



An independent audit covering the period from 16 February 2019 to 11 March 2022 was conducted for Project Approval 07_0018 MOD9, Environmental Protection Licence 12559, and Consolidated Mining Lease 7, in March 2022. The actions and timeframes to address Non-compliances and Observations identified in the audit are addressed in the following tables.

Non-compliances

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
1	PA 07_0018 Sch2 Cond2	<p>Terms of Approval</p> <p>The Proponent must carry out the project: (a) generally in accordance with the EA; and (b) in accordance with the conditions of this approval.</p> <p><i>Note: The general layout of the project is shown in Appendix 2.</i></p>	<p>In field inspections during this March 2022 audit, there was evidence that BHOP is carrying out the project in accordance this condition. However, on one occasion during the audit period, BHOP received an official caution from the DPE.</p> <p>The official caution related to earthworks carried out between 12 July 2019 and 7 August 2019, for the TSF2 Embankment works. BHOP self-reported the incident by submitting an incident report to the DPE on 1 October 2019.</p> <p>The official caution letter of 29 April 2020 stated: “The Department has determined that BHOP breached Section 4.2 (b) of the Act by carrying out development works on Embankment 2 of TSF2 Blackwood Pit that was not in accordance with the Environmental Assessment (Rasp Mine Environmental Assessment Modification 4, Concrete Batching Plant Blackwood Pit TSF2 Extension, dated April 2017, and Response to Submissions, dated June 2017), specifically that BHOP utilised material;</p> <ul style="list-style-type: none"> • that had a lead content in excess of the upper limit (0.5%) permitted by the 	<p>Non-compliance (low risk)</p> <p>On 29 April 2020, BHOP received an official caution from the DPE for failing to carry out the project in general accordance with the relevant EA (“Rasp Mine Environmental Assessment Modification 4, Concrete Batching Plant Blackwood Pit TSF2 Extension dated April 2017”), by using fill material with a lead concentration higher than 0.5% when constructing the TSF2 Embankments.</p>	<p>Non-compliance (low risk)</p> <p>All corrective actions were implemented at the time of the incident.</p>	Complete



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			<p>Environmental Assessment; and</p> <ul style="list-style-type: none"> that was from an area not approved under the Environmental Assessment.” <p>The official caution letter of 29 April 2020 also stated: “In reaching this decision, the Department has considered the particulars of the breach set out above and the following matters:</p> <ol style="list-style-type: none"> 1. There was no evidence of increased lead impacts on the environment or the amenity of the nearby residents resulting from the breach; 2. No complaints were received in relation to the breach; 3. Whilst there was no evidence of actual harm to health and safety, there was a potential for harm to public health; and 4. BHOP undertook appropriate dust suppression, reported the breach to the Department and other relevant regulators, and arranged further air quality modelling, reviewed dust monitoring data, reviewed its management procedures, and cooperated with the investigation.” 			
2	PA 07_0018 Sch2 Cond8	<p>Structural Adequacy</p> <p>The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p>Notes to Condition 8:</p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Proponent is required to obtain construction 	<p>According to section 5.1 in BHOP’s 2019, 2020 and 2021 AEMRs, no buildings were constructed on CML7 during the relevant period. Refer to observation below.</p> <p>It was stated that although the Warehouse Extension was commissioned during this audit period (in 2019), the extension is not referred to in the 2019 AEMR because it is not located within the CML7 boundary.</p>	<p>Administrative non-compliance</p> <p>During this March 2022 audit, BHOP was unable to provide documented evidence (e.g. an occupation certificate or a statement from a private certifier) that the following structures were constructed in accordance with relevant requirements of the Building Code of Australia:</p> <p>a) Concrete Batching Plant;</p>	<p>Administrative non-compliance</p> <p>BHOP will seek a final inspection and an Occupation Certificate from Broken Hill City Council, subject to the availability of a suitable engineer.</p>	30 Nov 2022



**Broken Hill Operations Pty Ltd - Rasp Mine
2022 Independent Environmental Audit – Action Plan**

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		and occupation certificates for the proposed building works; and • Part 8 of the EP&A Regulation	<p>It was stated that during the audit period, no on-site structures were demolished.</p> <p>It was stated that if any demolition work is to occur, BHOP would ensure that the work is carried out in accordance with this condition.</p> <p>On 18 September 2019, a limited quantity of asbestos which was scattered on ground throughout Block 5 (old shaft) was removed by a licensed contractor, John Franklin (Licence No. AD212122). The Auditors sighted a Clearance Certificate signed by John Franklin, dated 18 September 2019.</p>	b) Cement Silo; and c) Warehouse Extension.		
3	PA 07_0018 Sch2 Cond10	<p>Operation of Plant and Equipment</p> <p>The Proponent shall ensure that all the plant and equipment used on site, or to transport materials to and from the site, is:</p> <p>(a) maintained in a proper and efficient condition; and</p> <p>(b) operated in a proper and efficient manner.</p>	<p>In assessing compliance against this condition, the Auditors considered the plant and equipment ‘failure to operate’ or ‘not operate as intended’, which BHOP could have potentially prevented.</p> <p>For example, the blast monitor at location V2 malfunctioned during the long weekend of 17 April 2019. As the monitor is located in a business premises, it could not be accessed, and a spare monitor was set up at the boundary. The spare monitor was not initiated correctly and failed to monitor a production blast at that location.</p> <p>By contrast, the software fault in the Silver Tank HVAS units (EPL monitoring points 10 and 11) on 2 January 2020, which prevented those units from monitoring on that day, could not have reasonably been</p>	<p>Non-compliant (low risk)</p> <p>On infrequent occasions during the audit period, some items of plant and equipment used on site were not maintained or operated in accordance with paragraphs (a) and (b) of this condition, including:</p> <p>(a) Torn filter bags in the Crusher Baghouse had not been detected prior to scheduled point source air emissions testing by Assured Environmental on 9 December 2020 (refer to section 8 in the 2020 AEMR and section 10 of the 2020-2021 Annual Review).</p> <p>(b) Failure to monitor a blast at V2 Hire Yard on 19 April 2019 due to operator error in initiating the recording function on the spare blast monitor (refer to section 8 in the 2019 AEMR and section 10 of the 2019-2020 Annual Review).</p>	<p>Non-compliant (low risk)</p> <p>BHOP has since employed a fixed plant maintenance planner.</p> <p>Additional actions to address specific incidents have been taken, such as:</p> <p>a) Installation of a stack monitor to identify equipment failure;</p> <p>b) training for staff and the development</p>	Complete



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			prevented by BHOP and is not considered to be a non-compliance against this condition.		of procedures for use of equipment.	
4	PA 07_0018 Sch3 Cond3	<p>Air Quality and Greenhouse Gas – Air Quality Criteria</p> <p>The Proponent shall ensure that all reasonable and feasible avoidance and mitigation measures are employed so that particulate matter emissions generated by the project do not cause an exceedance of the criteria listed in Tables 1, 2 or 3 at any residence on privately-owned land.</p>	<p>As of March 2022, BHOP’s current Air Quality Management Plan (AQMP) is Revision No. 3, issued on 25 June 2019, Doc ID: BHOPLN-ENV-001.</p> <p>Section 10 of the AQMP describes air quality management strategies for a range of potential “air emission” sources on site. Refer to Project Approval Schedule 3, condition 5 for examples of BHOP’s dust management practices.</p> <p><u>High Volume Air Samplers (HVASs)</u> As of March 2022, BHOP operates and maintains four HVASs (three HVASs in the previous audit period) to measure ambient air quality at the Rasp Mine:</p> <ul style="list-style-type: none"> • HVAS (EPL10) and HVAS1 (EPL11) are located at the Silver Tank, central and to the south of the mine lease; and • HVAS2 (EPL12) and HVAS3 (EPL57) are located adjacent to and north of Blackwood Pit (TSF2). <p>HVAS and HVAS3 sample for TSP and lead dust. HVAS3 was installed during the audit period (commissioned on 14 March 2019).</p> <p>HVAS1 and HVAS2 sample for PM10 and lead dust.</p> <p>The Auditors viewed selected BHOP Monthly Environment Monitoring Reports</p>	<p>Non-compliant (low risk)</p> <p>As noted in section 3.3.2 of BHOP’s Annual Environmental Management Reports (AEMRs):</p> <ul style="list-style-type: none"> • “There were fourteen occasions where the monitoring location exceeded the depositional dust level of 4 g/m2 /month limit” (2019 AEMR); • “There were fifteen occasions where the monitoring location exceeded the depositional dust level of 4 g/m2 /month limit” (2020 AEMR); and • “There were three occasions where the monitoring location exceeded the depositional dust level of 4 g/m2 /month limit” (2021 AEMR). 	<p>Non-compliant (low risk)</p> <p>High levels were caused by regional dust events, not site activities.</p>	Complete



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			<p>to assess selected monitoring results from the HVAS units against Table 1 of this condition.</p> <p>BHOP's Monthly Environment Monitoring Report for April 2019 stated that:</p> <ul style="list-style-type: none"> • for HVAS, the TSP annual rolling average was 82.14 µg/m³ which is below the TSP 90 µg/m³ annual average criterion; • for HVAS1, the PM10 rolling annual average was 39.6 µg/m³ which is above the PM10 annual average criterion of 25 µg/m³ – commentary in the report noted that the increase in the annual average “would be a result of severe drought and dusty conditions over this period”; • for HVAS2, the PM10 rolling annual average was 39.71 µg/m³ which is above the PM10 annual average criterion of 25 µg/m³ – commentary in the report noted that “calculation of the rolling annual average includes results from days where there were dust storm events”; and • for HVAS3, the TSP rolling annual average was 54.28 µg/m³ which is below the TSP 90 µg/m³ annual average criterion. <p>BHOP's Monthly Environment Monitoring Report for February 2020 stated that:</p> <ul style="list-style-type: none"> • for HVAS, the TSP annual rolling average was 70.84 µg/m³ which is below the TSP 90 µg/m³ annual average criterion; • for HVAS1, the PM10 rolling annual average was 48.6 µg/m³ which is above the PM10 annual average criterion of 25 µg/m³ – commentary in the report noted that the elevated levels on two dates (1 and 7 February 2020) was: 			



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			<ul style="list-style-type: none"> ○ for the elevated reading of 221 µg/m³ on 1 February 2020, “likely the result of a regional dust storm”; and ○ for the elevated reading of 89 µg/m³ on 7 February 2020, “not likely to be the result of site activities as the predominant wind direction was from the SE”; <ul style="list-style-type: none"> • for HVA52, no samples recorded, as this unit had been decommissioned while TSF2 embankment construction works are undertaken, and noting that a real-time PM10 monitor is in place adjacent to the HVA52 location; and • for HVA53, no samples recorded, as this unit had been decommissioned while TSF2 embankment construction works are undertaken, and noting that a real-time PM10 monitor is in place adjacent to the HVA52 location. <p>BHOP’s Monthly Environment Monitoring Report for October 2021 stated that:</p> <ul style="list-style-type: none"> • for HVA5, the TSP annual rolling average was 38.18 µg/m³ which is below the TSP 90 µg/m³ annual average criterion; • for HVA51, the PM10 rolling annual average was 12.7 µg/m³ which is below the PM10 annual average criterion of 25 µg/m³ ; • for HVA52, the PM10 rolling annual average was 14.19 µg/m³ which is below the PM10 annual average criterion of 25 µg/m³ , but noted that the annual rolling average was calculated using data from February to October 2021 only due to 			



