Review of Cadia mine environment protection licence

Consultation summary

Acknowledgement of Country

The NSW Environment Protection Authority acknowledges the Traditional Custodians of the land on which we live and work, honours the ancestors and the Elders both past and present and extends that respect to all Aboriginal people.

We recognise Aboriginal peoples' spiritual and cultural connection and inherent right to protect the land, waters, skies and natural resources of NSW. This connection goes deep and has since the Dreaming.

We also acknowledge our Aboriginal and Torres Strait Islander employees who are an integral part of our diverse workforce and recognise the knowledge embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and culture.

© 2024 State of NSW and the NSW Environment Protection Authority

With the exception of photographs, the State of NSW and the NSW Environment Protection Authority (EPA) are pleased to allow this material to be reproduced in whole or in part for educational and non-commercial use, provided the meaning is unchanged and its source, publisher and authorship are acknowledged. Specific permission is required for the reproduction of photographs.

All content in this publication is owned by the EPA and is protected by Crown Copyright, unless credited otherwise. It is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0), subject to the exemptions contained in the licence. The legal code for the licence is available at Creative Commons.

The EPA asserts the right to be attributed as author of the original material in the following manner: © State of New South Wales and the NSW Environment Protection Authority 20.

Published by:
NSW Environment Protection Authority

6&8 Parramatta Square
10 Darcy Street,
Parramatta NSW 2150
Locked Bag 5022,
Parramatta NSW 2124

Phone: +61 2 9995 5000 (switchboard)
Phone: 131 555
(NSW only – environment information and publications requests)

Fax: +61 2 9995 5999

TTY users: phone 133 677,
then ask for 131 555

Speak and listen users:
phone 1300 555 727,
then ask for 131 555

Email: info@epa.nsw.gov.au
Website: www.epa.nsw.gov.au

Report pollution and environmental incidents
Environment Line: 131 555 (NSW only) or info@epa.nsw.gov.au
See also www.epa.nsw.gov.au

EPA 2024P4533
July 2024

Contents

Summary 1
Our consultation 1
Feedback and opportunities raised during consultation 1
Submission provided by Newmont Corporation 2
Consideration of feedback and next steps 2
The EPA is considering the following changes to the licence 2
The EPA's response to key issues raised in feedback 3
Next steps 4

The EPA publicly consulted on the statutory review of the environment protection licence for Newmont Corporation's Cadia Gold mine. This report summarises the consultation process and the feedback provided.

Summary

This document provides an overview of the key feedback we heard during public consultation on the statutory review of Environment Protection Licence No. 5590 (the licence) for the Cadia mine operated by Cadia Holdings Pty Ltd, a fully owned subsidiary of Newmont Corporation. This report includes a summary of submissions and survey results, as well as details of other stakeholder engagement activities.

We would like to thank all stakeholders for their feedback and acknowledge the effort individuals and organisations undertook in providing their submissions. We considered all responses while finalising the licence review. We will continue to consider how we can address community feedback and opportunities in our work regulating the impacts of mining.

Our consultation

Consultation on the review of the licence ran for six weeks, from 11 March 2024 to 22 April 2024.

A range of options was provided to stakeholders to engage with the EPA, including a dedicated mailbox for enquiries, and the opportunity to complete an online survey or to email written feedback.

The EPA hosted online briefings with key stakeholders, giving them an opportunity to discuss the licence review, ask questions and raise issues and concerns.

Our consultation was promoted widely through targeted emails, local media and social media. Over 60 people downloaded a copy of the current licence.

The EPA received over 90 submissions from individuals, several interest groups and peak bodies, and a submission from Newmont Corporation.

This summary report details the licence review engagement objectives and activities, and the feedback received from stakeholders and the EPA's responses to this feedback. Proposed changes to licence conditions based on the feedback received during the consultation period are summarised in the report.

Feedback and opportunities raised during consultation

On our consultation webpage, the EPA sought feedback by asking four questions relating to:

- air emission limits
- air monitoring conditions
- reporting conditions
- other licensing considerations.

We reviewed the feedback to gain a clear understanding of community expectations on regulating the mine's activities.

The key feedback sentiments relating to the review included:

- Air emission limits
  - Air emissions from the mine should comply with strict limits and reflect the latest science.
  - Cumulative air impacts from the entire mine site should be considered.
  - Specific limits should be applied to a broader range of pollutants across the site.

- Air monitoring conditions
  - Real-time air monitoring should be undertaken with specific types of air pollutants being measured.
  - Monitoring should be of an appropriate standard, and an independent review of the location of the air monitoring points should be undertaken, ideally by an independent expert.
  - There is a need for independently conducted testing and broadening the area/radius of air monitoring around the mine.
- Reporting conditions
  - The mine should make data available to the community in real-time and identify all non-compliances in a timely manner.
  - There is a perceived view about a lack of independence of reporting.
  - There is a need for reporting to focus on longer-term trends.
  - Reports should be easy for the community to understand.
- Other licensing conditions
  - Licences should be written in plain English.
  - More surface water and groundwater monitoring are required on the licence, including environmental monitoring.
  - The licence, including all monitoring locations and emission limits, need to be reviewed regularly to ensure it remains relevant and current.

