

I am making one submission on the three draft policy documents currently on exhibition – the *Climate Change Licensee Requirements*, the *Climate Change Mitigation and Adaptation Plans* and the *Greenhouse Gas Mitigation Guide for NSW Coal Mines*. (<https://yoursay.epa.nsw.gov.au/climate-change-licensee-requirements>)

I welcome the EPA's intention to regulate to reduce methane emissions. Indeed the EPA shows that it is clearly well informed of the importance in the Proposed *Climate change licensee requirements* consultation draft. <https://yoursay.epa.nsw.gov.au/climate-change-licensee-requirements>.

The draft document also acknowledges “The latest projections from the NSW Department of Climate Change, Energy, the Environment and Water show a significant risk that NSW is not on track to meet its 2030 and 2035 targets without further action by the Government and the private sector.”

Inger Andersen, Executive Director of United Nations Environment Program emphasises the value of urgent cuts to methane emissions, “**Cutting methane ... is a low hanging fruit** while we work on the overall decarbonization of our economies ... Investments in maintenance and operational changes that prevent methane from leaking into the atmosphere are a fraction of profits made from fossil fuels.” (<https://www.iea.org/news/urgent-action-to-cut-methane-emissions-from-fossil-fuel-operations-essential-to-achieve-global-climate-targets>)

For these reasons, measures to reduce methane emissions from coal mines must produce results before 2030, as elaborated on page 6.

So it is all the more astonishing, perplexing and disappointing that the “specific mitigation actions” (p 11) and “Greenhouse gas emission licence limits” (p 15) do not match the stated urgency of the problem and intentions of the government.

Lack of enforceable effective emissions reduction targets and measures in the draft plan

The main enforceable requirement on coal mine operators before 2030 is that they develop Climate Change Mitigation and Adaptation Plans (p 10), through which they will “publish emissions and progress in reduction.” The only mitigation requirements that come into effect before 2030 are – “Destroy methane in drainage gas at underground mines” and “minimise methane

entering ventilation air by addressing methane leaks from old mine workings at underground mine” (p v). These are not the highest emitting activities.

There is little actual emissions reduction required for compliance before 2030. The most effective requirements are for an indeterminate future.

“As the EPA develops emissions mitigation guidance and builds a robust evidence base of emissions data, and as available technology becomes market-ready, we will introduce targeted mitigation action requirements.” Yet there are already methane reduction technologies on the market, in use in Europe, USA and China.

The EPA says it “will progressively place targeted, evidence-based limits for greenhouse gas emissions on new and existing Environment Protection Licences for key industry sectors that we regulate (Action 18). This is a long-term action and will not be implemented in the short term.” The NSW 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 Licensee requirements should be amended

- to set limits as a proportion of output, for emissions.
- While the EPA has not set limits for methane emissions, there should be no new licences or expansions approved, in order to avoid adding to the bank of methane emissions in the atmosphere.

Proposed Greenhouse Gas Mitigation Guide (PGGMG)

“The EPA has heard from the NSW coal mining industry that the cost of VAM abatement can be a barrier. The EPA’s view is that VAM abatement is financially viable for a number of underground coal mines that meet the EPA’s criteria.” (PPGMG p v)

“For surface mines, the main opportunity for emissions reduction in the medium term will be through reducing the use of fossil diesel fuel. ...The EPA expects coal mines to use low carbon alternatives to fossil diesel from July 2030 ... as set out in Table 2.” (PPGMG p vi)

Coal mine operators will not make the necessary investment at the necessary pace, if they are not required to do so by the regulations.

Future requirements should be brought forward, and there should not be loopholes allowing exemptions on grounds of infeasibility (PGGMG p vi). If emissions cannot be reduced, it is the mining operation itself that is unfeasible.

The Guide needs to be amended to require mining companies to urgently invest in emissions reduction, and not allow deferrals and exemptions:

1. Enforceable, reviewable limits should be placed on emissions of greenhouse gases, especially methane, from NSW coal mines as a matter of urgency. These should be gross emissions limits that exclude offsets.
2. 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.
3. Mandate pre-drainage of methane at all open cut mines.
4. 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.
5. Remove any provision for exemptions that would allow coal companies to avoid requirements because it will completely undermine the whole Guide and set strong penalties for failure to comply with it.