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			<p>HVAS2 being reinstalled after 19 months decommissioned; and</p> <ul style="list-style-type: none"> • for HVAS3, the TSP rolling annual average was 31.55 µg/m³ which is below the TSP 90 µg/m³ annual average criterion, but noted that the annual rolling average was calculated using data from February to October 2021 only due to HVAS3 being reinstalled after 19 months decommissioned. <p><u>TEOM Samplers (PM10)</u></p> <p>As of March 2022, BHOP operates and maintains two Tapered Element Oscillating Microbalance (TEOM) sampling units to measure ambient air quality at the Rasp Mine:</p> <ul style="list-style-type: none"> • TEOM1 (EPL13) is located off-site within the perimeter fence of Essential Water south of the mine lease; and • TEOM2 (EPL14) is located on-site adjacent to Blackwood Pit (TSF2) to the north of the mine lease. <p>TEOM1 and TEOM2 operate continuously (samples are logged at 5 minute intervals) and sample for particulate matter less than 10 microns (PM10) in size. A spare TEOM unit exists on site. It was stated that this spare TEOM unit is required to be calibrated when utilised.</p> <p>BHOP has commissioned service provider, Ecotech (part of the ACOEM Group), to provide monthly monitoring and data reporting services for the Broken Hill Site 1 and Site 2 ambient air quality monitoring stations (i.e. TEOM1 and TEOM2 stations</p>			



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			<p>for monitoring ambient PM10). Ecotech retains NATA Accreditation No. 14184.</p> <p>The Auditors viewed selected Ecotech Ambient Air Quality Monitoring Validated Reports (for July 2019, September 2020 and December 2021) to assess selected monitoring results from the TEOM units against Table 2 of this condition.</p> <p>The Ecotech Report for July 2019 (Report ID: DAT14879, dated 28 August 2019) showed that:</p> <ul style="list-style-type: none"> • for TEOM1, the PM10 ug/m3 results for each day in July 2019 were below the 50 ug/m3 24-hour average criterion; and • for TEOM2, no samples recorded, as this unit had been powered off on 19 June 2019 at 10:15 while construction works are completed in the area. <p>The Ecotech Report for September 2020 (Report ID: DAT16303, dated 28 October 2020) showed that:</p> <ul style="list-style-type: none"> • for TEOM1, the PM10 ug/m3 results for each day in September 2020 were below the 50 ug/m3 24-hour average criterion, with the exception of a 520.2 ug/m3 result on 2 September; and • for TEOM2, no samples recorded, as this unit had been powered off on 19 June 2019 at 10:15 while construction works are completed in the area. <p>BHOP’s Monthly Environment Monitoring Report for September 2020 noted (page 8) that: “There was a dust storm in Broken Hill for</p>			



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			<p>much of the day on 2 September and the 24-hour average level for the day [of 9.7 ug/m³] has been calculated without the levels recorded during the dust storm.”</p> <p>The Ecotech Report for December 2021 (Report ID: DAT17916, dated 28 January 2022) showed that:</p> <ul style="list-style-type: none"> • for TEOM1, the PM10 ug/m3 results for each day in December 2021 were below the 50 ug/m3 24-hour average criterion, with the exception of a 78.0 ug/m3 result on 15 December and a 104.3 ug/m3 result on 19 December; and • for TEOM2, the PM10 ug/m3 results for each day in December 2021 were below the 50 ug/m3 24-hour average criterion, with the exception of a 56.2 ug/m3 result on 9 December and a 187.3 ug/m3 result on 19 December. <p>BHOP’s Monthly Environment Monitoring Report for December 2021 noted (page 10) that: “both units recorded average daily results above 50 µg/m3 on 19 December due to a dust storm. Elevated results at TEOM2 on 9 December and 15 December [note: the elevated result on 15 December should refer to TEOM1] may have been due to dust from both TSF2 and the quarry to the South of TEOM2 as the wind was from the SSW and South respectively.”</p> <p><u>Dust Deposition Sampling</u> As of March 2022, BHOP operates and maintains seven dust deposition gauges (D1 to D7) to measure ambient air quality</p>			



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			<p>at the Rasp Mine. Gauges D1 and D6 are located off-site, with gauge D1 located near the St Johns training facility north of the Rasp Mine and gauge D6 located in Casuarina Avenue south of the Rasp Mine. Gauges D2 to D5 and D7 are located on the mine lease in various locations. Samples are collected monthly and analysed for total deposited dust and deposited lead dust.</p> <p>The Auditors viewed selected BHOP Monthly Environment Monitoring Reports to assess selected dust deposition monitoring results against Table 3 of this condition.</p> <p>BHOP’s Monthly Environment Monitoring Report for November 2019 noted (page 12) that:</p> <ul style="list-style-type: none"> • for the off-site D1 gauge, total deposited dust was 2.9 g/m² /month which may be below the “maximum project contribution” of 2 g/m² /month when non-project sources of dust are excluded, and is below the “maximum total deposited dust level” of 4 g/m² /month; and • for the off-site D6 gauge, total deposited dust was 13.3 g/m² /month which may be below the “maximum project contribution” of 2 g/m² /month when non-project sources of dust are excluded, but is above the “maximum total deposited dust level” of 4 g/m² /month. <p>The commentary in the Monthly Environment Monitoring Report for November 2019 as to why the result for D6</p>			



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			<p>was recorded as 'compliant' is unclear. The Report (pages 12-13) notes that: "Dust results at Casuarina Avenue [which is D6], Block 10, Junction Mine, and Thompsons Shaft were the highest of the dust gauges in November. Lead levels were low in these gauges and wind was predominantly from the South to SW (with a dust storm on 27 November) in November so BHOP is not likely to have contributed significantly to the dust captured in these dust gauges."</p>			
5	PA 07_0018 Sch3 Cond4	<p>Air Quality and Greenhouse Gas – Air Quality Criteria</p> <p>The Proponent shall ensure that the project is operated in a manner that does not exceed the criteria listed in Tables 4 and 5.</p>	<p>During the audit period, point source emissions testing have been conducted at quarterly intervals at the two required locations (i.e. the Ventilation Shaft, and the Process Enclosure/Baghouse Stack) specified in Tables 4 and 5 of this condition.</p> <p>External air quality monitoring service provider, Assured Environmental (NATA Accreditation No. 19703), conducts on-site monitoring of pollutants (i.e. NO₂, TSP, Type 1 and Type 2 substances, and VOCs) listed in Table 4 of this condition.</p> <p>Assured Environmental utilises a NATA accredited laboratory (Envirolab Services, NATA Accreditation No. 2901) for the off-site testing of relevant pollutants (i.e. TSP, and Type 1 and 2 Hazardous Substances) listed in Table 5 of this condition.</p> <p>The key sources of actual and potential point source air emissions from the Rasp</p>	<p>Non-compliance (low risk)</p> <p>In respect of quarterly air emissions testing conducted at the Crusher Baghouse (EPL2) on 9 December 2020, there were exceedances of the discharge criteria in Table 5 of this condition, for both TSP and Type 1 and 2 substances.</p>	<p>Non-compliance (low risk)</p> <p>All filter bags have since been replaced and a Sintrol real time air quality monitoring unit has been fitted to allow constant monitoring of baghouse emissions, all emissions testing since the exceedance have recorded levels below limits.</p>	Complete



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			<p>Mine site include:</p> <ul style="list-style-type: none"> • crusher baghouse in the mill; • transfer points on conveyor systems within the mill; • concentrate loading shed; and • main vent shaft (air emissions from underground ventilation). <p>The Auditors requested and sighted three selected Assured Environmental “Source Emission Monitoring” reports; dated 7 July 2019 for Q2 2019, 24 July 2020 for Q2 2020, and 8 November 2021 for Q3 2021. The test results were reported as follows:</p> <ul style="list-style-type: none"> • for Q2 2019 (testing conducted on 28 and 29 May 2019), the results at both monitoring locations did not exceed the criteria in Tables 4 and 5; • for Q2 2020 (testing conducted on 16 June 2020), the results at both monitoring locations did not exceed the criteria in Tables 4 and 5; and • for Q3 2021 (testing conducted on 12 and 13 October 2021), the results at both monitoring locations did not exceed the criteria in Tables 4 and 5. <p>Process conditions were noted in Table 15 of each of the above reports, as follows: “Development Blast” for RP1 Main Vent Shaft; and “Crusher On” for RP2 Mill Baghouse.</p> <p><u>Ventilation Shaft</u> Since Q1 2019, no exceedances have been measured for the ventilation shaft against emission limits for pollutants listed in Table 4 (i.e. as determined quarterly by Assured</p>			



Broken Hill Operations Pty Ltd - Rasp Mine
2022 Independent Environmental Audit – Action Plan

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<p>Environmental).</p> <p>It was stated that stack emissions testing from this source is scheduled after a blast (i.e. as required) to identify any peaks under normal/adverse operating conditions.</p> <p><u>Process Enclosure/Baghouse Stack</u> Since Q1 2019, with one exception as noted below, no exceedances have been measured for the process enclosure/baghouse stack (Crusher Baghouse) against emission limits for pollutants listed in Table 5 (i.e. as determined quarterly by Assured Environmental).</p> <p>Point source emissions testing conducted by Assured Environmental on 9 December 2020 at the Crusher Baghouse yielded results which exceeded the discharge criteria in Table 5 of this condition.</p>			



