

# **APPENDIX J**

## **Lamberts North Ash Repository Independent Environment Audit Findings – October 2018**

Reference	Non-compliance	Recommendation	EnergyAustralia Response	Proposed date of completion
PA 09_0186 B6	<p><b>Admin Non-compliant:</b> The BOMP does not include performance criteria;</p> <p>g) <b>Admin Non-compliant:</b> The BOMP does not include contingency measures to be undertaken should monitoring against performance criteria indicate that the offset/ rehabilitation measures have not achieved performance outcomes. The BOMP only mentions in Section 4.2.1 "If the monthly inspections reveal an issue, a basic action plan is to be prepared identifying appropriate recommendations to rectify the issue."</p> <p>* <b>Observation:</b> Some section references in Table 4 of the BOMP are incorrect.</p> <p>* <b>Non-compliant:</b> In accordance with the BOMP "Flora and fauna monitoring is to occur annually in spring for the first five years." A baseline flora and fauna assessment was undertaken in March 2016 and according to site comms monitoring was also undertaken in spring 2018. No biodiversity monitoring was undertaken in 2017.</p>	<p>Rec 1: Include in the BOMP performance criteria;</p> <p>Rec 2: Include in the BOMP contingency measures;</p> <p>Rec 3: Update section references in Table 4 of the BOMP; and</p> <p>Rec 4: Consult with DPE regarding the annual flora and fauna monitoring commitment in the BOMP. Make amendments to this commitment in accordance with the outcomes of consultation with DPE.</p>	Noted. The updated BOMP has been updated to address the proposed recommendations and submitted to NSW DPIE for approval.	Complete
PA 09_0186 B10	c) <b>Admin Non-compliant:</b> The Community Information Plan (CIP) is not included on the website;	Rec 5: Include the CIP on the Lamberts North Ash Repository website.	The CIP has been included on the Lamberts North Ash Repository website.	Complete

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PA 09_0186 B11	c) <b>Admin Non-compliant:</b> An email address is not advertised on the EA website	Rec 6: Postal address and email address for lodging complaints should be included on the Lamberts North website.	The Lamberts North website has been updated to include a link to the 'Contact Us' details.	Complete
PA 09_0186 D2 SoC 1	<b>Non-compliant:</b> During the site inspection a jerry can was noted as being stored next to the office at the Lendlease laydown area. It was not in a designated storage area that was contained or bunded. The OEMP states "All hazardous chemicals shall be stored in designated covered storage areas outside Lamberts North, underlain with concrete floor and away from concentrated stormwater flow. They should also be appropriately bunded or contained in accordance with AS 1940-2004 Storage and handling of flammable and combustible liquids."	<p>Rec 7: All hazardous chemicals should be stored in designated covered storage areas outside Lamberts North ash repository. If hazardous materials are to be stored at the Lamberts North ash repository they should be placed in a designated storage area that is contained or bunded.</p> <p>Rec 8: Update the OEMP, following the completion of the independent groundwater investigation, such that it reflects the new owners of the site (EA).</p>	<p>The jerry can in question was being utilised at the time and was temporarily placed at the office. There is a permanent storage facility for hazardous materials at the ash repository. The jerry can has since been removed and placed in the hazardous materials storage facility.</p> <p>The OEMP has been updated to reflect EnergyAustralia as the new owners of the site.</p>	Complete