Submission provided by Newmont Corporation

Newmont Corporation also made a submission as part of the consultation process. In its submission it included the following:

- making licence adjustments/updates to the premises description and the removal of redundant conditions
- better descriptions of licence point locations
- real-time data to address community concerns.

Regarding the Pollution Reduction Programs to the licence, Newmont is proposing three studies to be completed within 12 months.

- The first study is to investigate real-time vent monitoring of Ventilation Rise 8. The intent is to ensure real-time values are comparable to current test methods and can be used in the Trigger Action Response Plan.
- The second study is for determining the most reasonable and feasible methodology for monitoring each vent rise. This would be as per current test methods including an action plan for any recommended vent shaft or method modifications.
- The third study is to determine a methodology for real-time air quality monitoring for metals in air.

Consideration of feedback and next steps

We are engaging with Cadia Holdings and the Cadia Independent Expert Panel to examine feedback and opportunities raised as part of this review. The licence review process is now complete, and the EPA will look at making the necessary changes to the licence, under a series of licence variations. This will be an ongoing process with a series of short-, medium- and long-term variations being considered. Any changes to the licence will be reflected on the EPA's public register.

The EPA is considering the following changes to the licence

We will consider the following broad changes to the licence:

- updating the premises' description and the description of all monitoring points

- removing and updating language in several outdated conditions and using plain English where appropriate
- reviewing all surface and groundwater monitoring points, monitoring requirements and associated limits, following a detailed assessment of Cadia Holding's existing monitoring program
- a review of air emission limits, monitoring and reporting requirements
- updating the Pollution Reduction Programs on the licence to remove completed programs and to reflect the inclusion of new additional programs.

The EPA's response to key issues raised in feedback

Air emissions and air quality monitoring

The EPA takes a risk-based approach to setting emission limits and monitoring requirements in Environment Protection Licences. This includes consideration of the various air pollutants and source types, along with the potential cumulative impacts from all significant sources at the site.

We will review air emission limits including Type 1 and Type 2 substances (being groupings of various heavy metals defined in the Protection of the Environment Operations (Clean Air) Regulation 2022). This will include revisions to the air emission limits for all vent shafts on the licence.

We will consider the adequacy of air quality monitoring requirements on the licence. This may include the suitability of the air quality monitoring network, the frequency of monitoring, the location of the monitoring, the interpretation of the data obtained by the monitoring, and the availability of the data to the community.

The EPA will consider, in developing specific programs or revised licence conditions, Pollution Reduction Programs regarding the licence. This can contribute to assessing the feasibility of real-time air monitoring at the Cadia mine, including options for real-time metal monitoring.

We have established several monitoring sites in the vicinity of the Cadia mine that report air monitoring results in real time. These sites are shown on the Air Quality NSW website. The NSW Government also publishes data on airborne particulate matter from smart sensors or 'PurpleAir' monitoring systems. These real-time results are reported on an online map.

Reporting

The EPA understands the importance of the community having access to timely and meaningful environmental data.

We will consider licence conditions requiring the publication of monitoring data that is readily accessible to the community.

Water quality

The EPA has identified surface and groundwater monitoring as a key priority of the licence review.

The EPA is seeking independent advice on surface and groundwater monitoring data and will make any necessary changes to the licence that will ensure the highest operational standards and reduce potential impacts on the community and environmental neighbours.

Matters beyond the scope of the licence review

The EPA received many submissions that raised specific concerns which were beyond the scope of the Cadia mine licence review but were still valid. The EPA has considered these concerns.

Mine site rehabilitation is regulated by the NSW Resources Regulator under the Mining Act 1992. The consent for the Cadia mine also includes the requirement for the preparation and implementation of a Rehabilitation Management Plan, which can be viewed on the Cadia Holdings website.

The EPA uses a range of tools to address non-compliance, not only fines and prosecutions. The EPA's Regulatory Policy explains our regulatory tools and compliance and enforcement options.

We are committed to monitoring and enforcing compliance at the Cadia mine and will continue to undertake announced and unannounced inspections.

Next steps

The licence review process is now complete, and the EPA will look at making the necessary changes to the licence, under a series of licence variations. This will be an ongoing process with a series of short-, medium- and long-term variations being considered. Any changes to the licence will be reflected on the EPA's public register.

You can email engagement@epa.nsw.gov.au to be added to our community mailing list to receive information on the EPA's regulation of the Cadia mine.