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6	PA 07_0018 Sch3 Cond11	<p>Air Quality and Greenhouse Gas – Air Quality Management Plan</p> <p>The Proponent shall prepare and implement a detailed Air Quality Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with EPA and submitted to the Secretary for approval prior to the commencement of construction on the site;</p> <p>(b) identify all major sources of particulates and other air pollutants that may be emitted from the project, being both point source and diffuse emissions, including identification of the potential for lead contamination to be carried by these particulates;</p> <p>(c) include an air quality monitoring program that:</p> <ul style="list-style-type: none"> • provides a real-time monitoring system of dust emissions around the perimeter of TSF2 that triggers an automated water spray system prior to adverse meteorological conditions occurring; • is capable of measuring lead concentrations located in the prevailing down wind direction near the perimeter of TSF2; • provides for periodic point source monitoring at Point 1 (Ventilation Shaft) and Point 2 (Process Enclosure/ Baghouse Stack); • provides for continuous ambient monitoring across an ambient air quality and dust monitoring network comprising no fewer than ten monitoring locations (Points 3 to 12) for total suspended particulates, 	<p>During this March 2022 audit, there was evidence that BHOP is implementing the AQMP, subject to some isolated examples identified in the non-compliance below. Refer to condition 5 of this Schedule for examples of implementation of the AQMP.</p> <p>Appendix E of the AQMP comprises an Air Quality Monitoring Program, dated February 2019.</p> <p>BHOP also has what appears to be a redundant Air Quality Monitoring Program Management Plan (AQMPMP), Revision No. 2, issued on 28 July 2016, Doc ID: BHO-PLN-ENV-0010. The AQMPMP is available on the CBH website.</p> <p>In relation to the paragraphs of this condition:</p> <p>(a) Appendix D to the AQMP reproduces email correspondence with the EPA from March 2016 to March 2019. It is considered that the requirement for submission of the AQMP to the Secretary for approval prior to the commencement of construction on the site does not apply to subsequent revisions of the AQMP.</p> <p>(b) Section 8 of the AQMP identifies pollutants that may be emitted from the project, being both point source and diffuse emissions, including identification of the potential for lead contamination to be carried by these particulates.</p> <p>(c) The Air Quality Monitoring Program (in Appendix E of the AQMP) references a number of Procedures for Air Quality</p>	<p>Non-compliance (low risk)</p> <p>As of March 2022:</p> <ul style="list-style-type: none"> • BHOP has not implemented some aspects of the Air Quality Management Plan (AQMP) issued on 25 June 2019, including: <ul style="list-style-type: none"> ○ the water spray system on TSF2 was not installed and tested by the intended date of 31 March 2021 referred to in section 10.5.1 of the AQMP – it is acknowledged that achieving this installation and testing date was dependent on construction of the TSF2 Embankments being completed by the end of October 2019 when in fact, completion occurred on 8 July 2021; and ○ there is no functional water spray system on the ROM Pad – Table B1 in the AQMP includes the following control action for ‘ROM Stockpile Wind Erosion’: “Water sprays will be mounted on the ROM stockpile wind breaks and directed at stockpiles and haul truck dumping areas.” • The content of the AQMP does not satisfy the following requirements in paragraphs (e), (k) and (l) of this condition: <ul style="list-style-type: none"> (e) The AQMP does not describe procedures to review and refine the reactive management triggers for wind speed and dust concentrations; (k) There are no protocols in the AQMP for regular maintenance of plant and equipment to minimise the potential for elevated dust 	<p>Non-compliance (low risk)</p> <p>BHOP is currently in the process of installing the TSF2 spray system</p>	30 Sept 2022



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		<p>PM10, lead and dust deposition. Monitoring locations shall be informed by the outcomes of the air quality assessments presented in the EA and PPR and identified in consultation with EPA; and</p> <ul style="list-style-type: none"> • provides for continuous meteorological monitoring using a meteorological monitoring station located on the site; • is consistent with the requirements of Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DECC, 2007), the Protection of the Environment Operations Act 1997 and the Protection of the Environment (Clean Air) Regulation 2010. 	<p>Monitoring (section 8) and generally satisfies the dot points in paragraph (c). (d) Section 10 of the AQMP describes management strategies including measures to manage air quality impacts including: exposed areas (section 10.1), sealed roads (section 10.3), TSF wind erosion (section 10.5), transfer to/from crushed ore storage bin (section 10.6), ventilation exhaust (section 10.7), crusher circuit (section 10.10), vehicle wash facilities (section 10.15), and meteorological forecasting to guide dust management (section 10.18). (e) The AQMP does not describe procedures to review and refine the reactive management triggers for wind speed and dust concentrations. Refer to non-compliance below. (f) Sections 4 and 5 of the Air Quality Monitoring Program include procedures and processes for monitoring ambient dust and deposited dust impacts. (g) The Air Quality Monitoring Program includes a review of baseline air quality monitoring data and predicted impacts. (h) Section 15 (TARPs) of the AQMP includes details of measures to be implemented to address any situation in which monitored dust impacts exceed those assumed and predicted. (i) Section 12 of the AQMP describes complaints management procedures (in relation to documentation and recording of information). (j) Refer to comments for paragraph (d) above. (k) Appendix B of the AQMP includes air quality controls within Rasp Mine</p>	<p>generation, leaks and fugitive emissions; and (l) There is no contingency plan in the AQMP should an incident, upset or other initiating factor lead to elevated dust impacts, whether above normal operating conditions or above environmental performance goals/limits.</p>		



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			<p>Procedures, including requirements to regularly inspect plant and equipment. However there are no protocols in the AQMP or Air Quality Monitoring Program for regular maintenance (as distinct from regular inspection) of plant and equipment to minimise the potential for elevated dust generation, leaks and fugitive emissions. Refer to non-compliance below.</p> <p>(l) The AQMP does not include a contingency plan should an incident, upset or other initiating factor lead to elevated dust impacts, whether above normal operating conditions or above environmental performance goals/ limits. Refer to non-compliance below.</p>			
6	PA 07_0018 Sch3 Cond 14	<p>Lead Awareness and Public Health – Updated Human Health Risk Assessment</p> <p>Within one year of the commencement of operation of the project, and every five years thereafter, unless otherwise agreed by the Secretary, the Proponent shall update the human health risk assessment prepared for the project and presented in the EA to the satisfaction of the Secretary. The updated risk assessment shall:</p> <p>(a) be prepared by a suitably-qualified expert whose appointment has been endorsed by the Secretary;</p> <p>(b) take into account monitoring data collected under this approval, and such other information as may be relevant to the assessment; and</p> <p>(c) be submitted to the Secretary, EPA and the Western NSW Local Health District within one month of its completion.</p>	<p><u>2020 Human Health Risk Assessment (HHRA)</u></p> <p>A Human Health Risk Assessment (HHRA) report was prepared by external consultant, SLR, to support BHOP’s Mod 6 application (New Tailing Storage Facility). The HHRA report is titled: “Human Health Risk Assessment for Rasp Mine, Modification 6” (SLR doc ref: 640.12028-R01-v3.0, dated 14 December 2020). As of March 2022, the December 2020 HHRA is not available on the CBH website.</p> <p>The Overall Conclusions (section 5) of the December 2020 HHRA report were:</p> <ul style="list-style-type: none"> • for Lead (Pb): “Overall, BPb [blood lead] concentrations in 1-2 year old children living in Broken Hill are not anticipated to be affected by activities associated with the Proposal.”; and • for other metals: “It is concluded the risk 	<p>Administrative non-compliance</p> <p>During this March 2022 audit, BHOP was unable to provide evidence of compliance against paragraphs (a) and (c) of this condition as follows:</p> <p>(a) BHOP was unable to provide evidence that the preparer of the 2020 HHRA report; Tarah Hagen, MSc, DABT, RACTRA, was endorsed by the Secretary as a suitably qualified expert; and</p> <p>(c) BHOP was unable to provide evidence that the HHRA report had been submitted to the Secretary, EPA and Western NSW Local Health District within one month of its completion.</p>	<p>Administrative non-compliance</p> <p>BHOP will obtain retrospective endorsement from DPE is possible. HHRA report to be provided to the Secretary, EPA and Western NSW Local Health District.</p>	1 Aug 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<p>of exceeding health-based toxicity reference values as a result of the Proposal is very low, and cancer risks are considered negligible or acceptable. The assessment is conservative.”</p> <p>On 24 May 2021, SLR issued an Addendum to the December 2020 HHRA (SLR doc no. 640.30198.00000-L01-v1.1-20210524), in response to (page 1): “minor changes to the project description which relate to the location and alignment of the Tails Harvesting Haul Road.”</p> <p>In the Addendum, SLR concluded (page 2): “The minor changes to the project description do not change the HHRA conclusions.”</p> <p>In relation to paragraph (b) of this condition, the 2020 HHRA includes monitoring data and other relevant information. For example, section 2.6.1 of the 2020 HHRA, “Table 2-3 – Existing Pb concentrations in topsoil of Broken Hill by district or specific location”, includes details of externally sourced monitoring data and BHOP monitoring data used to derive the HHRA data. As noted in section 2.6.1: “Therefore, for this HHRA a combination of data from the BHOP sampling campaign and the Yang and Cattle (2015) research were used, with the rationale explained in the footnotes to Table 2-3.”</p>			



