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

### MEETING MINUTES – Meeting 13

**Date:** 31 July 2014                      **Time:** 10:00am – 1:00pm  
**File:** EF13/5718 DOC14/157132-02

**Meeting Location:** Singleton Library Meeting Room

**In attendance:** John Tate (Chairperson), Cr Wayne Bedggood, Scott Brooks, Dr Catherine Chicken, Dr Craig Dalton, Craig Flemming, Dr Suzanne Laucht, Lyn MacBain, Geoffrey Sharrock, Andrew Speechly, Wendy Wales, John Watson

Office of Environment and Heritage (OEH): Matt Riley

Environment Protection Authority (EPA): Mitchell Bennett, Leanne Graham

**Apologies:** Cr Sue Moore

#### 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 1 May 2014.

Responding to Actions of the previous meeting:

- OEH will provide, before the next meeting on 16 October 2014, a draft discussion paper on a proposed method to determine how the Advisory Committee is to assess the need for new air quality monitor for the network. OEH apologised for the delay.
- OEH will publish the summary of quality assurance procedures involved in preparing annual reports for the network, incorporating committee's feedback on the draft.
- Committee members provided feedback to OEH on the network report and seasonal analysis for summer 2014. OEH incorporated the feedback into the report and seasonal analysis for autumn 2014
- Other actions will be dealt with in agenda items.

#### 5. Community Feedback

EPA circulated media articles published since the previous meeting that refer to the Network or the Advisory Committee.

Mr Sharrock referred to a media article in the Newcastle Herald on 6 June 2014, in which a community member claimed that 'no one does anything' about dust from mines. Mr Sharrock enquired whether it would be within the Advisory Committee's charter to inform the community member of the EPA's actions to reduce dust in Upper Hunter.

The committee members discussed how best to respond to misinformation in the media. Mr Bennett and Mr Riley noted that the public release of the 2013 Annual Report on the network would present an opportunity for the EPA to report publicly on its actions to reduce dust from mines and could include quotes by the Chair.

**ACTION 1: OEH and EPA to prepare a media release to coincide with the publication of the Upper Hunter Air Quality Monitoring Network Annual Report 2013 and to provide journalists with access to the report.**

Committee members asked that the EPA broaden the criteria for media articles provided to the Advisory Committee, to include articles which refer to Upper Hunter air quality as well as the Network and the Advisory Committee.

Ms Wales enquired about the regulatory responses to the fume event from mine blasting, reported in the media in February 2014. Mr Bennett advised that the EPA is currently investigating three incidents where blast fumes allegedly impacted on residential communities. Details of these investigations could not be discussed publicly because they may result in court action. Mr Brooks advised that the DPE had negotiated improvements to blasting procedures at the mine responsible for a fume event in February. Mr Brooks noted that the Department of Planning and Environment (DPE) provided a compliance report on its website.

In response to discussion, the committee supported the following recommendation and action.

**RECOMMENDATION 1: Mr Brooks to inform the Department of Planning and Environment that the Advisory Committee recommended public reporting of improvements to blast fume management plans and similar changes to management procedures.**

**ACTION 2: Mr Brooks to provide to the Advisory Committee a summary of the Department of Planning and Environment's actions following the blast fume event in February 2014.**

The mining industry representatives noted while they did not object to the Advisory Committee's broaching the issues above, they also noted: that the industry's community consultative committees provided the key forum for discussion of mine blasting issues; that the NSW Mineral's Council's Upper Hunter Mining Dialogue is planning a public information event, to be held in 2014; and that providing advice on mining management practices lies outside the Advisory Committee's Terms of Reference.

Mr Sharrock re-iterated the need for the wider community to receive feedback about regulatory actions and asked how the delivery of messages might be improved.

Mr Bennett noted that the EPA was looking at better ways to communicate with the wider community. Mr Bennett noted that if the Advisory Committee wished to broaden its role, its Terms of Reference may need to be reconsidered.

Dr Dalton recommended a dedicated whole-of-valley meeting, including the EPA's communication experts and external experts, to discuss roles of all players in the valley. The committee members supported the following recommendation.

