehabilitation must be generally consistent with the proposed rehabilitation strategy described in the EIS and EA, and comply with the objectives in Table 14.</p> <table border="1"> <caption>Table 14: Rehabilitation Objectives</caption> <thead> <tr> <th>Feature</th> <th>Objective</th> </tr> </thead> <tbody> <tr> <td>Mine site (as a whole)</td> <td>Safe, stable & non-polluting</td> </tr> <tr> <td>Surface infrastructure</td> <td>To be decommissioned and removed, unless the Director-General agrees otherwise</td> </tr> <tr> <td>Overburden Dump</td> <td>Rehabilitate, as soon as practicable, the working face of the overburden dump exposed to the Muswellbrook township and Denman Road. Where reasonable, rehabilitation will include high density tree planting.</td> </tr> <tr> <td>Eastern Overburden Dump</td> <td>Contoured to no more than a 10 degree slope</td> </tr> <tr> <td>Other land affected by the development</td> <td>Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; extensive areas of Class 3 Agricultural Capability Land; and a landform consistent with the surrounding environment </td> </tr> <tr> <td>Final Void</td> <td>Safe, stable and non-polluting</td> </tr> <tr> <td>Community</td> <td>Minimise the adverse socio-economic effects associated with mine closure</td> </tr> </tbody> </table>	Feature	Objective	Mine site (as a whole)	Safe, stable & non-polluting	Surface infrastructure	To be decommissioned and removed, unless the Director-General agrees otherwise	Overburden Dump	Rehabilitate, as soon as practicable, the working face of the overburden dump exposed to the Muswellbrook township and Denman Road. Where reasonable, rehabilitation will include high density tree planting.	Eastern Overburden Dump	Contoured to no more than a 10 degree slope	Other land affected by the development	Restore ecosystem function, including maintaining or establishing self-sustaining eco-systems comprised of: <ul style="list-style-type: none"> local native plant species; extensive areas of Class 3 Agricultural Capability Land; and a landform consistent with the surrounding environment 	Final Void	Safe, stable and non-polluting	Community	Minimise the adverse socio-economic effects associated with mine closure	<p>Technical non-compliance – These slopes were viewed by the auditors during the site visit. Some slopes were observed to be above this 10% criterion.</p>
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Appendix 5	5	<p>BMC will continue to implement the noise management and mitigation measures listed in Section 6.2.4 as required to ensure noise levels described within this EA remain within the predictions presented in Table 7.</p>	<p>There has been an exceedance of these criteria. Monitoring results taken during the day of 20 June 2012 recorded a noise level of 41 dBA. Monitoring was being undertaken at Racecourse Road (i.e. the Farrell residence). An incident report was prepared, and provided to DP&I.</p> <p>Following the incident, Bengalla implemented several operational restrictions and containment measures to ensure ongoing compliance with noise criteria.</p>																
Appendix 5	8	<p>BMC will revise its existing Land Management Plan to incorporate details of this Modification, including the implementation of management measures required to compensate on impacts on Class II agricultural lands. This review will be undertaken in consultation with MSC, I&I NSW and to the satisfaction of the DoP.</p>	<p>This review has not been undertaken - the latest version of the Land Management Plan is dated 2008.</p>																

EPL 6538		
Reference	Commitment	Audit Finding
O2.1	All plant and equipment installed at the premises or used in connection with the licensed activity: a) must be maintained in a proper and efficient condition; and b) must be operated in a proper and efficient manner.	During the site visit the auditors viewed the maintenance planning system which BMC has in place to ensure that its plant and equipment undergo preventative maintenance, as well as maintenance when repairs are required. The auditors also viewed plant being repaired in the workshop as scheduled. A non-compliance against this condition was reported to the EPA during the audit period. On 11 January 2012 the failure of a scour valve located on a water pipe resulted in an uncontrolled water discharge of 2.5 megalitres of mine water from that pipeline. The incident was reported to the EPA and DP&I on the same day, and the EPA was subsequently provided with a written report on the incident on 17 January 2012. Water samples were collected from discharged water at two locations. The results indicated that the potential for environmental harm to have been caused by the incident was negligible.
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	A small amount of fugitive dust was observed during the audit site inspection, with elevated dust levels observed in the pit. Lead Auditor noticed, on a day other than the day of the audit site visit, large amounts of dust leaving site at BCM. It should be noted that weather conditions on that day were particularly bad in the area causing neighbouring mines to have similar problems. The BMC management plans have acceptable control and mitigation measures however application of the management plan requirements requires a more aggressive approach.