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required																																						
7	PA 07_0018 Sch3 Cond18	<p>Noise and Vibration – Blasting Limits</p> <p>The Proponent shall ensure that blasting on the site does not cause exceedances of the criteria in Tables 8 and 9.</p> <p><i>Table 8: Blasting Criteria (excluding Block 7)</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Location</th> <th style="text-align: center;">Airblast Overpressure (dB(Lin Peak))</th> <th style="text-align: center;">Ground Vibration (mm/s)</th> <th style="text-align: center;">* Allowable Exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2" style="text-align: center;">Residence on privately owned land</td> <td style="text-align: center;">115</td> <td style="text-align: center;">5</td> <td style="text-align: center;">* 5% of the total number of blasts over a 12-month period</td> </tr> <tr> <td style="text-align: center;">120</td> <td style="text-align: center;">10</td> <td style="text-align: center;">0%</td> </tr> <tr> <td style="text-align: center;">Public Infrastructure</td> <td style="text-align: center;">-</td> <td style="text-align: center;">100</td> <td style="text-align: center;">0%</td> </tr> </tbody> </table> <p><i>Table 9: Blasting Criteria (Block 7)</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Location</th> <th style="text-align: center;">Airblast Overpressure (dB(Lin Peak))</th> <th style="text-align: center;">Ground Vibration (mm/s)</th> <th style="text-align: center;">* Allowable Exceedance</th> </tr> </thead> <tbody> <tr> <td rowspan="2" style="text-align: center;">Residence on privately owned land</td> <td style="text-align: center;">115</td> <td style="text-align: center;">* 3 (min/m)</td> <td style="text-align: center;">5% of the total number of blasts over a 12-month period</td> </tr> <tr> <td style="text-align: center;">120</td> <td style="text-align: center;">10</td> <td style="text-align: center;">0%</td> </tr> <tr> <td style="text-align: center;">Broken Hill Bowling Club, Itallo (Bocce) Club, Heritage Items within CML7</td> <td style="text-align: center;">-</td> <td style="text-align: center;">50</td> <td style="text-align: center;">0%</td> </tr> <tr> <td style="text-align: center;">Pierija Southern Operations</td> <td style="text-align: center;">-</td> <td style="text-align: center;">100</td> <td style="text-align: center;">0%</td> </tr> <tr> <td style="text-align: center;">* Public Infrastructure</td> <td style="text-align: center;">-</td> <td style="text-align: center;">100</td> <td style="text-align: center;">0%</td> </tr> </tbody> </table> <p><small>These criteria do not apply if the Proponent has a written agreement with the relevant owner to exceed these criteria, and has advised the Department in writing of the terms of this agreement.</small></p> <p><small>Notes to Tables 8 and 9:</small></p> <ul style="list-style-type: none"> <small>* The allowable exceedance must be calculated separately for development blasts and production blasts;</small> <small>* The 5% allowable exceedance does not apply to production blasts until the Proponent has successfully completed a Pollution Reduction Program aimed at achieving this goal, as required by the EPA under the Proponent's EPL, (No. 12559), or as otherwise agreed with the EPA.</small> 	Location	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (mm/s)	* Allowable Exceedance	Residence on privately owned land	115	5	* 5% of the total number of blasts over a 12-month period	120	10	0%	Public Infrastructure	-	100	0%	Location	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (mm/s)	* Allowable Exceedance	Residence on privately owned land	115	* 3 (min/m)	5% of the total number of blasts over a 12-month period	120	10	0%	Broken Hill Bowling Club, Itallo (Bocce) Club, Heritage Items within CML7	-	50	0%	Pierija Southern Operations	-	100	0%	* Public Infrastructure	-	100	0%	<p>Blast monitoring at the Rasp Mine is scheduled and conducted by personnel from BHOP's Environment Department. Personnel from BHOP's Technical Services Department are responsible for reviewing the blast vibration data.</p> <p>As of March 2022, BHOP maintains nine regulatory-compliance blast monitors, inclusive of six PA/EPL compliance monitors and three 'Dams Safety NSW' required monitors on the TSF2 embankments (one of which was installed in 2020 and the other two in 2021). BHOP maintains an additional three roving blast monitors. These monitors are listed in BHOP's Register of Blast Monitors (Excel spreadsheet), including calibration dates (calibration by Saros in Brisbane). It was stated that two new blast monitors are on site as of March 2022, but have not been installed, pending Mod 6 approval.</p> <p>As evidence of calibration of blast monitors, the Auditors sighted the following calibration records for the following selected blast monitors:</p> <ul style="list-style-type: none"> • Saros calibration certificate issued on 6 December 2021 for Micromate serial number UM14308; and • Saros calibration certificate issued on 24 November 2021 for Minimate serial number BE22003. <p>As of March 2022, the newer model of blast monitor, the Micromate, is used at all six compliance monitoring locations.</p>	<p>Non-compliance (low risk)</p> <p>During the audit period, BHOP exceeded the allowable 5% above 3mm/s limit (for ground vibration) of the total number of blasts over a 12 month period at Block 7 (V5 blast monitor).</p>	<p>Non-compliance (low risk)</p> <p>The non-compliance was reported in the AEMR and Annual Review. The non-compliance had been ongoing due to minimal blasting occurring in Block 7. Block 7 blasting has returned to 100% compliance.</p>	Complete
Location	Airblast Overpressure (dB(Lin Peak))	Ground Vibration (mm/s)	* Allowable Exceedance																																									
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Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<p>During the audit period there was no identified exceedance of the blast overpressure and vibration criteria in Table 8 of this condition (i.e. excluding Block 7).</p> <p>In relation to Block 7 (Table 9 of this condition), it was stated that blasting in Block 7 occurred during the audit period.</p> <p>Section 5.13 in BHOP's 2019-2020 Annual Review (reporting period from 1 January 2019 to 30 April 2020) noted: "In the Block 7 mining areas (including the Zinc Lodes), a total of 5 production blasts were fired during the reporting period. Two of those production blasts exceeded 3 mm/s at one or more of the compliance monitors. The percentage of production blasts exceeding 3 mm/s was 40%."</p> <p>Section 5.13 in BHOP's 2020-2021 Annual Review (reporting period from 1 May 2020 to 30 April 2021) noted: "In the Block 7 mining areas (including the Zinc Lodes), a total of 3 production blasts were fired during the reporting period, all exceeding 3 mm/s at one or more of the compliance monitors. The percentage of production blasts exceeding 3 mm/s was 100%."</p>			



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
8	PA 07_0018 Sch3 Cond21	<p>Soil and Water</p> <p>Except as may be expressly provided by an Environment Protection Licence issued under the Protection of the Environment Operations Act 1997, the Proponent shall comply with section 120 of that Act, which prohibits the pollution of waters.</p>	<p>Relevant BHOP personnel were aware that it is an offence under section 120 of the Protection of the Environment Operations Act 1997 to pollute waters, except as expressly provided by the EPL.</p> <p>BHOP's Site Water Management Plan (SWMP) issued on 25 June 2019, acknowledges that a primary objective of the SWMP is to comply with section 120 of the Protection of the Environment Operations Act 1997.</p> <p>Figure 1 in the SWMP shows 60 site catchment areas and 39 water storage locations, with directions of water flow indicated.</p> <p>It was stated that during rainfall, surface water management at the operation involves the diversion of surface runoff into either the S49 Ryan Street Dam or Horwood Dam.</p> <p>As noted in the 2016 audit report and 2019 audit report, in January 2016, the S49 Ryan Street Dam was recontoured to contain a 1 in 20 year ARI 24 hour storm event; and the dam embankment was lined with HDPE.</p> <p>Given the low rainfall and high evaporation rates in the region surrounding Broken Hill, the presence of standing water is rare.</p> <p>A significant number of shallow basins and depressions are utilised around the site to</p>	<p>Non-compliance (low risk)</p> <p>On 10 March 2022, minor seepage was observed from the S49 Ryan Street Dam adjacent to and across the site boundary.</p>	<p>Non-compliance (low risk)</p> <p>S49 was continuously dewatered through numerous rainfall events between March and May. Once dry an engineering company has been engaged to install a fixed pumping system to prevent further seepage events from occurring. A rainfall TARP has been developed to trigger action. SWMP is under review.</p>	<p>Ongoing</p> <p>Short-term actions as detailed in the incident report to DPIE have been completed.</p> <p>Medium and Long-term actions are progressing to timeframes agreed with DPIE.</p>



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<p>capture surface runoff from disturbed areas when this occurs.</p> <p>It was stated that the nearest waterway/creek to the operation with environmental value is Stephens Creek (located 18 km to the east of Broken Hill). No surface runoff from the BHOP is known to drain into or reach this receiving water.</p> <p>Refer to supporting evidence/comments for Project Approval Schedule 4, condition 5, in relation to the minor seepage from the S49 Ryan Street Dam, which was observed on 10 March 2022.</p>			
9	PA 07_0018 Sch3 Cond23	<p>Soil and Water – Water Management Plan</p> <p>The Proponent shall prepare and implement a Water Management Plan for the project to the satisfaction of the Secretary. This plan must be consistent with the Stormwater Management Plan presented as Annexure K to the EA, incorporate any changes to reflect the final detailed design of the project, and be prepared in consultation with EPA, DPIE Water and RR. The plan must: be submitted to the Secretary for approval by the end of June 2011, and must include: (a) a Site Water Balance, which must:</p> <ul style="list-style-type: none"> • include details of: <ul style="list-style-type: none"> o sources and security of water supply; o methods to achieve accurate metering of water take; <ul style="list-style-type: none"> o water use on site; o water management on site; o any off-site water transfers; and 	<p>As of March 2022, BHOP’s current Site Water Management Plan (SWMP) is Revision No. 2, issued on 25 June 2019 (Doc ID: BHOPLN-ENV-006). The SWMP is available on the CBH website</p> <p>Section 1.5 of the SWMP states that the SWMP was prepared in consultation with the Department of Industry – Water, the EPA and the Resources Regulator. During this March 2022 audit, there was evidence that BHOP is implementing the SWMP, including the following measures:</p> <ul style="list-style-type: none"> • use of a Site Water Monitoring Procedure (BHO-ENV-PRO011), referred to in section 1.6 of the SWMP; • surface water and groundwater monitoring results provided in Monthly Environment Monitoring Reports on the CBH website (from January 2014 to January 2022 at the time of writing this March 2022 	<p>Non-compliance (low risk)</p> <p>In relation to paragraph (c) of this condition:</p> <ul style="list-style-type: none"> • The June 2019 Site Water Management Plan (SWMP) does not include the required baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project. Section 3.3 presents local temperature and rainfall data, but does not relate this data to the potential quantity or quality of surface water flows at the two off-site monitoring locations (i.e. upstream of Acacia Creek, and within Stephens Creek) referred to in section 8.2 (EPL monitoring points 35 and 36). It is noted that section 12.5 of the previous SWMP (Golder Associates, dated 30 April 2012, report number 097626108-007-R-Rev11) states that “catchment water quality is expected to contain concentrations of lead and other heavy metals above the 	<p>Non-compliance (low risk)</p> <p>SWMP is under review as part of requirements following the approval of MOD6. These recommendations are to be investigated further as part of the current review process.</p>	30 Aug 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<ul style="list-style-type: none"> • investigate and implement all reasonable and feasible measures to minimise water use by the project; (b) an Erosion and Sediment Control Plan, which must: <ul style="list-style-type: none"> • identify activities that could cause soil erosion, generate sediment or affect flooding; • describe measures to minimise soil erosion and the potential for transport of sediment to downstream waters, and manage flood risk; • describe the location, function and capacity of erosion and sediment control structures and flood management structures; and • describe what measures would be implemented to maintain the structures over time; (c) a Surface Water Management Plan, which must include: <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project; • surface water and stream health impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts; • a program to monitor and assess: <ul style="list-style-type: none"> ○ surface water flows and quality; ○ impacts on water users; ○ stream health; and ○ channel stability. (d) a Groundwater Monitoring Program, which must: 	<p>audit report);</p> <ul style="list-style-type: none"> • surface water and groundwater monitoring results provided in AEMRs on the CBH website (AEMRs from 2012 to 2020 at the time of writing this March 2022 audit report); and • construction of the stormwater collection pond referred to in section 5.3 of the SWMP as follows: “A Stormwater Collection Pond will be constructed to the north of Embankment 2 to store rainwater from runoff from the outer slope of Embankment 2.” <p>In relation to the paragraphs of this condition:</p> <p>(a) The SWMP includes a ‘Water Balance’ in section 6 and Figure 4. The Site Water Balance:</p> <ul style="list-style-type: none"> • includes details of: <ul style="list-style-type: none"> ○ sources and security of water supply (sections 5 and 6, and Figure 4); ○ methods to achieve accurate monitoring of water take – according to Project Approval Schedule 4, condition 4(d), this new requirement is not triggered until the next revision of the SWMP which is due within 3 months after approval of Mod 9 on 23 December 2021 (i.e. this new requirement is not triggered until 22 March 2022); ○ water use on site (sections 5 and 6, and Figure 4); ○ water management on site (sections 1.4, 5, 6 and 10); ○ any off-site water transfers 	<p>conventional water quality guideline limits...” .</p> <ul style="list-style-type: none"> • The SWMP does not include surface water and stream health impact assessment criteria including trigger levels for investigating any potentially adverse surface water impacts. Section 8.4 describes contingency measures (pumping to lower the water level in Horwood Dam) if the measured water quality in Horwood Dam is considered to be a risk to the receiving environment (such as the downstream creek and Stephens Creek Reservoir), and section 10 includes a surface water quality TARP, with trigger levels referable to groundwater water quality results in August 2011 at Shaft 7. However, sections 8.4 and 10 do not define impact assessment criteria at the two off-site monitoring locations referred to in section 8.2; and • The SWMP does not identify whether there are potential impacts of surface water flows from the site, on off-site water users, and if potential impacts are identified, include a program to monitor and assess those potential impacts. It is noted that Section 12.1 of the previous Site Water Management Plan (dated 30 April 2012, Golder Associates, report number 097626108-007-R-Rev11) stated: “It is predicted that overflows during extreme rainfall events greater than the 1 in 100 year storm event, will not directly affect the hydrology of the local catchment.” 		



