



# Pollution Incident Response Management Plan

## Austar Coal Mine Complex



**DOCUMENT CONTROL**

<b>DOCUMENT DETAILS</b>	<b>Title</b>	Pollution Incident Response Management Plan		
	<b>Reference</b>	AUS-ENVI-7186 Pollution Incident Response Management Plan		
	<b>Document Status</b>	Final		
<b>APPROVAL DATE</b>	<b>Revision</b>	<b>Revision Details</b>	<b>Prepared</b>	<b>Approved</b>
29 August 2012	0	Original document	C. Ellis	G. Mulhearn
18 September 2015	1	Update after review	J. Potter	G. Mulhearn
30 August 2016	2	Update after review	G. Mulhearn	G. Mulhearn
31 December 2018	3	Update after review. Add PIRMP Summary section. Update PIRMP Flowchart. Notification of DPE Compliance & Resources Regulator specifically included. Update contact details for ECM.	J. McNaughton	C. McCormack
29 June 2020	4	Review of PIRMP after it was triggered in February and following transition to Care and Maintenance in March 2020.	J. McNaughton	C. McCormack
14 December 2022	5	Review of PIRMP to reflect updated guideline, transition to closure, the underground mine has been sealed, the RO plant no longer operates, reduction in pollutants, activities and workforce on site until rehabilitation commences.	IEMA	J. McNaughton

# Environmental Incident Response Notification Process

Step 1: Environmental incident identified

Step 2: Notify Shift Supervisor immediately

Step 3: Shift Supervisor reviews incident detail and inspects site

Is there **potential** that the incident could cause material harm to the environment? eg. mine water discharge (on or off site), major hydrocarbon spill into waterway

No

Notify E&C Superintendent  
Follow site incident reporting procedure

Yes

Step 4: Contact Environment & Community Superintendent (0447 913 693)  
If unavailable contact the Mine Operations Manager (0409 023 031)  
If both unavailable contact Environment & Community Coordinator (0417 076 012)

Shift supervisor to provide the following information to the E&C Superintendent, if known, or as soon as it becomes known:

- **Time and date** of the incident;
- **Location/s** where pollution is occurring or is likely to occur;
- **Nature**, estimated quantity or volume and concentration of any pollutants involved (if known);
- **Circumstances** in which the incident occurred (including the cause of the incident, if known)\*; and
- **Action taken** or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution if known\*.

E&C Superintendent or delegate reviews incident & conducts initial assessment on whether the incident is notifiable. Assessment confirmed through conversation with Mine Operations Manager and Yancoal General Manager Environment and Community

No

Follow site incident reporting procedure

Yes

Step 5: Environment and Community Superintendent notifies relevant authorities. Report details as provided in Step 4.

1. Fire and Rescue 000 - when 000 respond request "Fire" (only to be contacted first if Emergency Services are required otherwise contact last)
2. Environment Protection Authority (EPA) 131 555
3. Ministry of Health 02 4924 6477 (ask for Environmental Officer on call)
4. SafeWork NSW 131 050
5. Department of Planning & Environment Resources Regulator 02 4063 6724
6. Department of Planning & Environment Compliance 02 6575 3400
7. Cessnock City Council 02 4993 4100 (office hours) or 02 4940 7816
8. Fire and Rescue (if Emergency services are not required) 1300 729 579

Step 6: Environment and Community Superintendent to continue to monitor incident. If any information required to be reported in Step 4 becomes available afterwards, this information is to be reported to the authorities listed in Step 5.

Step 7: E&C Superintendent notifies other internal stakeholders as required, and considers whether there are any community members or groups that require notification. Final reporting will be provided to the EPA within 7 days of the incident.

## PIRMP FORM

### PART 1- Pollution Incident Details Form

**Usage: Use this form to record details of the Pollution Incident reported.**

DATE & TIME:
STAFF NAME:
POSITION OF PERSON REPORTING:

Description of Incident (including when incident first occurred if known). Provide accurate information only, if some parameters (i.e. chemical type) are unknown **DO NOT SPECULATE**.

Date & Time of Incident:	
Nature of Incident:	
Duration of Incident (i.e. how long ago did it occur if known)	
Location of Incident (i.e. CHPP, Pit Top etc.)	Pit Top (Middle Road, Paxton) CHPP (Wollombi Road, Pelton) Kitchener SIS (Quorrobolong Rd, Kitchener) 3 Shaft (Ellalong Rd, Ellalong) 2 Shaft (Dry Creek Road, Ellalong) 1 Shaft (Truro St, Ellalong) Pipeline (closest description available)  OTHER:
Location where pollution is likely to occur ( <b>IF KNOWN, DO NOT SPECULATE</b> )	
Estimated quantity of any pollutants involved ( <b>IF KNOWN, DO NOT SPECULATE</b> )	
Concentration of any pollutants involved ( <b>IF KNOWN, DO NOT SPECULATE</b> )	
Actions being undertaken to control pollution incident	

## PART 2- Authorities Notification Form

DATE:
NAME & POSITION UNDERTAKING NOTIFICATION:
SITE (CHPP or MINE):

When calling this could be used as an introduction to the reason for your call: Hello, My name is [xxx] I am a [position] at Austar Coal Mine, and I am ringing to report a possible pollution incident under the Pollution Incident Response Management Plan.