EPL 6538								
Reference	Commitment	Audit Finding						
M7.1	<p>For each discharge point or utilisation area specified below, the licensee must monitor:</p> <p>a) the volume of liquids discharged to water or applied to the area;</p> <p>b) the mass of solids applied to the area;</p> <p>c) the mass of pollutants emitted to the air;</p> <p>at the frequency and using the method and units of measure, specified below.</p> <p>POINT 1</p> <table border="1"> <thead> <tr> <th>Frequency</th> <th>Unit of Measure</th> <th>Sampling Method</th> </tr> </thead> <tbody> <tr> <td>Continuous during discharge</td> <td>megalitres per day</td> <td>Ultrasonic flow meter</td> </tr> </tbody> </table>	Frequency	Unit of Measure	Sampling Method	Continuous during discharge	megalitres per day	Ultrasonic flow meter	<p>During the site visit the auditors viewed the calibration certificate for the flow meter dated 30 January 2013 and undertaken by ABB. During the audit period a non-compliance against this condition (previously numbered M6.1) was reported to the EPA, when continuous monitoring equipment ceased to operate during a discharge event.</p>
Frequency	Unit of Measure	Sampling Method						
Continuous during discharge	megalitres per day	Ultrasonic flow meter						
M8.1	<p>The licensee must monitor all blasts carried out in or on the premises at or near the nearest residence or noise sensitive location (such as a school or hospital) that is likely to be most affected by the blast and that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee relating to alternative blasting limits.</p>	<p>During the site visit the auditors viewed blasting data which generally complies with these requirements. During the audit period a non-compliance against this condition was reported to the EPA. On 10 September 2012 the St James School blast monitoring unit ceased to operate due to firmware failure. As a result, no data were retrievable. During the audit period another non-compliance against this condition (previously numbered M7.1) was reported to the EPA, when a blasting event was not monitored at the nearest sensitive receiver. The reporting noted that the blast event details and weather monitoring had been completed. However, overpressure and ground vibration for the blast were not recorded due to the process not being followed. As a result, relevant staff received retraining on the monitoring requirements.</p>						
R4.1	<p>HRSTS Reporting</p> <p>The licensee must compile a written report of the activities under the Scheme for each scheme year. The scheme year shall run from 1 July to 30 June each year. The written report must be submitted to the EPA's regional office within 60 days after the end of each scheme year and be in a form and manner approved by the EPA. The information will be used by the EPA to compile an annual scheme report.</p>	<p>During the site visit the auditors viewed copies of the HRSTS reports for 2012 and 2013, which were provided in August each year. During the audit period a noncompliance against this condition was reported to the EPA, when the HRSTS report for the period 1 July 2010 to 30 June 2011 was not provided to the EPA within 60 days.</p>						

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4.2.1	Approximately 200 m has been allowed between the eastern pit limit and the spoil limit for the surface placement of spoil. The final spoil surface will rise at a maximum gradient of 10 degrees from the spoil limit. To achieve this with minimum rehandling or recontouring, dragline spoil will be placed adjacent to the excavation and prestrip material will be used to infill between the spoil limit and the edge of the dragline spoil	Technical non-compliance – These slopes were viewed by the auditors during the site visit. Some slopes were observed to be above this 10% criterion.
4.2.1	The spoil will be dozed to the final landform of a smooth 10 degree hillside sloping to the southeast as the spoil surface reaches the desired elevation. It will take approximately 2 years for the eastern margin of the surface spoil to achieve final contours. Revegetation of areas completed during this time will occur progressively.	Technical non-compliance – The slopes of the eastern emplacement were viewed by the auditors during the site visit. Some slopes were observed to be above this 10% criterion.
4.3.2	The fine magnetite used as the dense medium in the coarse coal recovery process will be recovered for recycling from the coarse product and waste streams by a combination of rinsing, screening and magnetic separation.	Compliance of these conditions could not be verified at the time of the audit.
5.1.1	The eastern edge of the spoil will rise at a maximum gradient of 10 degrees to a maximum height of 240 m AHD. This is higher than the existing topography, due to bulkage of the spoil. The spoil will be contoured to drain away from the mining areas.	Technical non-compliance – These slopes were viewed by the auditors during the site visit. Some slopes were observed to be above this 10% criterion.