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PA 09_0186 D3	<p><b>Groundwater</b></p> <p>* <b>Admin Non-compliant:</b> The updated groundwater model for Lamberts North ash repository, per condition B2, is not referred to;</p> <p>* <b>Non-compliant:</b> AEMRs indicate groundwater trigger levels and environmental goals have been exceeded for some analytes in several bores.</p> <p>* <b>Observation:</b> The Groundwater Management Plan does not reflect the current program of works being undertaken at the site. EA has communicated to regulators and DPE has acknowledged that the Groundwater Management Plan (in the OEMP) is to be updated following the completion of the independent groundwater investigation</p> <p><b>Surface Water</b></p> <p>vii) <b>Admin Non-compliant:</b> A site water balance is not included in the OEMP;</p> <p>* <b>Non-compliant:</b> The 2018/2019 AEMR reports exceedances of surface water trigger levels and environmental goals at WX22 but "based on the surface water quality data, the exceedances are generally considered to be the result of influences from background sources or may be associated with effects of seasonality."</p>	<p>Rec 9: Include DPI Water response in Appendix E (Stakeholders Consultation) of the OEMP.</p> <p>Rec 10: Update the Groundwater Management Plan following the completion of the independent groundwater investigation</p> <p>Rec 11: Include a site water balance in the OEMP</p> <p>Rec 12: Undertake further assessment and an independent investigation of surface water in the vicinity of the Lamberts North ash repository</p>	<p>Noted, recommendations 9, 10, 11, and 12 will be incorporated into the OEMP when updated.</p> <p>An independent groundwater investigation has been commissioned by EnergyAustralia NSW. The Department of Planning &amp; Environment, Environment Protection Authority and Water NSW have been consulted throughout this process to-date. The independent groundwater investigation is anticipated to be progressively completed throughout 2020.</p> <p>The OEMP will be updated at the completion of the independent groundwater study.</p>	Dec 2020

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PA 09_0186 E12	<p>* <b>Observation:</b> The OEMP refers to the superseded version of the NSW Industrial Noise Policy (2000 edition).</p> <p>* <b>Admin Non-compliant:</b> 2016/2017 AEMR reported that the Noise Management and Monitoring Program was not reviewed after 3 years of operation, in accordance with Section 6.3.5.5 of the Noise Management Monitoring Program.</p>	<p>Rec 13: Update the OEMP such that it refers to Noise Policy for Industry (2017), instead of the NSW Industrial Noise Policy (EPA,2000)</p> <p>Rec 14: Ensure the Noise management and Monitoring Program is reviewed every 3 years to determine the effectiveness of mitigation measures and the monitoring commitments.</p>	<p>The OEMP has been updated to reflect the NSW Industry Noise Policy (2017).</p> <p>EnergyAustralia engages independent noise specialist to undertake routine noise monitoring to determine compliance with its activities. EnergyAustralia NSW will have the independent consultant formalise the review to determine the effectiveness of mitigation measures and the monitoring commitments in its 6-monthly reporting.</p>	Complete
PA 09_0186 E22	<p>- <b>Admin Non-compliant:</b> DPE audit report submission letter dated 29 April 2015. IEA not submitted within the required timeframe.</p>	<p>Rec 15: Ensure future IEA reports are submitted within required timeframes.</p>	<p>Noted</p> <p>Audit reports to be submitted to DPE within 2 months of site inspection.</p>	Complete

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PA 09_0186 SoC 4	<p><b>Observation:</b> Soil and Surface Water Management Plan (in the OEMP) does not reference Dam 1, Dam 2, Dam A or B and Dam C (to be built).</p> <p>* <b>Non-compliant:</b> The 2018/2019 AEMR reports exceedances of surface water trigger levels and environmental goals at WX22 but "based on the surface water quality data, the exceedances are generally considered to be the result of influences from background sources or may be associated with effects of seasonality."</p> <p>* <b>Non-compliant:</b> AEMRs indicate groundwater trigger levels and environmental goals have been exceeded for some analytes in several bores. - Mount Piper Ash Repository Groundwater Program Update, dated 10 April 2018, reports chloride and trace metals concentrations exceed background limits at a number of the groundwater bores.</p>	<p>Rec 12: Undertake further assessment and an independent investigation of surface water in the vicinity of the Lamberts North ash repository</p> <p>Rec 16: Include Dams 1 &amp; 2 and A, B &amp; C in the OEMP.</p>	<p>An independent investigation has been commissioned by EnergyAustralia NSW. The Department of Planning &amp; Environment, Environment Protection Authority and Water NSW have been consulted throughout this process to-date. The independent investigation is anticipated to be completed by Quarter 4 2020.</p> <p>The OEMP has been updated to include Dams 1 &amp; 2 and A, B and C.</p>	Dec 2020

