

Letter

Environmental Protection Act 1994

Finalisation of an Environmental Protection Order

This letter of finalisation of an environmental protection order is issued by the administering authority to advise that the environmental protection order issued pursuant to section 360 of the Environmental Protection Act 1994 is no longer in effect.

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Cc: Peter Gilford
CFO & Company Secretary
MACA Limited (ACN: 144 745 782)
45 Division Street
WELSHPOOL WA 6106

Your reference: EPO E-100098626; EPML02090614

Our reference: C-CPLRC-100098519; 101/0011167-001(E); E-100098626

Friday, 11 March 2022

Dear Directors

Take notice: that on Thursday, 18 November 2021 under the *Environmental Protection Act 1994* (the Act) the administering authority issued an environmental protection order (EPO) to Carabella Resources Pty Ltd (you).



Finalisation of an Environmental Protection Order

The administering authority is the Chief Executive of the Department of Environment and Science (the department).

The EPO was issued in respect to the activities carried out at Bluff Coal Mine on land described as ML80194 (the premises).

A. Requirements

The requirements of this EPO were:

- On and from the date of this EPO, you must take all necessary actions to cease and further prevent the unlawful release of contaminated water to the receiving environment.
- Until such time as the unlawful release to waters has ceased, an appropriately qualified person must monitor the water quality of all containment structures that directly or indirectly release to waters as well as the receiving waters of Columba and Rufus Creeks immediately downstream of the release.
- The monitoring under Requirement 2 must be undertaken on a daily basis and include Electrical conductivity ($\mu\text{S}/\text{cm}$), pH, Total Suspended Solids, Sulphate, Dissolved Aluminium and Dissolved Iron.
- By 10 December 2021, a final report prepared by an appropriately qualified person must be provided to the department which details the following:
 - An assessment of unauthorised releases to waters from Farm Dam and Town Dam including volume, quality, and potential impact to the environment considering the environmental values and relevant water quality objectives.
 - All actions that were taken to cease and further prevent the unlawful release of contaminated water to the receiving environment.
 - Describe all monitoring undertaken including the quality characteristics monitored, the frequency and locations.
 - Provide the water quality monitoring data for all monitoring undertaken to the department in Microsoft Excel format.

B. Compliance with the requirements

In determining compliance with these requirements of the EPO, the department has considered:

- The EPO Response provided on 10 December 2021.
- The Engeny Memo and Water Quality Data provided on 22 February 2022.
- Observations made during the site inspection conducted at Bluff Coal Mine by departmental officers on 2 March 2022.
- Email correspondence provided by Peter Edwards (MACA Limited representative) from 18 November 2021 until 22 February 2022.

The department considers the EPO response and actions taken are largely compliant with the EPO. It is however noted that the monitoring required by the EPO, both on site and of the receiving environment was not performed to the department's satisfaction. In addition, the assessment of potential impact to the environment did not consider all environmental values and water quality objectives adequately.

The department considers that the measures implemented on site and observed during the site inspection conducted on 2 March 2022 as listed below should remain in place for as long as needed to further manage and prevent the unlawful release of contaminated water to the receiving environment.

Finalisation of an Environmental Protection Order

- 2 Pumps (120l/sec) on standby at Sed Dam 1
- 1 Pump (thought to have capacity of 80l/sec) on standby at MIA Dam
- 2 Pumps (150l/sec) on Standby on Town Dam
- 1 Service truck, on standby with 400l of fuel
- Layflat and Polypipe laid out in preparation for an event
- 4-6 personnel on site continuously to respond to unexpected rainfall events
- A water cart and small Mack truck (the latter currently dewatering from ROM dam) for dust suppression.
- Personnel on standby to conduct monitoring (if required).
- Access improvements to roads and pump locations.
- A variety of heavy equipment on site such as graders, loaders, and other ancillary equipment.

C. Obligations

The department has determined that Carabella Resources Pty Ltd has satisfied the requirements of the EPO. Accordingly, this letter serves as a notice that this EPO is finalised and no longer in effect.

You are reminded that MACA Limited, as secured controller of Carabella Resources Pty Ltd, is still the holder of EA EPML02090614 and therefore responsible for the site until the EA is transferred.

Carabella Resources Pty Ltd is reminded of their responsibility to comply with conditions contained in EA EPML02090614 which do not permit the release of contaminants including mine affected water to waters.

It is the department's expectation that all measures taken (including those listed above) to cease and further prevent the unauthorised release of contaminated waters to the receiving environment, must continue to be implemented until such time as the EA is transferred and the site is fully provisioned.

If you have any questions or concerns, please do not hesitate to contact Barbara van der Pol on (07) 4987 9390 or via email at CWES_Rockhampton@des.qld.gov.au.



11/03/2022

Alisha Stewart
Manager Compliance
Department of Environment and Science
Delegate of the Chief Executive
Environmental Protection Act 1994

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