**RECOMMENDATION 2: That the Advisory Committee holds a dedicated meeting, including the EPA's communication experts and external experts, to discuss communications on air quality in the Hunter valley, in order to map the communications structure for the valley; define the roles of all players including EPA, OEH, DPE, NSW Health, NSW Mineral's Council's Mining Dialogue, and clarify the role of the Advisory Committee.**

The Chair suggested that the EPA provide the Advisory Committee agendas to the media after each meeting. The Advisory Committee supported the Chair informing the media, if asked after the meeting, regarding committee's discussion of the mining blast event in February 2014 and noting that the EPA's investigations continued.

## **6. Network Performance Report and Seasonal Analysis**

Mr Riley reported on the Network's performance for 1 April 2014 to 30 June 2014, providing details of the Network's operation and data capture and monitoring results.

Over the reporting period, all monitors achieved 95% data capture, or better, with the exception of the Muswellbrook and Singleton NO<sub>2</sub> monitors, which achieved 94% data capture due to scheduled maintenance.

Pollutant levels were lower than benchmark concentrations for PM<sub>2.5</sub>, NO<sub>2</sub> and SO<sub>2</sub> across the network during the reporting period. PM<sub>10</sub> levels were lower than the benchmark concentration, of 50 µg/m<sup>3</sup>, at the larger population centres. PM<sub>10</sub> levels above the benchmark were recorded on four days in the 91-day period: Camberwell recorded 53.5 µg/m<sup>3</sup> on 24 June 2014; Maison Dieu recorded 54.5 µg/m<sup>3</sup> on 25 May 2014; and Singleton NW recorded 57.7 µg/m<sup>3</sup> on 19 May 2014 and 54 µg/m<sup>3</sup> on 26 May 2014.

Mr Riley presented a seasonal analysis for the autumn period, March to May 2014. The Upper Hunter experienced a wetter autumn in 2014 than 2012 and 2013, potentially contributing to better air quality. The Upper Hunter received above average rainfall, with up to 50 mm more rain than 2013 and 50 mm to 100 mm more than 2012. Mr Riley noted that the region often received heavy rain in short storm events.

Maximum and minimum temperatures were average to above average. Autumn winds showed the typical seasonal variability of valley flows generally from the NW or SE.

Mr Riley noted that the graphs of 30 day rolling average particle concentrations showed seasonal variations, with generally lower levels of PM<sub>10</sub> in the cooler months. PM<sub>2.5</sub> levels showed the influence of woodsmoke in the cooler months, with distinct peaks at Muswellbrook and lower peaks at Singleton. Camberwell PM<sub>2.5</sub> levels showed less seasonal variation, most likely reflecting more diverse sources of PM<sub>2.5</sub>.

Mr Riley noted that while SO<sub>2</sub> levels were better than benchmark levels at Singleton and Muswellbrook, spikes in SO<sub>2</sub> and oxides of nitrogen occurred during stable atmospheric conditions and light winds. The 2013 Annual Report would include analysis of the specific meteorological conditions and pollutant plume behaviour likely to be associated with these higher SO<sub>2</sub> events.

In conclusion, Mr Riley welcomed ongoing feedback on the report and the analysis.

## 7. Regulatory Power, Roles and Responsibility of the Department of Planning and Environment

Mr Brooks gave a presentation on the DPE's powers, roles and responsibilities for the regulation of environmental impacts from coal mines in the Upper Hunter Valley.

Mr Books made the following key points:

- The DPE Singleton office opened in October 2010, in response to community calls for better regulation of coal mining activity in the Hunter. In 2014, responsibilities expanded to include mining in the coal fields of western and northern NSW and the development of coal seam gas operations near Gloucester.
- The DPE Singleton office's key role is managing compliance, ensuring that developments comply with planning approvals and associated documents.
- In the reporting year 2013-2014, the Singleton office:
  - Conducted 60 surveillance trips for mine generated dust
  - Conducted 118 mine inspections, mostly for dust
  - Received 208 complaints, including 127 noise related complaints (largest source)
- Responsibilities include blast fume regulation in the coal mining industry:
  - 2011 - consultation to determine causes and best practice to minimise fumes;
  - 2012 - Hunter mines required to rate, record and report fume events and to prepare Blast Fume Management Strategies. All mines now have approved strategies.
  - 2014 - Mudgee and Gloucester followed the process. Gunnedah will follow shortly.
- Blast Fume Management Strategies require mines to better consider the risk of fumes in the blast design and firing conditions.
- Blast fume statistics:
  - 2013 – 2,652 blasts in Hunter Valley: 73% with no fume, 98% with less than Level 2 fumes (relatively insignificant fumes); and two blasts with Level 5 fumes (highest level),
  - 2014 – six reportable blasts with fumes this calendar year.
- A Biodiversity Offset Review involved inspections of all mines and was completed in August 2013. The review resulted in the development of Biodiversity Management Plan Guidelines, requiring mines to plan for bushfire management, weed management and long-term tenure and land use conflicts.
- Other responsibilities include engaging with stakeholders, including local councils, the EPA, NSW Department of Resources and Energy and the NSW Mineral's Council.
- Key regulatory outcomes of the DPE Singleton office:
  - 1 prosecution for non-compliance with dump height - \$84,000 court imposed fine.
  - 24 penalty notices involving fines – 7 dust-related, 6 blast-related and 11 other.
- The NSW Government will release an interagency Integrated Mining Policy by end 2014.

In response to discussion, Mr Brooks noted that heritage issues on mines are managed by the Office of Environment and Heritage and Mr Bennett noted that the EPA manages noise issues via the Industrial Noise Policy which currently is being reviewed. The Chair and committee members thanked Mr Books for his comprehensive presentation.

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## **8. Improvement in Industry Monitoring**

Mr Bennett updated the committee on the EPA's recent discussions to improve particulate monitoring by mining companies, given that the establishment of the network provided continuous monitoring of ambient air quality in communities.

The EPA recently initiated consultation with the Bulga community consultative committee. Currently, the Bulga mine operates solar powered continuous samplers upwind and downwind of its mining activities. The EPA received strong support from one community member for requiring mines to operate continuous real-time monitors close to their mining operations.

The EPA will continue to inform the Advisory Committee as discussions with the industry's community consultative committees proceed.

In response to discussion, Mr Brooks noted that residents and land holders remain entitled to ask for independent air quality assessments on their properties.

## **9. Discussion – How the monitoring data from the Network may be accessed and used in a more meaningful way by mines.**

Mr Brooks noted that some mines had requested quicker access to air quality data from the network, to help plan mining activities and minimise dust. In discussion, Mr Speechly confirmed that his mine accessed real time data from the network monitoring station at Maison Dieu. Mr Watson noted that access to real time data for all sites across the network would complement the mines' existing methods of estimating dust risk. Methods included onsite observation and the Hunter Valley dust forecasting tool developed by the Australian Coal Association Research Program.

**ACTION 3: OEH to report on the feasibility of providing near real time air quality data to mine operators to complement existing methods of estimating dust risk.**

**ACTION 4. EPA to circulate to committee members the web link to the Hunter Valley dust forecasting tool developed by the Australian Coal Association Research Program.**

## **10. General Business**

Ms MacBain asked how mines are managed when production closes. Mr Bennett advised that no mines in the Hunter Valley, recently, had surrendered their Environment Protection Licences and so they continue to be obliged to comply with the conditions of those licences. Mr Brooks explained that the mines' management plans require ongoing monitoring of environmental impacts.

Dr Dalton confirmed his availability to meet with the EPA to discuss the Advisory Committee's recommendation for a meeting to identify a communication plan for the Advisory Committee, including its products and resources.

Mr Sharrock thanked the EPA for sending the minutes earlier and asked that OEH's network report be circulated earlier in future.

Mr Bennett noted that the EPA recently appointed Mr Adam Gilligan as Manager Hunter Region. Mr Gilligan apologised that he could not attend the meeting and would like to attend a future meeting of the Advisory Committee.

The Chair received a letter of resignation from community representative Ms Patrice Newell. The Chair noted Ms Newell's valuable contribution to the Advisory Committee since its inception and asked the EPA to send Ms Newell a letter of thanks. The EPA will publicly advertise the vacancy.

The Chair recently met the Hon Rob Stokes, Minister for the Environment, and discussed the Advisory Committee. The Minister expressed his growing appreciation for the work of the Advisory Committee.

Meeting closed at 12:55 pm.

**Next meeting date:** 16 October 2014.

Minutes reviewed by: John Tate (Chair).