The following authorities **MUST** be contacted following an incident (as described in the Pollution Incident Response Management Plan). Please note name of person contacted, the time you spoke with them and any reference no they give you.

Authority	Contact details	Notification (Y/N). Any Details from Authority.
Environment Protection Authority	Pollution Line 131 555	
NSW Ministry for Health	(02) 4924 6477 (diverts to John Hunter Hospital after hours). Ask for Environmental Health Officer on call	
SafeWork NSW	Switchboard 13 10 50	
Cessnock City Council	(02) 4993 4100	
NSW Fire and Rescue	Phone <b>000</b> if the incident presents an immediate threat to human health or property 1300 729 579 (for all other incidents)	
NSW Department of Planning and Environment	(02) 6575 3400	
NSW DPE Resources Regulator	(02) 4063 6724	

The information from part 1 of this form **MUST** be provided to the relevant authorities If details are not known or unclear, **DO NOT SPECULATE!**

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## 1 INTRODUCTION

### 1.1 BACKGROUND

This Pollution Incident Response Management Plan (PIRMP) has been prepared for the Austar Coal Mine Complex (the Complex), which is operated by Austar Coal Mine Pty Ltd (Austar) and owned by Yancoal Coal Australia (Yancoal). The PIRMP is to be immediately implemented if a **pollution incident** occurs at the Complex which causes or threatens to cause **material harm** to the environment as defined in the POEO Act (see **Section 1.3** for the definition of 'material harm').

Austar holds Environment Protection Licence (EPL) 416 which covers the scheduled activities of Coal Works and Mining for Coal. All holders of an EPL are required to prepare, keep, test and implement a PIRMP under Part 5.7A of the *Protection of the Environment Operations Act 1997* (POEO Act), and Part 3A of the *Protection of the Environment Operations (General) Regulation 2022* (POEO (G) Regulation).

It is an offence not to comply with the notification requirements of the POEO Act. Maximum penalties for this offence are \$2M and \$240,000 per day for continuing offences for corporations, and for individuals \$500,000 and \$120,000 per day the offence continues.

This PIRMP has been revised to reflect closure activities at the Complex and has been reviewed and updated in accordance with the NSW Environment Protection Agency (EPA's) *Guideline: Pollution Incident Response Management Plans* (September 2022).

### 1.2 OBJECTIVES

The objectives of this PIRMP are to provide Austar personnel and contractors with a system to:

- Ensure comprehensive and timely communication about a pollution incident to:
  - Workers at the Complex;
  - The NSW EPA and other relevant authorities (see Section 9); and
  - People outside the Complex who may be impacted by the pollution incident.
- Identify risks and develop actions to minimise and manage the likelihood of a pollution incident occurring at the Complex;
- Ensure the plan is properly implemented by trained workers;
- Identify person(s) responsible for implementation; and
- Ensure that the plan is annually tested for accuracy, currency and suitability.

### 1.3 DEFINITIONS

***Pollution Incident*** (POEO Act definition)

Means an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on-premises, but it does not include an incident or set of circumstances involving only the emission of any noise.

***Notifiable Pollution Incident*** (Section 148 of the POEO Act)

A pollution incident is required to be notified if material harm to the environment is caused or threatened.

***Material Harm to the Environment*** (Section 147 of the POEO Act)

(a) Harm to the environment is material if:

(i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or,

(ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and

(b) Loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.

Notification is required even where 'harm to the environment' is caused only on the premises where the pollution incident occurs.



## 2 POLLUTION INCIDENT RESPONSE PROCEDURE

### 2.1 POLLUTION INCIDENT RESPONSE

Pollution incidents are managed under the Austar *Environmental Management Strategy*. These documents outline the steps taken to provide for the safety of people and the containment and then clean-up of the pollution incident.

Potential incidents can be identified through alarm systems on Citect in which case site inspection is required to confirm an incident has occurred (After hours the security personnel act as first response for inspections of alarms) or through identification in the field. Initial incident response includes the notification of a competent person able to contain the pollution event (eg. Someone that is able to turn pumps on or off in a water event or organise earthmoving response or similar if required).

All Austar employees and contractors receive emergency training during their site inductions. Austar also have employees trained in emergency response. Controls for the containment of pollution incidents include:

- Emergency spill kits;
- Earthmoving equipment on stand by;
- Erosion and sediment control materials; and
- Mobile water pumps and/or vacuum trucks.