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<ul style="list-style-type: none"> • provide a program to monitor seepage movement within and adjacent to the tailings storage facility; • include details of parameters and pollutants to be monitored for: <ul style="list-style-type: none"> ○ water from mine dewatering; ○ groundwater locations to the east of TSF1; ○ surface water represented by Horwood Dam; ○ water captured by the toe drains of the tailings storage facility; ○ water seepage from the tailings storage facility; and ○ the background local groundwater system. • outline performance parameters against monitoring data will be compared to determine whether seepage is occurring, and whether an unacceptable impact on local groundwater may be occurring; • include details of contingency measures to be implemented in the event that an unacceptable impact is identified. 	<p style="text-align: center;">(sections 5.4 and 6); and</p> <ul style="list-style-type: none"> • investigates and implements all reasonable and feasible measures to minimise water use by the project (section 6). <p>(b) The SWMP includes section 9, headed “Erosion and Sediment Control” (which for the purpose of assessing compliance against this condition is considered to be an Erosion and Sediment Control Plan), and which:</p> <ul style="list-style-type: none"> • identifies activities that could cause soil erosion, generate sediment or affect flooding (section 9 introduction); • describes measures to minimise soil erosion and the potential for transport of sediment to downstream waters, and manage flood risk (sections 1.4, 9.1, 9.2 and 9.3); • describes the location, function and capacity of erosion and sediment control structures and flood management structures (Figure 1, and Tables 5 and 6); and • describes what measures would be implemented to maintain the structures over time (sections 9.1, 9.2 and 9.3). <p>(c) The SWMP includes section 8, headed “Surface Water Monitoring” (which for the purpose of assessing compliance against this condition is considered to be a Surface Water Management Plan), and which includes:</p> <ul style="list-style-type: none"> • detailed baseline data on surface water flows and quality in creeks and other waterbodies that could potentially be affected by the project – refer to non-compliance below; • surface water and stream health impact 			



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<p>assessment criteria including trigger levels for investigating any potentially adverse surface water impacts – refer to non-compliance below;</p> <ul style="list-style-type: none"> o a program to monitor and assess: <ul style="list-style-type: none"> o surface water flows and quality (sections 8.1, 8.2 and 8.3); o impacts on water users – refer to non-compliance below; o stream health – (section 8.2); and o channel stability (section 9 – Erosion and Sediment Control). <p>(d) The SWMP includes a Groundwater Monitoring Program which:</p> <ul style="list-style-type: none"> • provides a program to monitor seepage movement within and adjacent to the tailings storage facility (section 7.1); <ul style="list-style-type: none"> o includes details of parameters and pollutants to be monitored for: <ul style="list-style-type: none"> o water from mine dewatering (section 7.1); o groundwater locations to the east of TSF1 (section 7.1); o surface water represented by Horwood Dam (section 7.1); o water captured by the toe drains of the tailings storage facility (section 7.1); o water seepage from the tailings storage facility (section 7.1); and o the background local groundwater system (sections 7.2 and 7.3.1). • outlines performance parameters against monitoring data which will be compared to determine whether seepage is occurring, and whether an unacceptable impact on 			



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<p>local groundwater may be occurring (section 7.2);</p> <ul style="list-style-type: none"> includes details of contingency measures to be implemented in the event that an unacceptable impact is identified (sections 7.3 and 10). 			
10	PA 07_0018 Sch3 Cond32	<p>Waste</p> <p>The Proponent shall:</p> <p>(a) minimise the waste generated by the project; and</p> <p>(b) ensure that the waste generated by the project is appropriately stored, handled, and disposed of, to the satisfaction of the Secretary.</p>	<p>It was stated that some waste rock was used as capping (approximately 1 metre depth) in the TSF2 embankment lifts, and is intended to be used as capping on TSF2 after the end of use of TSF2 for tailings.</p> <p>It was stated that concrete waste is deposited underground.</p> <p>Waste oils, waste grease, hydrocarbon contaminated rags, and waste oil filters, is removed by a contractor, Cleanaway.</p> <p>Waste batteries are temporarily stored on-site in the workshop area and are removed off site for recycling by a contractor, Broken Hill Skip Bins.</p> <p>It was stated that used heavy vehicle tyres are used for demarcation of haul and access roads around the site, or removed off-site. During the audit period, approximately 10 heavy vehicle tyres were removed from site by a contractor, Flatearth. Used light vehicle tyres are also removed off site to commercial providers (Flatearth) that manage this waste stream.</p> <p>It was stated that a glass/plastic bottle and aluminium/steel can recycler has recently reopened in Broken Hill, which BHOP may</p>	<p>Non-compliant (low risk)</p> <p>As of March 2022, although most waste products are segregated at source, BHOP has not developed a formal program to proactively review, identify and implement additional programs to minimise waste going to landfill and to measure the volume/quantity of waste being recycled.</p>	<p>Non-compliant (low risk)</p> <p>Part of the current review of the Waste Management Plan will include investigating and implementing a program to minimise the amount of waste leaving site for landfill.</p>	31 July 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			utilise in the future.			
11	PA 07_0018 Sch3 Cond33	<p>Waste</p> <p>The Proponent shall prepare and implement a Waste Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with RR, and submitted the Secretary for approval by the end of March 2011; [Auditor’s Note – The word “to” is missing from paragraph (a).]</p> <p>(b) identify the various waste streams of the project;</p> <p>(c) estimate the volumes of tailings and other waste material that would be generated by the project;</p> <p>(d) describe and justify the proposed strategy for disposing of this waste material;</p> <p>(e) describe what measures would be implemented to meet the requirements set out above in condition 32; and</p> <p>(f) include a program to monitor the effectiveness of these measures.</p>	<p>In field inspections during this March 2022 audit, there was evidence that BHOP is implementing the WMP, including the following measures:</p> <ul style="list-style-type: none"> • tailings were being deposited into TSF2; • bunded areas were in use for the storage of hydrocarbon waste (refer to photo below); and • waste was generally well segregated in all observed areas of the site apart from the workshop area. <p>In relation to the paragraphs of this condition:</p> <p>(a) It is considered that the requirement for submission of the WMP to the Secretary for approval by the end of March 2011 does not apply to subsequent revisions of the WMP.</p> <p>(b) The WMP identifies the various waste streams of the project (section 3.2 with sub-sections describing streams of mineral waste, and sections 3.3 and 3.4 describing streams of non-mineral waste).</p> <p>(c) The WMP estimates the volumes of tailings and other waste material that would be generated by the project as follows:</p> <ul style="list-style-type: none"> • in section 3.2.3 of the WMP, Table 3-1 predicts annual volumes of tailings for the first 9 years of mine life (i.e. to 30 June 2020), and Table 3-2 records actual tailings deposited in TSF2, and actual waste rock placed underground and in Kintore Pit – refer to observation below; 	<p>Non-compliance (low risk)</p> <p>In relation to paragraphs (d) and (e) of this condition, as of March 2022: (d) The Waste Management Plan does not describe and justify the proposed strategy for disposing of mineral waste material.</p> <p>(e) As of March 2022, there was insufficient evidence that BHOP has implemented ‘all’ of the measures described in section 3.6 (Monitoring) and section 3.7 (Audits) of the Waste Management Plan. For example:</p> <ul style="list-style-type: none"> • there was no evidence of development of a comprehensive waste inventory (fifth dot point in section 3.6); and • there was no evidence of waste management inspections (section 3.7) being documented and retained on file. 	<p>Non-compliance (low risk)</p> <p>To be developed as part of the current review of the Waste Management Plan.</p>	31 July 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<ul style="list-style-type: none"> • section 3.2.2 estimates waste rock volumes; and • section 3.2.9 estimates the volume of concrete waste as approximately 1 m3 per day. <p>(d) The WMP does not describe and justify a proposed strategy for disposing of mineral waste material. It is acknowledged that section 3.1 of the WMP notes that guidance from the Line of Lode Working Group chaired by the Department of Premier and Cabinet, regarding BHOP's formulation of a long-term strategy for mineral waste has not yet been finalised. Refer to non-compliance below.</p> <p>(e) The WMP describes the measures that would be implemented to meet the requirements set out in condition 32 (sections 3.2.2 to 3.2.9 inclusive regarding mineral waste, and sections 3.3.1, 3.4 and 3.5 regarding non-mineral waste). Refer to non-compliance below.</p> <p>(f) The WMP includes a program to monitor the effectiveness of these measures as follows:</p> <ul style="list-style-type: none"> • section 3.6 provides for monitoring activities – refer to non-compliance below; and • section 3.7 provides for on-site inspections, and audits of off-site waste facilities every 4 years (i.e. the next audit is due by 25 June 2023) – refer to non-compliance below; and • section 3.8 provides for training in waste management requirements. 			
12	PA 07_0018 Sch3 Cond	Waste	BHOP's Waste Management Plan (WMP), issued on 25 June 2019, was approved by	Non-compliant (low risk)	Non-compliance (low risk)	31 July 2022



Broken Hill Operations Pty Ltd - Rasp Mine 2022 Independent Environmental Audit – Action Plan

