
UPPER HUNTER AIR QUALITY MONITORING NETWORK (UHAQMN) – ADVISORY COMMITTEE

MEETING MINUTES – Meeting 12

Date: 1 May 2014

Time: 10:00am – 1:00pm

File: EF13/5718 DOC14/64203-02

Meeting Location: Singleton Library Meeting Room

In attendance: John Tate (Chairperson), Cr Wayne Bedggood, Dr Catherine Chicken, Dr Craig Dalton, Craig Flemming, Ben Harrison, Dr Suzanne Laucht; Patrice Newell, Geoffrey Sharrock, Andrew Speechly, Wendy Wales, John Watson

Office of Environment and Heritage (OEH): Matt Riley

Environment Protection Authority (EPA): Mitchell Bennett, Emma Coombs, David Fowler (Director Reform and Compliance)

Apologies: Lyn MacBain, Cr Sue Moore, Scott Brooks

Agenda Item:

1. Acknowledgement of Country

2. Welcome and Introductions

Mr Tate welcomed committee members.

3. Apologies (see above)

4. Previous Meeting Minutes and Actions

The Advisory Committee members adopted the minutes from the meeting of 27 February 2014.

Responding to Actions of the previous meeting:

- EPA has emailed a link to the 2012 Annual Report to all committee members.
- EPA has advised councils of the availability of the 2012 Annual Report.
- Other actions will be dealt with under separate agenda items.

ACTION 1: EPA to distribute future meeting dates.

5. Community Feedback

EPA provided copies of one media article referring to the Network.

Mr Riley noted that OEH was now producing an annual statement about air quality in NSW.

6. Network Performance Report and System Performance

Mr Riley distributed a paper on OEH's quality assurance processes and invited comment by 30 June 2014. Mr Riley explained that no presentation would be given, as it is important that the report is able to be understood without independent explanation.

Mr Riley reported on the Network's performance for the period February 2014 to March 2014, providing details of the Network's operation and data capture and monitoring results.

Over the full reporting period (1 February – 31 March 2014) the Muswellbrook PM₁₀ monitor had an overall performance of 92% data capture due to scheduled maintenance in March 2014.

The Maison Dieu and Merriwa PM₁₀ monitors had 96% data capture rates due to scheduled hardware calibration and maintenance in February 2014.

There had been only one PM₁₀ level over 50 µg/m³ for the two month period. This was 52.2 µg/m³ at Wybong. Rainfall accounted for the low particulate matter levels recorded.

Gaseous monitoring at Singleton and Muswellbrook was well within national standards. Some sulphur dioxide spikes were apparent at Muswellbrook. This is likely to be due to power station emissions and the prevailing meteorological conditions. Scheduled maintenance in February 2014 reduced the data capture rate of the gaseous monitors to 92%.

Mr Riley also presented a seasonal snapshot for the summer period. He noted that south easterly winds were dominant as expected. He noted that bushfire smoke had resulted in elevated particulate matter levels in late December at a number of monitoring sites. He noted that 2013-14 had been the driest summer in 30 years and included the fifth warmest summer days on record. He noted that the Hunter Valley had received 200-400 mm less rainfall than during the previous summer.

Dr Laucht requested information on wind roses. Mr Riley directed committee to Attachment A of the Performance Report.

Mr Tate inquired about the height that the wind roses are measured at and whether or not there is a standard height? Mr Riley advised that they are measured at 10m above ground level in accordance with Australian Standards. Any lower and they would be affected by ground level influences.

Dr Chicken enquired as to locations in relation to building, trees and other obstructions. Mr Riley advised that all masts are sited in locations which meet Australian Standards. That is, generally at a distance of ten times the height of the obstruction.

Feedback on the reports was invited by 1 June 2014. It was noted that the table showing the number of days when particulate matter exceeded 50 µg/m³ should also show lower values.

Some ideas for dissemination of information include a fact sheet for schools, a website with voiceover explanation and a simpler summary statement.

ACTION 2: EPA to invite committee members to provide feedback on the OEH reports in particular addressing the following questions:

1. **Should the reports be combined?**
2. **Is the seasonal report valuable?**
3. **Is the event analysis valuable?**
4. **Other comments?**

7. Regulatory Power, Roles and Responsibility of the EPA

Mr Bennett gave a presentation on the EPA's powers, roles and responsibilities for the regulation of environmental impacts from industry in the Upper Hunter Valley.