### 2.2 POLLUTION INCIDENT NOTIFICATION PROCEDURE

Part 5.7 of the POEO Act specifies requirements relating to the notification of pollution incidents. All employees and contractors are legally required to follow the notification requirements.

The occupier of premises, the employer or any person carrying out the activity which causes an environmental incident must **immediately notify** the site supervisor and the Environment and Community department. If the incident has caused or threatens to cause material harm, then the relevant authorities must also be notified immediately. Failure to do so is an offence.

A flowchart that illustrates internal and external notification protocols is included in **Appendix B** and protocols for notification are presented in following sections.

#### 2.2.1 INTERNAL NOTIFICATION PROTOCOL

In the event that a pollution incident is identified, the person that discovered the pollution incident must:

1. Immediately notify the relevant worker to isolate pipelines and instigate emergency procedures if required.
2. The worker, or the person who has identified the incident should then **immediately** notify the:

- Environment and Community Superintendent; or
- Mine Engineering Manager (in the absence of the Environment and Community Superintendent).
- If both the above are unavailable, notify the Environment and Community Senior.

This will enable proper assessment of the incident and reporting processes. The initial assessment will be made by persons in the following order of preference:

1. Austar Environment and Community Superintendent;
2. Austar Mine Operations Manager;
3. Environment and Community Senior Advisor;
4. Area Supervisor or their Manager; or
5. The person that identified the incident.

The internal notification protocol allows initial assessment by other parties in the case that the Environment and Community Superintendent or Mine Operations Manager cannot be immediately contacted. This is to allow external notification immediately.

The assessment should be confirmed where possible through a discussion of assessment findings with the Mine Operations Manager and the Executive General Manager Environment and Community or the Superintendent Environmental Compliance and Approvals. **NOTE: This can be 24 hours per day 7 days per week.**

**AFTER ASSESSMENT: IF THE INCIDENT IS CLASSIFIED OR SUSPECTED TO BE A NOTIFIABLE POLLUTION INCIDENT THE PIRMP IS TRIGGERED AND EXTERNAL NOTIFICATION MUST OCCUR IMMEDIATELY.**

## 2.2.2 EXTERNAL NOTIFICATION PROTOCOL

If an incident is classified as a Notifiable Pollution Incident, the PIRMP is triggered, and the person undertaking external notification must immediately follow the protocol documented in Appendix C and summarised below:

1. **Gather** the most accurate information possible regarding the pollution incident per the *PIRMP Pollution Incident Details Form* (Error! Reference source not found.). Note that not all details may be known at the time of external notification – however, **DO NOT DELAY NOTIFICATION AFTER ASSESSMENT PURELY TO GAIN FURTHER INFORMATION.**

The relevant information to be provided about a pollution incident required under Section 150 of the POEO Act, consists of the following:

- (a) the time, date, nature, duration and location of the incident;
- (b) the location of the place where pollution is occurring or is likely to occur;
- (c) the nature, the estimated quantity or volume and the concentration of any pollutants involved, (if unknown – **do not speculate**);

- (d) the circumstances in which the incident occurred (including the cause of the incident, (if unknown – **do not speculate**); and
- (e) the action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, (if unknown – **do not speculate**).

If the information required to be included is not known when the initial notification is made but becomes known afterwards, that information must be reported in accordance with Section 148 of the POEO Act immediately.

This information is to be recorded in the *PIRMP Form Part 1 - Pollution Incident Details Form*.

2. **Notify Relevant Authorities** using the *PIRMP Form Part 2 - Authorities Notification Form*.

Further, in accordance with Section 153C of the POEO Act 1997, the action to be taken immediately after a pollution incident must be implemented for that particular pollution incident. Incident response advice from the authorities notified is to be enacted upon immediately.

3. **Provide** completed forms to the Environment and Community Superintendent.

### 2.3 POLLUTION INCIDENT ASSESSMENT

All pollution incidents must be assessed to determine whether the incident classifies as a ‘*Notifiable Pollution Incident*’ as defined in Section 147 and 148 of the POEO Act (**refer Section 1.3**) (i.e. does the pollution incident cause or does it threaten to cause material harm to the environment?). Incidents that threaten to or cause material harm will also trigger the PIRMP.

For the purposes of this definition, it does not matter that harm to the environment is caused only on the premises where the pollution incident occurs.

Examples of Notifiable Pollution Incidents and environmental incidents that do not cause material harm are provided in **Table 2-1**.

