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**Submission
Climate Change Licensee Requirements
Mitigation and Adaptation Plans
Greenhouse Gas Mitigation Guide for NSW Coal Mines**

Central West Environment Council (CWEC) is an umbrella organization representing conservation groups and individuals in central west NSW working to protect the local environment for future generations.

Central West NSW is particularly vulnerable to a rapidly changing climate causing increasing extreme weather events. Life threatening and home destroying bushfires and floods, more intense droughts, storms, and wild weather is impacting on the communities, environment and the economy of the region. Water and food security is particularly under threat through increasing risks to agriculture.

Central West NSW is host to the Western Coalfields with large coal mining and power generation activities at Lithgow and the largest mines in NSW at Mudgee.

CWEC considers that the processes outlined in the documents released for feedback are completely inadequate to urgently reduce greenhouse gas (GHG) emissions in NSW, particularly from coal mines. There appears to be no genuine attempt to rapidly reduce GHG emissions. This action is very urgent now because of the past long delay in doing anything about the existential threat of climate change.

The trajectory of methane emission increases up to 2030 will not be turned around because of the loopholes and delays that effectively support 'business as usual' in the coal mining sector.

These very weak requirements set NSW up to breach legislated emissions reduction targets of at least 50% by 2030 and at least 70% by 2035

1. Climate Change Licensee Requirements

The failure to impose GHG emissions limits on facilities via Environment Protection Licences (EPLs) in the short term is a lost opportunity to better regulate large emitters with the urgency required. There is no 'long term' left in regard to the urgency of reducing GHG emissions. Coal mines are the largest emitters in NSW. The lack of regulation of these emissions through EPLs while new mine expansions are being approved is a recipe for ongoing extreme impacts from climate change.

It has been noted that *"it will be hard for the EPA to ensure mines actually reduce emissions in the absence of emission limits."* (EPA expert panel)

It is critical that enforceable, reviewable limits are placed on GHG emissions, especially methane, from NSW coal mines as a matter of urgency. These must be gross emissions limits that exclude offsets.

The Net Zero Commission should work with EPA to establish a sectoral target for coal mine emissions reduction to 2030 and 2035. These targets must be consistent with a pathway that limits climate warming to 1.5 degrees, as committed. The targets should then drive the limits on emissions included in EPLs which increase over time in accordance with the statewide sectoral target.

2. GHG Mitigation Guide for Coal Mines

The Mitigation Guide fails to drive any significant abatement of direct emissions from either methane pollution or diesel emissions generated by coal mining *during this decade*, which is the critical period for avoiding dangerous climate tipping points.

2.1 Methane emissions

There is no strong commitment to control methane emissions from either high emitting underground mines or open cut mines. Leaving abatement of ventilation air methane (VAM) at high-emitting underground coal mines in NSW until 2030, if at all, is irresponsible. If 'safety issues' will be a key problem for methane management then the mine should be closed down. High methane emissions are causing much greater public risk through intensifying life-threatening extreme weather events.

The current reporting of methane emissions (or lack thereof) is a key issue with the Mudgee mines. Ulan Coal Mine does not report monitoring or measurement of VAM in the Annual Report or anywhere else. This must be rectified and an abatement plan for each mine established immediately.

The lack of requirement for gas drainage and destruction of methane at open cut coal mines is another key failing of the Guide. Expert advice on this issue has recommended 'adding surface mines to the gas drainage and flaring requirements'. EPA has chosen to ignore this advice therefore strengthening the argument for no more expansion of coal mining in NSW.

2.2 Diesel emissions

The Guide does not require electrification of diesel engines at coal mines. The proposed diesel actions place no pressure on coal miners to reduce Scope 1 diesel GHG emissions this decade. It is likely to facilitate an increase in diesel emissions because the measures until 2035 are based on shifting a percentage of fuel used to low carbon alternatives, but do not constrain total fuel use.

The proposed expansions of the Moolarben and Wilpinjong Coal Mines in the Mudgee region will have significantly longer haul distances causing an increase in fuel consumption. This will not be adequately mitigated through the Guideline requirements (or lack thereof).

2.3 Exemption

The massive loophole exempting GHG emission mitigation if a coal company decides it is not feasible is an irresponsible approach for a regulator purportedly controlling large emitters in NSW. This makes no change to the current measures that 'must be reasonable and feasible' that have held back any concerted effort towards GHG emission reduction over the past 10 years.

This continues to lock in 'business as usual' and makes a mockery of the entire intent of the process to cause large emitters to reduce GHG pollution.

2.4 Scope 2 emissions

The Guide fails to include any requirements for reducing electricity emissions at coal mines despite this being the easiest category to abate by requiring the use of renewable energy.

The three large coal mines in the Mudgee Region (Ulan, Moolarben and Wilpinjong Mines) are within the boundary of the Central West Orana Renewable Energy Zone (CWOREZ). In fact, they have the two new 500kV transmission lines passing through their property. It should be a requirement for all coal mines to purchase renewable energy immediately, not push the 'issue' out for further consideration later.

2.5 Scope 3 downstream emissions

The Guide has ignored the usually very large downstream Scope 3 emissions that occur when coal from mines is burnt in power stations either here in Australia or overseas. A recent decision by the NSW Court of Appeal in relation to the Mt

Pleasant Coal Mine has reinforced that downstream emissions are within scope of development assessments.

3. Key Recommendations

The Guide must be amended in the following ways so that the intent of the process to manage and mitigate GHG emissions from large emitters is achieved:

1. Strict requirements that prohibit venting of unabated methane from underground mines -
 - mandate use of Ventilation Air Methane at highest-emitting underground mines from 2027
 - and at other underground mines from mid-2028.
2. Mandate pre-drainage of methane at all open cut mines.
3. Set an ambitious schedule for electrification of vehicles at coal mines that requires at least 50% electrification by 2030 and 70% by 2035 and
4. Require all mines to utilise renewable energy for electricity by 2030 at the latest.
5. Remove the proposed exemption to allow coal companies to avoid requirements because it will completely undermine the whole Guide
6. Set strong penalties for failure to comply with the Guide.

CWEC is greatly disappointed that the EPA has taken such a weak stance on the opportunity to reduce GHG emissions in NSW. It has taken too long since the findings of the NSW Land and Environment Court were handed down in 2021 in the case Bushfire Survivors for Climate Action vs EPA. Meanwhile vast areas of the state are being smashed by wild weather, intense rainfall and likelihood of worsening fire seasons.

There is no justification for not doing as much as possible to reduce NSW GHG emissions. The proposed actions are very poor and need to be significantly improved.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'N. King', with a stylized flourish at the end.

Nick King
President