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
	33A	The Proponent must update the Waste Management Plan required by condition 33 of this approval by December 2017, unless the Secretary agrees otherwise. The updated plan must include: (a) a long-term waste management strategy; and (b) an action plan for the implementation of the key measures proposed to achieve the strategy. Following approval, the Proponent must implement the plan.	the nominee of the Secretary on 8 August 2019 (DPE letter of 8 August 2019 sighted). <u>Mineral waste (waste rock, tailings and concrete waste)</u> In relation to mineral waste, the WMP appears to equate the required long-term strategy in paragraph (a) of this condition as a Rehabilitation Strategy. Section 1.3 of the WMP states: “As guidance from the Line of Lode Working Group chaired by the Department of Premier and Cabinet has not yet been provided, the Rehabilitation Strategy is yet to be finalised. ... Upon finalisation of the Rehabilitation Strategy an Action Plan to achieve the Strategy will be developed and implemented.”	In relation to the management of mineral waste, the Waste Management Plan does not include: (a) a long-term waste management strategy; or (b) an action plan for the implementation of the key measures proposed to achieve the strategy.	To be developed as part of the current review of the Waste Management Plan.	
13	PA 07_0018 Sch3 Cond34A	Rehabilitation – Rehabilitation Strategy The Proponent must prepare a Rehabilitation Strategy for the site to the satisfaction of the Secretary. This strategy must: (a) be prepared in consultation with RR, EPA, DPIE Water, Heritage NSW and Council; (b) define the rehabilitation objectives for the mine site, with consideration of heritage values, dust management, water and leachate management, subsidence, visual impacts and public safety; (c) include a final landform plan which builds on the rehabilitation objectives and reflects the aims of rehabilitation and closure required by condition 35(d) of this approval; and (d) be submitted to the Secretary for approval by the end of June 2018, unless the	As of March 2022, no Rehabilitation Strategy for the Rasp Mine had been developed, as the preferred method of rehabilitation has not been determined to date by the Line of Lode Working Group. It was stated that the Rehabilitation Strategy submission date of June 2018 was not met, partially as a result of delays experienced with the Line of Lode Working Group. A draft Mine Closure Plan (318 pages) for the period 1 at November 2015 to 31st October 2018 was developed for the Rasp Mine in September 2015. This Plan was not finalised or issued as a final version. External consultant, Corrine Unger, progressed some closure options and draft	Non-compliance (low risk) As of March 2022, BHOP had not submitted a Rehabilitation Strategy to the DPE for approval (the deadline for submission was 30 June 2018).	Non-compliance (low risk) Work currently being undertaken on RMP and Rehabilitation Strategy and the path forward has been discussed with the Resources Regulator.	2 September 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		Secretary agrees otherwise.	<p>strategies for the Rasp Mine which were included in the September 2015 draft Mine Closure Plan.</p> <p>Refer to supporting evidence/comments for CML7 condition 2, regarding the Mine Earth report titled: “Rasp Mine – Dust Management Options Assessment” and dated July 2021, for BHOP’s Mod 6 application.</p>			
14	PA 07_0018 Sch3 Cond35	<p>Rehabilitation – Rehabilitation Management Plan</p> <p>The Proponent shall prepare and implement a Rehabilitation Management Plan for the project to the satisfaction of the Secretary. This plan must:</p> <p>(a) be prepared in consultation with RR, EPA, DPIE Water, Heritage NSW and Council;</p> <p>(b) be prepared in accordance with relevant RR guidelines;</p> <p>(c) be consistent with the rehabilitation objectives defined under the Rehabilitation Strategy required by condition 34A of this approval;</p> <p>(d) reflect the aims of rehabilitation and closure to:</p> <ul style="list-style-type: none"> • retain and/or manage heritage items, as agreed by relevant regulatory authorities; • manage stormwater to minimise erosion and restrict the potential for off-site pollution; • provide final landforms that are safe, stable and sympathetic to the mining heritage of Broken Hill; • minimise the generation of dust and adequately contain potentially hazardous 	<p>Limited information relating to mine site rehabilitation is included in section 5 of the Mining Operations Plan (1 October 2021 to 30 September 2023). This information is unable to be defined as a suitable Rehabilitation Management Strategy/Plan. Some additional information relating to mine rehabilitation is included in sections 2, 4, 5, 7, 8 and 9 of the September 2015 draft Mine Closure Plan (Unger). Refer to supporting evidence/comments for Project Approval Schedule 3, condition 34A. Refer to supporting evidence/comments for CML7 condition 2, regarding the Mine Earth report titled: “Rasp Mine – Dust Management Options Assessment” and dated July 2021, for BHOP’s Mod 6 application.</p>	<p>Non-compliance (low risk)</p> <p>As of March 2022, BHOP has not developed a Rehabilitation Management Plan as required by this condition.</p>	<p>Non-compliance (low risk)</p> <p>Work currently being undertaken on RMP and Rehabilitation Strategy and the path forward has been discussed with the Resources Regulator.</p>	2 July 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<p>materials within the landform; and</p> <ul style="list-style-type: none"> • install barriers to restrict access to potentially hazardous locations (eg decline, shafts or open cut pits); <p>(e) build, to the maximum extent practicable, on the other management plans required under this approval; and</p> <p>(f) be submitted to the Secretary for approval within 6 months of approval of the Rehabilitation Strategy required by condition 34A of this approval. Note: The Mine Operations Plan (MOP) may be used to address the requirements of the Rehabilitation Management Plan required under this condition. However, the MOP must clearly document how the requirements of this condition have been met.</p>				
15	PA 07_0018 Sch4 Cond2	<p>Environmental Management – Management Plan Requirements</p> <p>The Proponent shall ensure that the management plans required under this approval are prepared in accordance with relevant guidelines, and include:</p> <p>(a) detailed baseline data;</p> <p>(b) a description of:</p> <ul style="list-style-type: none"> • the relevant statutory requirements (including any relevant approval, licence or lease conditions); • any relevant limits or performance measures/criteria; and • the specific performance indicators that are proposed to be used to judge the performance of, or guide the implementation of, the project or any 	<p>The Environmental Management Plans (EMPs) required under this Project Approval are as follows:</p> <ul style="list-style-type: none"> • Air Quality Management Plan (AQMP); • Community Lead Management Plan (CLMP); • Noise and Blasting Management Plan, which BHOP has divided into a Noise Monitoring Management Plan (NMMP), a Blast Monitoring Plan Management Plan (BMPMP) and a Technical Blasting Management Plan (TBMP); • Site Water Management Plan (SWMP); • Conservation Management Plan (CMP); • Traffic Management Plan (TMP); • Waste Management Plan (WMP); • Rehabilitation Management Plan (RMP). 	<p>Non-compliance (low risk)</p> <p>In relation to paragraphs (a), (e) and (f) of this condition:</p> <p>(a) Not all of the relevant Environmental Management Plans (EMPs) include detailed baseline data. It was noted that the Air Quality Management Plan includes baseline air quality monitoring data, and section 7.2 of the Site Water Management Plan (SWMP) includes baseline data of groundwater quality.</p> <p>(e) Not all of the EMPs include a contingency plan (or any reference to a contingency plan) to manage any unpredicted impacts and their consequences. It was noted that sections 7.1 and 7.2 of the Community Lead Management Plan identify ‘contingency’</p>	<p>Non-compliance (low risk)</p> <p>Management Plans are to be updated accordingly, where practicable.</p>	31 July 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<p>management measures;</p> <p>(c) a description of the measures that would be implemented to comply with the relevant statutory requirements, limits, or performance measures/criteria;</p> <p>(d) a program to monitor and report on the:</p> <ul style="list-style-type: none"> • impacts and environmental performance of the project; and • effectiveness of any management measures (see (c) above); <p>(e) a contingency plan to manage any unpredicted impacts and their consequences;</p> <p>(f) a program to investigate and implement ways to improve the environmental performance of the project over time;</p> <p>(g) a protocol for managing and reporting any:</p> <ul style="list-style-type: none"> • incidents; • complaints; • non-compliances with the conditions of this approval and statutory requirements; and • exceedances of the impact assessment criteria and/or performance criteria; and <p>(h) a protocol for periodic review of the plan.</p> <p><i>Note: The Secretary may waive some of these requirements if they are unnecessary or unwarranted for particular management plans.</i></p>	<p>As of March 2022, the Conservation Management Plan (under Project Approval Schedule 3, condition 30), and the Rehabilitation Management Plan (under Project Approval Schedule 3, condition 35) have not been formally issued, and hence could not be assessed for compliance against this condition.</p> <p>In relation to paragraph (a) of this condition, it is acknowledged that baseline data may not be applicable to all EMPs.</p> <p>It was considered that baseline data is applicable to the following EMPs ('relevant EMPs'): Air Quality Management Plan; Community Lead Management Plan; Noise Monitoring Management Plan; Site Water Management Plan; and Conservation Management Plan.</p> <p>It is considered that the EMPs in the above dot point list generally satisfy the requirements in paragraphs (b), (c), (d), (g) and (h) of this condition</p>	<p>measures where air quality trends indicate an increase in lead emissions which can be attributed to the Rasp Mine, and sections 8.4 and 11.3.3 of the SWMP include details of contingency measures in relation to water quality in Horwood Dam, and unacceptable impacts to groundwater, respectively.</p> <p>(f) None of the EMPs include information relating to programs to investigate and implement ways to improve the environmental performance of the project over time.</p>		
16	PA07_0018 Sch4 Cond4	<p>Environmental Management – Revisions of Strategies, Plans & Programs</p> <p>Within three months of:</p> <p>(a) the submission of an annual review under Condition 3 above;</p>	<p>During the audit period, there were several instances of BHOP not complying with the 'within three months' requirement in this condition. Document control information (i.e. version history) in each of these strategies, plans and programs does not</p>	<p>Non-compliance (low risk)</p> <p>During the audit period, there were several instances of BHOP not complying with the 'within three months' requirement in this condition. Document control information</p>	<p>Non-compliance (low risk)</p> <p>Management Plans to be reviewed in relevant timeframe and include</p>	31 July 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<p>(b) the submission of an incident report under Condition 5 below; (c) the submission of an audit report under Condition 7 below, or (d) any modification of the conditions of this approval (unless the conditions require otherwise), the Proponent shall review, and if necessary revise, the strategies, plans, and programs required under this approval to the satisfaction of the Secretary. <i>Note: This is to ensure the strategies, plans and programs are updated on a regular basis, and incorporate any recommended measures to improve the environmental performance of the project.</i></p>	<p>indicate whether the document was reviewed after each scenario in paragraphs (a) to (d) of this condition.</p>	<p>(i.e. version history) in each of these strategies, plans and programs does not indicate whether the document was reviewed after each scenario in paragraphs (a) to (d) of this condition.</p>	<p>revision history.</p>	
17	PA 07_0018 Sch4 Cond5A	<p>Reporting – Non-compliance reporting</p> <p>The Secretary must be notified in writing via the Major Projects website within seven days after the Proponent becomes aware of any non-compliance. A non-compliance notification must identify the project and the application number for it, set out the condition of approval that the project is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance. <i>Note: A non-compliance which has been notified as an incident does not need to also be notified as a noncompliance.</i></p>	<p>It is noted that this condition, in its current form, was included in Mod 9 (i.e. on 23 December 2021, near the end of the audit period).</p> <p>The previous wording of this condition was first included in Mod 5 of October 2018), and used the same definition of ‘non-compliance’ as in Mod 9.</p> <p>Prior to Mod 5, there was no separate definition of ‘non-compliance’ in the Project Approval (i.e. ‘incident’ was defined, and ‘non-compliance’ was not defined).</p> <p>Examples of notification under the previous wording of this condition (Mod 5 of October 2018) are:</p> <ul style="list-style-type: none"> • an email of 26 April 2019 from BHOP’s Senior Environmental Advisor to the 	<p>Non-compliance (low risk)</p> <p>In relation to the exceedances of blasting limits for Block 7 production blasts, there was no evidence that BHOP has notified the DPE of a ‘non-compliance’ as defined in the Project Approval, within seven days of becoming aware of these exceedances.</p>	<p>Non-compliance (low risk)</p> <p>To be conducted in future events, however Block 7 has returned to 100% compliance at this time.</p>	Complete