**Table 2-1 – Examples of Environmental Incidents**

Examples of Notifiable Pollution Incidents that <u>may cause</u> material harm to the environment include but are not limited to:	Examples of environmental incidents that <u>will not cause</u> material harm to the environment include but are not limited to:
Hydrocarbons, tailings, untreated mine water, chemical substances, or hazardous materials which have entered, or threaten to enter either clean water systems on site or possibly be released from site	Spills which are contained within the Austar dirty water system
Spills to land that may cost more than \$10,000 to prevent, mitigate or remediate	Minor hydrocarbon or other substance spills to land

<b>Examples of Notifiable Pollution Incidents that <u>may cause</u> material harm to the environment include but are not limited to:</b>	<b>Examples of environmental incidents <u>that will not cause</u> material harm to the environment include but are not limited to:</b>
	Sediment basin discharge where greater than design rainfall has been received and no other material pollutants are in the surface runoff

If the incident is not classified as a Notifiable Pollution Incident, the pollution incident should still be contained, controlled, and remediated in a similar manner to that required for a Notifiable Pollution Incident. Austar’s Incident Report should also be completed per Austar’s procedures..

### 3 COORDINATION AND COMMUNICATION

#### 3.1 COORDINATING WITH AUSTAR COAL MINE EMPLOYEES, CONTRACTORS AND VISITORS

Where a pollution incident is of sufficient magnitude to constitute a risk to human health, the *Emergency Management Plan* will be implemented in parallel to the PIRMP. The *Emergency Management Plan* outlines evacuation procedures and procedures to minimise the risk of harm to any persons in the vicinity of any incident deemed an emergency.

Information concerning the pollution incident (including post-incident) may be communicated to Austar employees via several mediums including (but not limited to) the following:

- Toolbox Talks or emails;
- Mine Managers’ crew talks; or
- Formal training and assessments.

#### 3.2 COORDINATING WITH AUTHORITIES

The Austar nominated Incident Controller will manage the Pollution Incident response team and will liaise with external emergency authorities if required.

In the event of an external authority (i.e. Fire and Rescue NSW) taking control of the situation, the Incident Controller will take direction from that authority and coordinate Austar staff as required.

The Environment and Community Superintendent will liaise with environmental regulatory authorities.

The Mining Engineering Manager will liaise with the Resources Regulator inspectorate in relation to health and safety matters.

Key agencies contact details are listed in **Table 7-1**. A table of key contacts for internal and external contacts is provided in Appendix C of the internal PIRMP.

**Table 3-1 – Contact Details for Authorities**

Authority	Contact Details
Environment Protection Authority (EPA)	131 555
Department of Planning and Environment – Compliance (Jennifer Sage)	(02) 6575 3400 compliance@planning.nsw.gov.au
Department of Planning and Environment – Resources Regulator (Neil McElhinney)	(02) 4063 6724 nswresourcesregulator@service-now.com

Authority	Contact Details
<b>Fire and Rescue NSW</b>	Phone: 000 if the incident presents an immediate threat to human health or property Phone: 1300 729 579 for all other incidents
<b>Ministry of Health via local Public Health Unit</b> Diverts to John Hunter Hospital – ask for Environmental Health Officer on call	(02) 4924 6477
<b>SafeWork NSW</b>	131 050
<b>Cessnock City Council</b>	(02) 4993 4100

### 3.3 COMMUNICATING WITH THE COMMUNITY

In the event there is an incident which poses a potential threat to surrounding property owners and occupiers or their land, Austar will notify those likely to be affected as soon as practicable. Generally, community members would be notified through phone calls or door knocking the affected or potentially affected area as soon as practicable. Ongoing notifications and regular updates (if required) will be undertaken by phone or other methods as agreed with community members and affected landholders.

In the instance of water pollution on private property, Austar will liaise with affected landowners and mitigate impacts where required, such as providing alternate sources of water until the event has been appropriately remediated.

There are no sensitive receivers (e.g. schools or hospitals) that would be significantly impacted by potential hazards from Austar’s operations.

Examples of notification advice for pollution incident scenarios are provided in **Table 7-2**.

**Table 3-2 – Notification to Neighbours and Community: Examples of information that may need to be communicated**

Potential Incident	Stakeholders to be notified	Key Message	Possible communication mechanism during an incident	Possible communication mechanism post incident
Mine water discharge (e.g. pipeline failure due to wear or bushfire).	Near neighbours (downstream)	<ul style="list-style-type: none"> <li>Relocate livestock and equipment,</li> <li>Keep clear of the creek until further notice</li> <li>Do not use the water from creeks until further notice</li> </ul>	<ul style="list-style-type: none"> <li>Phone call;</li> <li>Door knock; or</li> <li>SMS</li> </ul>	<ul style="list-style-type: none"> <li>Phone call; or</li> <li>Website notification</li> </ul>

### 3.4 MEDIA ENQUIRIES

The Yancoal General Manager Corporate Affairs is the only personnel authorised to communicate with the Media. All media enquiries are to be directed to the Yancoal General Manager Corporate Affairs.

Emergency details **MUST NOT** be released to unauthorised persons (e.g. media) without prior approval by the General Manager or delegate