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<b>PA 09_0186</b> <b>Statement of Commitments</b> <b>7</b>	<b>Admin Non-compliant:</b> Landscape/Revegetation Plan does not include processes for the management of on-site weeds <b>Observation:</b> Presence of weeds on-site, although some weed management has been undertaken	Rec 17: Include in the Landscape/Revegetation Plan processes for the management of on-site weeds. Rec 18: Undertake further weed management work at the site.	The Landscape/Revegetation Plan will be updated in the OEMP as recommended. The OEMP will be updated at the completion of the independent groundwater study. Additional weed management will be implemented such as spraying to ensure they are controlled to an acceptable standard. Additional weed spraying will be conducted throughout 2019.	Complete
<b>EPL 13007</b> <b>R1.1</b>	<b>* Admin Non-compliant:</b> A Statement of Compliance - Environmental Management Systems and Practices is missing from the 2014 Annual Return	Rec 19: Include a Statement of Compliance - Environmental Management Systems and Practices in future Annual Returns	Noted. A statement of compliance – Environmental Management Systems has been included in the 2015, 2016, 2017 and 2018 Annual Returns.	Complete
<b>EPL 13007</b> <b>G2.1</b>	<b>Admin Non-compliant:</b> During the site inspection noted EPA point number 1 was not labelled	Rec 20: Label EPA point number 1.	EPA point number 1 has been labelled.	Complete
<b>Internal auditing</b>		Update the Lamberts North Compliance and Tracking Document on an annual basis	The Lamberts North Compliance and Tracking Document is performed annually as part of AEMR.	Complete

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<b>Management Plan</b>		Remove incorrect sensitive receptors from Figure 6-1, Figure 6-4 and Figure 6-5, in the OEMP.	A number of private residences no longer exist in Blackmans Flat as they have been purchased by a local coal mining company and the homes have been removed. The OEMP has been updated to include a single figure containing monitoring locations (Figure 3).	Complete
<b>Noise</b>		Implement noise mitigation measures included in the OEMP to manage cumulative operational noise	Noted. EnergyAustralia engages independent noise specialist to undertake routine noise monitoring to determine compliance with its activities. The monitoring indicates that noise mitigation measures included within the OEMP have been implemented to effectively manage cumulative operational noise.	Complete
<b>Weather station</b>		Ensure continuous meteorological monitoring data is recorded at Mt Piper Power Station.	The meteorological station at Mt Piper records on a continuous basis to a data logger in accordance with the Environment Protection Licence (EPL 13007).	Complete
<b>Air Quality Monitoring Program</b>		Update the Air Quality Monitoring Program to include monitoring during final rehabilitation and stabilisation of the site.	Noted.	Complete



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<b>Air Quality Monitoring Program</b>		Include dust monitoring points on Figure 5-1 in the OEMP	The OEMP has been updated to include a single figure containing monitoring locations, including the dust monitoring points (Figure 3).	Complete
<b>Waste</b>		Clarify with EPA whether or not stainless-steel clips and mild steel caps are permitted to be disposed of at Lamberts North Ash Repository.	A clarification with the EPA will be undertaken for future possibility of disposal of these items.	Jul 2020
<b>EPA Contact details</b>		Include the EPA's environment service telephone number in the OEMP's Environment Incident Response Procedure.	Noted. EPA's environment service telephone number is contained within EnergyAustralia's Pollution Incident Response Management Plan, which is referenced in Section 3.9.4 of the OEMP.	Complete

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<b>Weather Station</b>		Investigate if the weather station at the Area A repository is positioned in accordance with The Australian Standard “AS3580.14:2014 <i>Methods for sampling and analysis of ambient air</i> ”. If the position of this weather station is found to be in accordance with this guideline, then the data from this weather station should be considered for interpretation of monitoring data.	The weather station included under the Mt Piper Environmental Protection Licence is located at Mt Piper Power Station. The weather station located at the ash repository has been installed by the ash contractor in addition to the existing Mt Piper weather station to assist in the daily management of the facility. EA will request the contractor confirm that the weather station meets the relevant Australian Standards for measure meteorological conditions. EA does consider the data from this weather station to investigate incidents if required.	Jun 2020