Mr Bennett made the following key points:

- Department of Planning and Environment is going to explain its role at a later committee meeting.
- EPA responsible for large industries (those which meet the thresholds nominated in the POEO Act) and public authorities.
- A number of regulatory tools are available to the EPA such as Environment Protection Licences (EPLs), clean up notices and prevention notices.
- Large proposals go through an environmental assessment process which is assessed by planning authorities with advice on air, noise and water quality by EPA. EPA-issued EPLs cannot be inconsistent with the planning approval.
- EPLs incorporate six main elements – administrative details, limits, operational conditions, monitoring conditions, reporting conditions and pollution reduction programs.
- One of the advantages of an EPL is that it is flexible and can be used to achieve environmental improvements where necessary.
- Pollution Reduction Programs (PRPs) are used where necessary to reduce pollutant emissions. An example is the Dust Stop PRPs which recently were placed on all open cut coal mine EPLs. Dust Stop requires all open cut coal mine licensees to achieve 80% control efficiency of haul road dust; to report on operational changes due to adverse weather; and to investigate better ways of controlling dust during overburden handling operations.
- Each licensee pays an administrative fee which is dependent upon the scale of the activity.
- Load based licensing (LBL) fees apply to some industries and are dependent upon the amount of particular pollutant emitted.
- A risk-based licensing concept is also being introduced which will be discussed in detail by David Fowler.
- A summary of the regulation outcomes (penalty notices, prosecutions, PRPs and enforceable undertakings) also was provided.

8. Improvement in Industry Monitoring

Mr Bennett updated the committee on recent discussions with a community member about the value of existing particulate matter monitoring carried out by mining companies. As a result of feedback received, the EPA will proceed with the review of monitoring on a site-by-site basis, using the community consultative committees as a focus for consultation.

It was suggested that it was unnecessary to have discussions with each mine prior to discussion with the consultative committees due to presence of mine representatives on each one.

9. Risk-Based Licensing

Mr Fowler gave a presentation on the EPA's risk-based licensing (RBL) framework which is about to be introduced. Mr Fowler made the following key points:

- The introduction of the government's reforms to re-establish the EPA as an independent, modern and accountable regulator is the first stage of strengthening environmental regulation in NSW.
- The EPA currently issue 2,500 EPLs over 100 different scheduled activities, of these 300 are subject to load based licensing.
- Risk based licensing will apply to approximately 2000 premises based licences.
- Risk-based licensing aims to ensure that all environment protection licensees receive an appropriate level of regulation based on the environmental risk of the activity which will allow the EPA to better target regulatory efforts towards high risk and poor performing licensees.
- The regulatory framework also provides incentives for licensees to improve environmental performance and compliance.
- Key elements of the RBL framework include:
 - Three-level regulatory approach with each premises allocated to a level based on a risk assessment.
 - Licence conditions and regulatory intervention linked to level of environmental risk.
 - Licence levels also will be available publicly.
- All assessments will be undertaken by EPA in consultation with the licensees.
- The environmental performance of a licensee will inform the calculation of the licence administrative fee. Licensees with a poor environmental management performance/compliance history will pay a higher fee. Increased fees for poor operators aim to encourage improved environmental performance.
- In addition to considering 'poor' performance in the calculation of the environmental management category, the EPA also recognises positive/proactive environmental management systems and environmental improvement programs initiated by the licensee.
- The benefits of the proposed RBL framework include:
 - Improve understanding of potential environmental impacts using evidence based approach.
 - More effective targeting EPA resources to high risk activities.
 - Improved consistency in licence management and regulatory approaches.
 - A more transparent regulatory approach.
 - Improved incentives to improve environmental performance.
 - Reduce unnecessary red tape for both industry and EPA.
 - Improved information to monitor/evaluate EPA/licensee performance.

It was noted that assessing the environmental risk associated with each licence was a major resource commitment.

Mr Fowler noted that the EPA would be releasing comprehensive information regarding Risk-Based Licencing. This can be found at <http://www.epa.nsw.gov.au/licensing/licencereg.htm>.

10. General Business

Dr Craig Dalton noted that there are many people who hold concerns about the health impacts of air quality in the Upper Hunter and suggested ways that information about air quality could be made more accessible to the community.

Other suggestions included:

- A pamphlet provided to local doctors to put in their waiting rooms.
- Provision of easily understandable information for regular publication in local newspapers.
- Statements similar to OEH's annual snapshots of NSW's air quality.
- Information provided to subscribers to the OEH air quality alert system.
- Direct contact with local journalists.
- Social media feeds.

ACTION 3: EPA will consider the suggested ways that information about air quality could be made more accessible to the community and report back to the next meeting.

Mr Bennett advised that the Honourable Rob Stokes is now the Minister for the Environment, Minister for Heritage and Assistant Minister for Planning. The EPA Chair and CEO reports directly to the Minister. The EPA sits within the new Planning and Environment cluster as a separate public service agency.

Mr Sharrock asked that the minutes be circulated earlier in future.

Meeting closed at 12:55 pm.

Next meeting date: 31 July 2014.

Minutes reviewed by: John Tate (Chair)