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<p>relevant DPE 'compliance' email address, regarding a failure of the V2 Hire Yard blast monitor to record data for the blast that occurred at 6:45 pm on 19 April 2019 (INX no. 4701 assigned). This notification was within the required seven day period, but did not include a reference to the applicable condition that the project was not compliant with.</p> <ul style="list-style-type: none"> • an email of 2 January 2020 from BHOP's Senior Environmental Advisor to the relevant DPE 'compliance' email address, regarding a software fault in the Silver Tank HVAS units (EPL monitoring points 10 and 11) on 2 January 2020, which prevented those units from monitoring on that day (INX no. 5456 assigned). This notification was within the required seven day period, but did not include a reference to the applicable condition that the project was not compliant with. 			
18	PA 07_0018 Sch4 Cond9	<p>Access to Information</p> <p>From the end of March 2011, the Proponent shall:</p> <p>(a) make copies of the following publicly available on its website:</p> <ul style="list-style-type: none"> • the documents referred to in Condition 2 of Schedule 2; • all current statutory approvals for the project; • all approved strategies, plans and programs required under the conditions of this approval; • the monitoring results of the project, reported in accordance with the 	<p>As of March 2022, the majority of documents which this condition requires to be available on the CBH website were on the CBH website.</p>	<p>Administrative non-compliance</p> <p>The following documents which this condition requires to be on the CBH website, were not available on the CBH website as of March 2022:</p> <ul style="list-style-type: none"> • Blasting Monitoring Program Management Plan (BHO-PLNENV-006); • Technical Blasting Management Plan (BHO-PLN-MIN-002); • Conservation Management Plan, which had not been formally issued as of March 2022; and • Rehabilitation Management Plan, which had not been formally issued as of March 	<p>Administrative non-compliance</p> <p>Managements Plans are currently under review, to be posted on the website once reviews and approvals are complete.</p>	31 July 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<p>specifications in any conditions of this approval, or any approved plans or programs;</p> <ul style="list-style-type: none"> • a complaints register, updated on a monthly basis; • the annual reviews of the project; • any independent environmental audit of the project, and the Proponent’s response to the recommendations in any audit; and • any other matter required by the Secretary; <p>(b) keep this information up-to-date, to the satisfaction of the Secretary.</p>		2022.		
19	EPL 12559 L1.1	<p>Pollution of Waters</p> <p>Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.</p>	<p>Relevant BHOP personnel were aware that it is an offence under section 120 of the Protection of the Environment Operations Act 1997 to pollute waters, except as expressly provided in any other condition of the EPL.</p> <p>Refer to supporting evidence/comments for Project Approval Schedule 3, condition 21; and refer to supporting evidence/comments for Project Approval Schedule 4, condition 5, in relation to the minor seepage from the S49 Ryan Street Dam, which was observed on 10 March 2022.</p>	<p>Non-compliant (low risk)</p> <p>On 10 March 2022, minor seepage was observed from the S49 Ryan Street Dam adjacent to and across the site boundary.</p>	<p>Non-compliance (low risk)</p> <p>S49 was continuously dewatered through numerous rainfall events between March and May. Once dry an engineering company has been engaged to install a fixed pumping system to prevent further seepage events from occurring. A rainfall TARP has been developed to trigger action. SWMP is under review.</p>	<p>Ongoing</p> <p>Short-term actions as detailed in the incident report to DPIE have been completed.</p> <p>Medium and Long-term actions are progressing to timeframes agreed with DPIE.</p>
20	EPL 12559 L2.1	<p>Concentration Limits</p> <p>For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a</p>	<p>The air concentration limits in the table within EPL condition L2.2 are the same as the discharge criteria limits in Tables 4 and 5 of Project Approval Schedule 3, condition 4. Refer to supporting evidence/comments</p>	<p>Non-compliance (low risk)</p> <p>In respect of quarterly air emissions testing conducted at the Crusher Baghouse (EPL ID 2) on 9 December 2020, BHOP reported</p>	<p>Non-compliance (low risk)</p> <p>All filter bags have since been replaced and a</p>	<p>Complete</p>



**Broken Hill Operations Pty Ltd - Rasp Mine
2022 Independent Environmental Audit – Action Plan**

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	for Project Approval Schedule 3, condition 4.	exceedances of the discharge criteria in the relevant tables of this condition, for both TSP and Type 1 and 2 substances.	Sintrol real time air quality monitoring unit has been fitted to allow constant monitoring of baghouse emissions, all emissions testing since the exceedance have recorded levels below limits.	
21	EPL 12559 L5.2	Blasting The overpressure sound level and ground vibration peak particle velocity from blasting operations carried out in or on the premises at Block 7 for the period 7am to 7pm must not exceed the limits in the table below unless expressly provided by a condition of this licence.	Refer to supporting evidence/comments for Project Approval Schedule 3, condition 18.	Non-compliance (low risk) During the audit period, BHOP exceeded the allowable 5% above 3mm/s limit (for ground vibration) of the total number of blasts over a 12 month period at Block 7 (V5 blast monitor).	Non-compliance (low risk) The non-compliance was reported in the AEMR and Annual Review. The non-compliance had been ongoing due to minimal blasting occurring in Block 7. Block 7 blasting has returned to 100% compliance.	Complete
22	EPL 12559 L8.1	Other limit conditions All storm water and other surface water holding ponds identified in the Site Water Management Plan must be designed, constructed and maintained to accommodate the stormwater runoff generated in a 100 year (24 hour) Average Recurrence Interval rain event.	Design rainfall data for 10 year ARI, 20 year ARI, 50 year ARI and 100 year ARI rainfall events is presented in Table 3 of BHOP's Site Water Management Plan (SWMP), issued on 25 June 2019. The same design rainfall data was included in Table 2 of the previous Site Water Management Plan (Golder Associates, 30 April 2012). Section 3.3.4 in the SWMP states: "The surface water storage and drainage of the Mine is designed to manage runoff volumes generated from a 100 year ARI rainfall	Non-compliance (low risk) During this March 2022 audit, BHOP was unable to provide evidence that all stormwater and other surface water holding ponds identified in the Site Water Management Plan (e.g. S44 and S49) have been designed, constructed and maintained to accommodate the stormwater runoff generated in a '100 year (24 hour) Average Recurrence Interval' rain event, as defined in this condition.	Non-compliance (low risk) Surveying of water structures will be conducted in 2022 to ensure adequate capacities.	31 December 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			event.” The S44 water storage facility (northeast corner of rail loadout) and the S49 Ryan Street Dam (below the Block 10 lookout) are identified as monitored surface water storages in Table 9 of the SWMP. However, there is no indication in the SWMP of the design storage capacity of S44 and S49. Table 9 in the SWMP notes that the S49 Ryan Street Dam is: “Located on a non-active mining area of the site. As part of detailed design the option to discharge excess runoff to a local depression immediately to the North West of the storage would be investigated to limit the likelihood of excess flow down Adelaide Street.’			
23	EPL 12559 O2.1	<p>Maintenance of plant and equipment</p> <p>All plant and equipment installed at the premises or used in connection with the licensed activity:</p> <p>a) must be maintained in a proper and efficient condition; and</p> <p>b) must be operated in a proper and efficient manner.</p>	Refer to supporting evidence/comments for Project Approval Schedule 2, condition 10.	<p>Non-compliance (low risk)</p> <p>On infrequent occasions during the audit period, plant and equipment used on site was not maintained or operated in accordance with paragraphs a) and b) of this condition, including:</p> <p>a) Torn filter bags in the Crusher Baghouse had not been detected prior to scheduled point source air emissions testing by Assured Environmental on 9 December 2020 (refer to section 8 in the 2020 AEMR and section 10 of the 2020-2021 Annual Review).</p> <p>b) Failure to monitor a blast at V2 Hire Yard on 19 April 2019 due to operator error in initiating the recording function on the spare blast monitor (refer to section 8 in the 2019 AEMR and section 10 of the 2019-2020 Annual Review).</p>	<p>Non-compliance (low risk)</p> <p>Both incidents were self-reported to the EPA and DPE. Incident investigations conducted and corrective actions implemented to prevent recurrence.</p>	Complete



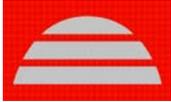
**Broken Hill Operations Pty Ltd - Rasp Mine
2022 Independent Environmental Audit – Action Plan**

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
24	EPL 12559 O3.3	Dust Visible dust emissions from any tailings storage facility must be immediately suppressed by water or chemical application.	TSF2 dust emissions It was stated that the surface of the tailings deposited in TSF2 is not a source of fugitive dust, mainly due to the presence of sulphates in the water after evaporation, forming a surface crust. It was stated that chemical dust suppressant has been used in the two years prior to March 2022 on non-trafficable areas of TSF2, and that a water truck is available for use as required. It was noted that as of March 2022, a dust suppression sprinkler system had not been installed at TSF2. It is acknowledged that the installation and operation of a water spray system is imminent, and two cameras to monitor the surface of TSF2 have been installed.	Non-compliance (low risk) As of March 2022, BHOP is unable to 'immediately' suppress dust from TSF2, as a water spray system or an alternative 'immediate' dust control measure has not been installed.	Non-compliance (low risk) BHOP is currently in the process of installing the TSF2 spray system	30 Sept 2022
25	EPL 12559 O3.4	Dust Crushing of extracted material must only occur inside the crusher enclosure.	This condition refers to "extracted material", whereas Project Approval Schedule 3, condition 7 refers to "ore". It was stated that a mobile crusher was used during the audit period (2019 to 2021) in the BHP Pit, for the TSF2 embankment works. Mod 7 of July 2019 enabled BHOP to use rock fill material from the BHP Pit for the TSF embankment works (refer to Project Approval Schedule 3, condition 17A(e)). As of March 2022, a mobile crusher remains on site.	Non-compliance (low risk) The use of a mobile crusher (as occurred during the audit period) is not authorised under the EPL. The EPL defines that the crushing of "extracted material" (inclusive of rock fill material from underground) must only occur inside the existing crusher enclosure.	Non-compliance (low risk) BHOP to request an update to the EPL in accordance with the Project Approval.	31 July 2022
26	EPL 12559	Process and management	It was stated that water storage facilities	Non-compliance (low risk)	No-compliance (low	31



**Broken Hill Operations Pty Ltd - Rasp Mine
2022 Independent Environmental Audit – Action Plan**

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
	O4.1	All surface water storage ponds must be maintained to ensure that sedimentation does not reduce their capacity by more than 10% of the design capacity.	<p>required for processing is managed by BHOP's Processing Department. The remainder of the water storage facilities, primarily stormwater retention storages, are the responsibility of BHOP's Senior Environmental Advisor.</p> <p>Periodic inspections of stormwater retention storages are conducted on an ad hoc basis.</p> <p>In 2019, it was stated that BHOP commenced utilising drones to survey existing stormwater retention storages.</p> <p>As of March 2022, it is intended that sediment markers will be installed within these storages to define the zero level (i.e. when empty of settled sediment) of these storages.</p> <p>As of March 2022, no formal process or procedure currently exists to ensure that sedimentation does not reduce the capacity of these storage facilities by more than 10% of the design capacity.</p> <p>It was stated that settled sediment was removed from S14 and Horwood Dam in 2020. This material was deposited into TSF2.</p>	As of March 2022, BHOP does not have a documented inspection, surveying or preventative maintenance schedule (e.g. in Pronto) to ensure that sedimentation does not reduce the capacity of surface water storage ponds by more than 10% of their design capacity.	<p>risk)</p> <p>BHOP to develop an inspection regime. Surveying of water structures will be conducted in 2022 to ensure adequate capacities.</p>	December 2022
27	EPL 12559 M2.1	<p>Requirement to monitor concentration of pollutants discharged</p> <p>For each monitoring/discharge point or utilisation area specified below (by a point</p>	On infrequent occasions during the audit period, BHOP did not monitor at the required frequency due to equipment failures at some of the monitoring points identified in the tables within conditions	<p>Non-compliance (low risk)</p> <p>On infrequent occasions during the audit period, BHOP did not monitor at the frequency as required by the relevant tables</p>	<p>Non-compliance (low risk)</p> <p>Incidents reported and investigated separately</p>	Complete



