



Thursday 15 December 2016

LBL Review
Regulatory Reform and Advice Branch
Environment Protection Authority
PO Box A290
Sydney South NSW 1232

SUBMISSION: LOAD BASED LICENSING ISSUES PAPER

CMOC-Northparkes (Northparkes) is a gold copper mine situated 30 km north-west of Parkes in the Central West of NSW. Northparkes is remote from large population centres and operates in accordance with strict environmental conditions to protect the environment and near neighbours from the impact of mining operations.

The Load Based Licensing Issues Paper (Issues Paper) raises the potential of extending the Load Based Licensing Scheme to mining, based on some limited analysis of emissions inventories. However, Northparkes believes that there has been no case demonstrated for applying the Load Based Licensing (LBL) scheme to mining and that given the effectiveness of existing regulatory measures and the variability in the costs of pollution from mining operations, it would be ineffective, inefficient and highly complex to apply to mining. The EPA should not pursue the extension of the LBL scheme to include mining operations.

Given the nature of mining-related emissions, other regulatory tools provide the EPA and licence holders with much greater ability to tailor pollution controls to specific circumstances.

Major issues with the Load Based Licensing Scheme and the information contained in the Issues Paper are outlined below.

The current success of the LBL is unclear.

- The Issues Paper does not present a sufficiently clear demonstration of the scheme's success. Furthermore, the reduction in emissions attributed to the LBL scheme correlates with a decline in the output of industries covered by the LBL scheme, bringing in the question what benefit the LBL scheme has actually had.

LBL is unsuitable to apply to fugitive dust emissions.

- Northparkes supports the view of the NSW Minerals Council that the analysis of particulate emissions from mining projects – as outlined in the Issues Paper – omits important data.
- The Issues Paper understates the complexity of applying LBL to fugitive dust emissions, with emission estimation techniques generally being conservative to account for uncertainty in calculating fugitive dust emissions and lacking the resolution to reflect gradual improvements in emissions management. Moreover, applying LBL to fugitive dust emissions at mines is unlikely to further reduce emissions given the extensive regulation already in place.

- There is significant variability in the impact of mining-related emissions. Northparkes is an example of a mine that is not located near major population centres and therefore the external costs of particulate emissions would be much lower than other mining operations. Accurately reflecting this variability into the LBL scheme would make it inherently more complex.

There is no evidence to support applying LBL to water pollutants from mining operations

At Northparkes, ore processing water is retained and recycled. Northparkes does not believe the Issues Paper presents evidence to support applying LBL to water pollutants from mining operations. Clear evidence of cumulative impacts and a failure of existing regulation to address impacts have not been outlined, which are prerequisites to any consideration of an extension of the LBL scheme.

Northparkes recommends that the EPA does pursue the extension of the LBL scheme to include fugitive dust emissions.

Yours faithfully

Stefanie Loader
Managing Director
CMOC-Northparkes Mines

15 December 2016