

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that the environmental protection order issued pursuant to section 360 of the Environmental Protection Act 1994 is no longer in effect.

Peabody Coppabella Pty Ltd (ACN 095 976 042)

Level 5 100 Melbourne Street

South Brisbane QLD 4101

Your reference: EPML00579213

Our reference: STAT-E-100233727, STAT-E-100313944, C-CPLPO-100233720, C-CPLPO-100313942

Thursday, 3 August 2023

Dear Directors

Take notice: that on Wednesday, 14 December 2022 under the *Environmental Protection Act 1994* (the Act) the administering authority issued an environmental protection order (EPO) to Peabody Coppabella Pty Ltd. The administering authority is the Chief Executive of the Department of Environment and Heritage Protection (the department).

The EPO was issued in respect to the activities of Coppabella Coal Mine on land described as Mining Lease (ML) 70164, ML70236, ML70237, ML70163, ML70161 and PL1015 situated at Peak Downs Highway, Coppabella (the premises).

A. Requirements

The requirements of this EPO were:

Worked Water Dam	
Requirement 1	By 20 December 2022, you must complete recommended action 2a detailed in the report titled 'Coppabella Coal Mine Review of Worked Water Dam August 2022' prepared by RPEQ No. 4952 and dated 5 September 2022 and listed in point 20 (Recommended Action 2a) above. You must submit the TARP to the department to CWES_Mackay@des.qld.gov.au by 4pm on 20 December 2022.



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Requirement 2	Following the completion of requirement (1) and prior to 20 December 2022, you must provide the department with written endorsement from a suitably qualified and experienced person that the TARP developed and implemented under requirement (1) meets the requirements of recommended action 2a as detailed in the report titled 'Coppabella Coal Mine Review of Worked Water Dam August 2022' prepared by RPEQ No. 4952 and dated 5 September 2022. You must submit the written endorsement from a suitably qualified and experienced person to the department to CWES_Mackay@des.qld.gov.au by 4pm on 20 December 2022.
Water Management System	
Requirement 3	By 1 June 2023, you must take action and complete desilting of the following water storages: a) Snake Drain; b) ROM Dam; c) Product Stockpile Dam; d) Return Water Dam; e) The Western Drain of the Co-disposal; f) Sediment Dam 9; and g) any other structures identified by you to have lost operational capacity due to siltation.
Requirement 4	By 4pm on 5 June 2022, you must provide written confirmation to the department confirming the completion of requirement (3). The written correspondence must also include photos of all completed works required by requirement (3).
Requirement 5	The written confirmation required by requirement 4 must be submitted to CWES_Mackay@des.qld.gov.au.
Requirement 6	By 28 February 2023, you must engage an appropriately qualified person (AQP) to undertake an assessment of the current mine water management system on site to: a) determine its current effectiveness in managing water at Coppabella Coal Mine for all stages of mining; b) determine its effectiveness in managing actual and potential environmental impacts resulting from water management associated with the mining activities of Coppabella Coal Mine for all stages of mining; and c) ensure compliance with condition G27; and d) determine any additional management measures (including infrastructure) or changes to the current water management measures required to ensure compliance with the EA.
Requirement 7	By 4pm on 28 February 2023, you must provide written confirmation to the department confirming the engagement of an AQP to complete requirement (6).

Requirement 8	By 4pm on 1 June 2023, you must provide a letter from the AQP outlining the findings of requirement (6) and an updated Water Management Plan reflecting the outcomes of requirement (6).
Requirement 9	The updated Water Management Plan submitted to meet requirement (8) must include the TARP developed in accordance with requirement (1) and (2).
Superhighway Haul Road Culverts	
Requirement 9	You must engage an AQP to complete the requirements 10 of this EPO.
Requirement 10	By 4pm on 28 February 2023, you must submit to the department written endorsement from an AQP that the culverts under the Superhighway Haul Road crossing 30 Mile Creek are fit for purpose for conveying flows through 30 Mile Creek.

B. Compliance with the requirements

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

- The Trigger Action Response Plan (TARP) for the Creek Pit Haul Road Flood Risk submitted by you on 20 December 2022 in accordance with requirement (1) of the EPO;
- The written endorsement for the Creek Pit Haul Road TARP prepared by a suitably qualified and experienced person from Neilly Group Engineering and submitted by you on 20 December 2022 in accordance with requirement (2) of the EPO;
- The written confirmation submitted by you on 1 June 2023, detailing the extent of the desilting works that had been completed in accordance with requirements (3) and (4) of the EPO;
- The assessment of the current mine water management system at the premises prepared by an appropriately qualified person (AQP) from WRM Water and Environment Pty Ltd and submitted by you on 1 June 2023 in accordance with requirements (6) and (8) of the EPO;
- The updated Water Management Plan prepared by an AQP from WRM Water and Environment Pty Ltd and submitted by you on 1 June 2023 in accordance with requirements (8) and (9) of the EPO;
- The written endorsement from an AQP from Capital Consulting Engineers submitted by you on 27 February 2023 in accordance with requirement (10) of the EPO;
- The findings and observations made during the compliance inspection undertaken by the department at the premises on 13 July 2023; and
- The correspondence provided by you on 25 July 2023 in relation to the Return Water Dam.

C. Obligations

The department has determined that Peabody Coppabella Pty Ltd has satisfied the requirements of the EPO on the basis of the following:

- you will continue to take action to desilt water storages at the premises as part of routine and regular maintenance measures specified in the Coppabella Coal Mine Water Management Plan (version 6, dated May 2023); and

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- you will provide the department with the results of bathymetric surveys completed for water storages that have had desilting and dredging works completed and a comparison of the operational capacity of the storages prior to and following the completion of desilting and dredging works by **1 December 2023**.

The department acknowledges the investment and improvements to water storage areas that Peabody Coppabella Pty Ltd has undertaken in response to addressing the requirements of this EPO.

Accordingly, this letter serves as a notice that this EPO is finalised and no longer in effect.

Peabody Coppabella Pty Ltd is reminded of its responsibility to comply with conditions contained in Environmental Authority (EA) EPML00579213.

Should you have any queries in relation to this notice, please contact Rebecca Freese, A/Team Leader on telephone number (07) 4999 6814.



Signature

3/08/2023

Date

Clinton Bond
Compliance Delivery Manager
Department of Environment and Science
Delegate of the Chief Executive
Environmental Protection Act 1994

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