Environmental Assessment (2010)		
Reference	Commitment	Audit Finding
2.2.10	As noted in Table 11, of the EA Bengalla will update the Rehabilitation and Landscape Management Plan, Landscape Management Plan and Land Management Plan in consultation with I&I NSW, MSC and to the satisfaction of DoP. Such revisions will, subject to DoP approval, include any of the technical recommendations included in the Soil and Land Capability Impact Assessment. Bengalla looks forward to working with I&I NSW (Primary Industries Division) to ensure the best land management outcome is achieved with the limited soil resource which will become available.	Administrative non-compliance – The Bengalla Mining Company Pty Limited Rehabilitation Management Plan (Bengalla, April 2013) and the Bengalla Mining Company Pty Limited Landscape Management Plan (Bengalla, April 2013) were both updated during the audit period. However the latest version of the Land Management Plan is dated 2008, and hence the review and update of that plan was not undertaken.
4.3.3	BMC's existing approval under Section 100 of the CMHS Act will be reviewed in respect of this Modification and updated as required.	Compliance of this condition could not be verified at the time of the audit.

Environmental Assessment (2010)																																						
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7.0	<p>In addition to the conditions of DA 211/93, BMC commits to the operational controls as outlined in Table 11 for all activities associated with this Modification.</p> <p style="text-align: center;">Table 11 Statement of Commitments</p> <table border="1"> <thead> <tr> <th>Ref</th> <th>Description</th> <th>Section</th> </tr> </thead> <tbody> <tr> <td colspan="3" style="text-align: center;">Construction and Operation</td> </tr> <tr> <td>1</td> <td>A procedure detailing specific topsoil stripping methods will be developed in consultation with I&I NSW to ensure topsoil stripped from the Southern OEA Extension is utilised beneficially within the rehabilitation activities of the existing OEA.</td> <td>6.3.4</td> </tr> <tr> <td>2</td> <td>No reject material or Wynn interburden (Archerfield Sandstone) will be placed within the Southern OEA Extension beyond the Limit of Reject Emplacement indicated on Figure 3.</td> <td>6.6.3</td> </tr> <tr> <td colspan="3" style="text-align: center;">Environmental Management and Monitoring</td> </tr> <tr> <td>3</td> <td>The CNA EMS will continue to be relied upon for environmental management, mitigation and monitoring at Bengalla, including for this Modification. 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This review will be undertaken in consultation with MSC, I&I NSW and to the satisfaction of DoP.	6.11	9	BMC will prepare a new Mining Operations Plan in accordance with I&I NSW Mining Rehabilitation Environmental Planning (MREP) Guidelines or relevant guidelines.	6.11	<p>Ref 1 - The Bengalla Topsoil Stripping Procedure (January, 2012) fulfils these requirements.</p> <p>Ref 2 - Interviews with Bengalla staff also confirmed that the site continues to be operated in this manner.</p> <p>Ref 3 and 4 - The auditors viewed evidence of management plans having been updated during the audit period to take into account comments made by regulators, including DP&I.</p> <p>Ref 5 - There has been an exceedance of these criteria. Monitoring results taken during the day of 20 June 2012 recorded a noise level of 41 dBA. Monitoring was being undertaken at Racecourse Road (i.e. the Farrell residence). An incident report was prepared, and provided to DP&I. Following the incident, Bengalla implemented several operational restrictions and containment measures to ensure ongoing compliance with noise criteria.</p> <p>Ref 6 - These additional groundwater monitoring bores were installed, as reported in section 3.6.1 of Bengalla Mining Company Pty Limited Annual Environmental Management Report and Annual Review 2011 (Bengalla, March 2012).</p> <p>Ref 7 - The Bengalla Mining Company Pty Limited Rehabilitation Management Plan (Bengalla, April 2013) and the Bengalla Mining Company Pty Limited Landscape Management Plan (Bengalla, April 2013) were both updated during the audit period.</p> <p>Ref 8 - The review of the Land Management Plan has not been done: the latest version of the Land Management Plan is dated 2008.</p> <p>Ref 9 - The Bengalla Mine Operations Plan MOP (1 January 2013 - 31 December 2015) (Bengalla) fulfils these requirements.</p>
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Mining Operations Plan		
Reference	Commitment	Audit Finding
4.3	Eastern Overburden Dump: Contoured to no more than a 10 degree slope.	Technical non-compliance – These slopes were viewed by the auditors during the site visit. Some slopes were observed to be above this 10% criterion.

