

7th October 2025

To: NSW EPA

RE: Greenhouse Gas Mitigation Guide for NSW Coal Mines – Submission

One submission in response to the three draft policy documents currently on exhibition:

- the Climate Change Licensee Requirements
- the Climate Change Mitigation and Adaptation Plans
- the Greenhouse Gas Mitigation Guide for NSW Coal Mines.

The Environmental Protection Agency has the duty of protecting the environment and community as an independent environmental regulator.

Environmental and community protection is its required priority as a regulator.

These documents fail to effectively enforce or regulate the necessary urgent reduction of greenhouse gas emissions by NSW's highest emitters required to meet the 2030 or 2035 legislated emission reduction targets.

The EPA's own expert panel found that *"....the panel's view is that it will be hard for the EPA to ensure mines actually reduce emissions in the absence of emission limits."*

The EPA will be made irrelevant without the ability to regulate emissions or enforce compliance to those regulations.

The obligations of the EPA to address climate change, reduce emissions and improve environmental outcomes require enforceable regulation, emission limits and accurate measurement of all emissions.

The Climate Change Licensee Requirements will not impose short-term greenhouse gas emissions limits on facilities via Environment Protection Licences. Short-term limits are necessary for meeting the short-term 2030 and 2035 emission reduction targets and the long-term 2050 net zero target, all of which is critical for the short- and long-term protection of the environment and communities from the impacts of climate change.

The Greenhouse Gas Mitigation Guide fails to enforce requirements of direct emissions reduction from either methane pollution or diesel emissions at coal mines this decade.

The ability for a company to seek an exemption from a mitigation measure if it decides 'it is not feasible to implement' undermines any level of enforceability by the EPA of guidelines or requirements.

The guide fails to adequately consider scope 2 or 3 emissions for regulation, creating a crucial gap in the regulation ability by the EPA of significant polluters.

The Guide needs to be amended to require the following:

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 require all mines to utilise renewable energy for electricity by 2030 at the latest.

4. Remove the proposed exemption to allow coal companies to avoid requirements because it will completely undermine the whole Guide and set strong penalties for failure to comply with it.

The requirements of the EPA to act in the interests of the community and the environment in regulating pollution and especially emissions are not met by the guides. Enforcement is required for the effectiveness of regulation in ensuring compliance. The EPA must not prioritise industry above its stated obligation to community and environment.

Thank You

[REDACTED]

[REDACTED]

[REDACTED]