



Our ref: DOC23/903965

Dr Amanda Cohn MLC
Chair
Portfolio Committee No. 2 - Health
Parliament of NSW

By email: portfoliocommittee2@parliament.nsw.gov.au

Dear Chair

I refer to Portfolio Committee No. 2's Inquiry into the current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in New South Wales and to the hearing on 18 September 2023.

Response to the supplementary question

Please find enclosed my response to the supplementary question.

Clarification of my evidence

Thank you for the opportunity to review the uncorrected transcript. I wish to clarify some of my evidence. This information is enclosed.

Yours sincerely

Stephen Beaman
Executive Director Regulatory Practice and Services

Encl

16 October 2023

Portfolio Committee No. 2's Inquiry into the current and potential impacts of gold, silver, lead and zinc mining on human health, land, air and water quality in New South Wales

**Stephen Beaman, Executive Director Regulatory Practice and Services
Environment Protection Authority**

Clarifications

1. Penalty notice amount

Page 35 of the uncorrected transcript states:

Also, I just want to follow up quickly on the issue of penalties under the Protection of the Environment Operations Act. People get very focused on the \$1,500, which is on the spot.

My reference to \$1,500 was intended to be a reference to \$15,000. Could you please consider amendments to the uncorrected transcript to correct or acknowledge this.

2. Cadia Holdings Pty Limited's environment protection licence

Page 41 of the uncorrected transcript states:

Ms CATE FAEHRMANN: Back to Cadia's EPL, environment protection licence. Has that been altered to now take into consideration—I understand that it didn't to begin with, didn't have—not adequately regulated in terms of metal-contaminated dust emissions, that EPL didn't address that. Has it been amended to address that? Is that the latest variation? Has it now picked up all of that?

STEPHEN BEAMAN: Yes. The installation of the fan and the VR8, we weren't consulted on as part of that process. For whatever reason, we weren't consulted as part of that proposed development change to the site or that modification. Then we've seen the audit result for that. That was the exceedence [sic] that was coming out, the alleged—

.....

STEPHEN BEAMAN: The clean air regulations have requirements and limits on what we call type 1 and type 2 substances. Type 1 is antimony, arsenic, cadmium, lead and mercury. So any emission point needs to comply with the general requirement in the clean air regs for type 1 air emission limits. Now they've been included.

Ms CATE FAEHRMANN: Just to be clear, the EPL now has discharge limits for—

STEPHEN BEAMAN: Yes, for type 1, so a whole range of heavy metal. Dr Wright talked about it this morning. There's an equivalency in the air framework as there is in water. The approved methods for air monitoring and assessment in New South Wales has a whole lot of how you monitor it and whatever, but it also sets a whole lot of criteria that are typically health-based.

I would like to clarify this evidence.

In June 2023, the EPA varied Cadia Holdings Pty Limited's Environment Protection Licence No. 5590 to (among other things) impose new monitoring and reporting requirements for emissions of total solid particles, and Type 1 and Type 2 substances in aggregate, from Ventilation Rise 8-1. These apply in addition to existing licence conditions requiring air emission monitoring for particulates – deposited matter and PM10 and PM2.5 at other monitoring points.

Cadia Holdings Pty Limited's Environment Protection Licence No. 5590 was not varied to add air emissions discharge limits. The air emission discharge limits which apply to vent emissions at the Cadia mine are in the Protection of the Environment Operations (Clean Air) Regulation 2022.