Landscape Management Plan		
Reference	Commitment	Audit Finding
3.5	All lighting designs for infrastructure at Bengalla will also comply with the AS1680 – “Interior Lighting Code” in order to minimise any impacts that may occur during night time hours resulting from light reflectance.	Administrative non-compliance – Lighting at Bengalla is maintained according to PRO-0365 Placement and Operation of Lighting Sets. However there is nothing to suggest that this complies with AS1680 – “Interior Lighting Code.”

Air Quality and Greenhouse Gas Management Plan		
Reference	Commitment	Audit Finding
3.4 (Table 2)	<ul style="list-style-type: none"> - Review currently exposed overburden emplacement areas to assess: <ul style="list-style-type: none"> • material and surface characteristics (moisture and silt content) • The period over which such areas are to remain inactive 	There is nothing to show that this has been undertaken during the audit period.
3.4 (Table 2)	<ul style="list-style-type: none"> - Investigate most suitable interim stabilisation methods to the currently exposed overburden emplacement areas identified. 	During the site inspection discussions took place in relation to direct seeding the overburden stockpiles via an aerial seeding program as per that at other sites across the Hunter including Coal & Allied Mt Thorley Warkworth. However, No evidence of such investigations was provided to the audit team.

Water Management Plan		
Reference	Commitment	Audit Finding
5.2.1	While it is considered that transects between bores may not provide data that will confirm leakage from the alluvium, due to the high laterally permeability of the basal gravel aquifer, this method of analysis will be continued in the Wantana Extension area.	Compliance of these conditions could not be verified at the time of the audit.

Noise Management Plan		
Reference	Commitment	Audit Finding
5.2	<p>The following data parameters, as returned from each unattended monitoring site and the site weather station, will be trended in real time and display available in the operation dispatch area as a management tool:</p> <ul style="list-style-type: none"> - Omnidirectional low pass LA90 + 3 dB (estimated total mining LAeq); - Wind speed; - Wind direction; - Atmospheric stability class; - The relevant impact criterion; and - The relevant cumulative criterion. 	Administrative non-compliance – During the site visit the auditors viewed this real time monitoring in use (via computer screen in control room). However, this real time monitoring does not include cumulative criterion as this is not really possible to delineate from the control room.

Environmental Monitoring Program		
Reference	Commitment	Audit Finding
3.1	The QA program shall incorporate all listed and referred to specifications, manufacturer's requirements, third party testing and on site testing requirements. The QA program shall use quality inspection and test plans and these shall be robust in their function, operation and requirement.	Compliance of these conditions could not be verified at the time of the audit.
4.2.1	The Service Provider shall have a Quality Management and Assurance (QA) program, the QA program shall incorporate all listed and referred to specifications, manufacturer's requirements, third party testing and on site testing requirements. The QA program shall use quality inspection and test plans and these shall be robust in their function, operation and requirement.	

Previous IEA		
Reference	Commitment	Audit Finding
8	DA 211/93 - Schedule 3, Condition 50 Communicate with NSW Rural Fire Service and Council to confirm what is necessary.	Bengalla maintains a fleet of water carts onsite and a fully equipped mobile fire-fighting unit with the capacity to respond to bushfires if required. Bengalla's general emergency response team is also onsite also. During 2011, one small grass fire occurred across 3.74 hectares of Bengalla land. The incident was managed by Bengalla, and the fire was extinguished promptly. One small fire also occurred in the CHPP work area in 2011 and was also managed by site personnel. Bengalla have conducted consultation with NSW RFS (Report in to bushfire hazards and controls at Bengalla Mine Complex provided to auditors), however, evidence of communication with council could not be provided at the time of the audit.
10	DA 211/93 - Schedule 5, Condition 46b Locate evidence of when works were completed for addition into next independent audit.	Compliance of these conditions could not be verified at the time of the audit.
15	SEE 2006 - 22 Review tenancy situation and update agreements.	