**Broken Hill Operations Pty Ltd - Rasp Mine
2022 Independent Environmental Audit – Action Plan**

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	M2.2 and M2.3. These equipment failures included: <ul style="list-style-type: none"> • V2 Hire Yard blast monitor malfunction on 19 April 2019 – INX no. 4701; • Dust deposition gauge 1 (EPL ID 3) stolen/missing, detected on 1 October 2019 – INX no. 5238; • Silver Tank HVAS units (EPL IDs 10 and 11) software failure on 2 January 2020 – INX no. 5456; • TEOM1 (EPL ID 13) power outage on 13 January 2022 – INX no. 7590; • Dust deposition gauge 2 (EPL ID 4) cracked, detected in February 2022 – INX no. 7682; • TEOM2 (EPL ID 14) loss of power from 25 – 28 February 2022 due to electrical storm on 25 February 2022 – INX no. 7861. 	within this condition.	with corrective actions developed to prevent recurrence. Significant focus on ensuring the alert notification system is functioning correctly.	
28	EPL 12559 M2.2	Requirement to monitor concentration of pollutants discharged Water and/ or Land Monitoring Requirements.	During the audit period, subject to the exceptions below, BHOP collected water samples: a) for the pollutants; b) at the required units of measurement; c) at the defined frequencies; and d) using the sampling methods, defined in the tables of this condition. <u>Surface Water Monitoring – EPL Monitoring Points 29, 31, 32, 33, 34, 35, 36</u> BHOP’s 2019 Annual Return Environmental Monitoring Report (reporting period 2 November 2018 to 1 November 2019) noted that surface water monitoring at the EPL monitoring points occurred only in March 2019 (at other times there was insufficient rainfall). BHOP’s 2020 Annual Return Environmental Monitoring Report (reporting period 2	Non-compliance (low risk) During the 2021 Annual Return reporting period (2 November 2020 to 1 November 2021), BHOP did not satisfy the required monthly frequency as defined in the third table within this condition for collecting groundwater samples at EPL monitoring points 53 and 54, due to the relevant pump not being operational/running.	Non-compliance (low risk) BHOP to request an update to the EPL to reflect reasonable practice.	31 July 2022



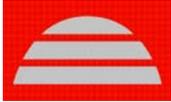
Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			<p>November 2019 to 1 November 2020) noted that surface water monitoring at the EPL monitoring points occurred only in October 2020 (at other times there was insufficient rainfall).</p> <p>BHOP’s 2021 Annual Return Environmental Monitoring Report (reporting period 2 November 2020 to 1 November 2021) noted that surface water monitoring at the EPL monitoring points occurred only in January 2021 (at other times there was insufficient rainfall).</p> <p>The Auditors consider the non-collection of samples where there is no surface water to be collected, is not a non-compliance against this condition.</p> <p><u>Groundwater Monitoring – EPL Monitoring Points 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52</u></p> <p>During the audit period, some of the 16 groundwater samples at the relevant monitoring points defined in the EPL were unable to be collected as the designated groundwater monitoring bore was dry.</p> <p>The Auditors consider the non-collection of samples where there is no groundwater available to be collected, is not a non-compliance against this condition.</p> <p><u>Mine Settlement Ponds – EPL Monitoring Points 53, 54</u></p> <p>As noted in BHOP’s 2021 Annual Return Environmental Monitoring Report, on occasions between 2 November 2020 and</p>			



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
			1 November 2021, groundwater samples from EPL monitoring points 53 and 54 were not collected due to: "Shaft 7 pump not running" (EPL53 results table in section 3.1 – on six monthly sampling occasions); or "Kintore pump not running" (EPL54 results table in section 3.1 – on two monthly sampling occasions).			
29	EPL 12559 M7.1	<p>Blasting</p> <p>To determine compliance with conditions L5.1, L5.2, L5.3, L5.4 and L5.4:</p> <p>(a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for all blasts carried out in or on the premise at the following locations;</p> <p>The blast monitor labelled "V1" in Figure 1 titled "Blast Monitoring Locations" of Broken Hill Operations Pty Ltd - Rasp Mine - "Blasting Monitoring Program Management Plan" received by the EPA 29 June 2015 DOC15/238188.</p> <p>The blast monitor labelled "V2" in Figure 1 titled "Blast Monitoring Locations" of Broken Hill Operations Pty Ltd - Rasp Mine - "Blasting Monitoring Program Management Plan" received by the EPA 29 June 2015 DOC15/238188.</p> <p>The blast monitor labelled "V3" in Figure 1 titled "Blast Monitoring Locations" of Broken Hill Operations Pty Ltd - Rasp Mine - "Blasting Monitoring Program Management</p>	<p>As of March 2022, BHOP maintains nine regulatory-compliance blast monitors, inclusive of six PA/EPL compliance monitors and three 'Dams Safety NSW' required monitors on the TSF2 embankments (one of which was installed in 2020 and the other two in 2021). BHOP maintains an additional three roving blast monitors. These monitors are listed in BHOP's Register of Blast Monitors (Excel spreadsheet), including calibration dates (calibration by Saros in Brisbane). It was stated that two new blast monitors are on site as of March 2022, but have not been installed, pending Mod 6 approval.</p> <p>Blast monitors are connected via 3G (i.e. via geophone) to enable the data to be uploaded to the Saros InstanTel server (i.e. after the blast event or alternatively up to four times a day).</p> <p>Blast reports can be generated as needed and are also accessible on-line approximately 45 minutes after a blast has occurred.</p> <p>It was stated that there have been some</p>	<p>Non-compliance (low risk)</p> <p>On 19 April 2019, BHOP failed to monitor a blast at V2 Hire Yard due to operator error in initiating the recording function on the spare blast monitor (refer to section 8 in the 2019 AEMR and section 10 of the 2019-2020 Annual Review).</p>	<p>Non-compliance (low risk)</p> <p>The incident was self-reported to the EPA and DPE at the time and corrective actions have been implemented at the time of the incident to mitigate the risk of recurrence.</p>	Complete



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<p>Plan" received by the EPA 29 June 2015 DOC15/238188.</p> <p>The blast monitor labelled "V4 New location" in Attachment B of the document titled "Report to support EPL 12559 variation" dated August 2018 and kept on EPA file DOC18/228266-03.</p> <p>The blast monitor labelled "V5" in Figure 1 titled "Blast Monitoring Locations" of Broken Hill Operations Pty Ltd - Rasp Mine - "Blasting Monitoring Program Management Plan" received by the EPA 29 June 2015 DOC15/238188. The specific monitoring locations are subject to the actual blasting locations as described in Table 4 - "Airblast Overpressure and Ground Vibration Monitoring Locations" of Broken Hill Operations Pty Ltd - Rasp Mine - "Blasting Monitoring Program Management Plan" received by the EPA 29 June 2015 DOC15/238188; and</p> <p>(b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standards AS 2187.2-2006.</p> <p><i>[Auditor's Note: The second reference to clause 5.4 in the second line of this condition should instead refer to clause 5.5.]</i></p>	<p>cases where the blast monitor has failed to collect data immediately prior to and during a blast. It was stated that there is no alert capability for the existing blast monitors to communicate that a monitor is not operational.</p> <p>It was stated that BHOP Technical Services personnel have responsibility for checking the functionality of the blast monitors prior to BHOP conducting a blast.</p> <p>With one exception described in the non-compliance below, all blasts during the audit period were measured and electronically recorded at the PA/EPL monitoring locations described in this condition.</p> <p>It was noted that monitoring location V6 is not listed in this condition, but exists as a monitoring location in Figures 1a and 1b within BHOP's Blasting Monitoring Program Management Plan (Doc ID: BHO-PLN-ENV-006, revision no. 3, issued on 4 November 2016).</p>			
30	EPL 12559 R1.8	<p>Annual return documents</p> <p>Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must</p>	<p>Section H ('Signature and Certification') of the November 2019 Annual Return is signed and dated by a BHOP Director and BHOP's Secretary.</p>	<p>Administrative non-compliance</p> <p>In BHOP's November 2020 and November 2021 Annual Returns, section H was not signed and dated by either a BHOP Director</p>	<p>Administrative non-compliance</p> <p>Annual Returns were accepted by the EPA</p>	30 Nov 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<p>be signed by: a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder.</p> <p><i>Note: The term “reporting period” is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.</i></p> <p><i>Note: An application to transfer a licence must be made in the approved form for this purpose.</i></p>	<p>In signing Section H, the Director and Secretary (as printed on the EPA Annual Return form):</p> <ul style="list-style-type: none"> • declare that the information in the Monitoring and Complaints Summary in section B of this Annual Return is correct and not false or misleading in a material respect, and • certify that the information in the Statement of Compliance in sections A, C, D, E, F and G and any pages attached to Section C is correct and not false or misleading in a material respect. 	<p>or BHOP’s Secretary.</p>	<p>which requires electronic signatures from the company Director and Secretary.</p> <p>BHOP to seek acknowledgement of completion regarding electronic submission.</p>	
31	EPL 12559 R1.9	<p>Reporting</p> <p>Blast monitoring reporting</p> <p>The licensee must supply a Blast Management Report quarterly and must include:</p> <ul style="list-style-type: none"> a) a summary of production blast levels (which excludes block 7 production blasts); b) the percentage of production blasts < 5 mm/s and the percentage of production blasts > 5 mm/s; c) an analysis and interpretation of all blast results from the licensed monitors and from the network of roving monitors used to assess potential impacts on the amenity of receptors; d) identification of any adverse trends or non-compliance; e) actions to correct any adverse trends or non-compliance; and f) any proposed future corrective actions that will be implemented to meet ongoing 	<p>Condition R1.9 was first included in the EPL on 4 October 2019.</p> <p>BHOP has prepared “Quarterly Blast Reports” commencing from the October to December 2019 quarter, with the most recent report being the October to December 2021 quarter (in draft form as of March 2022).</p> <p>The Auditors sighted sample emails from BHOP to the EPA as follows:</p> <ul style="list-style-type: none"> • email of 15 September 2021 with attached Quarterly Blast Report for April to June 2021; and • email of 7 April 2022 with attached Quarterly Blast Report for July to September 2021 (i.e. almost seven months after the previous report). <p>The above Quarterly Blast Reports included the requirements in paragraphs a) to f) of this condition, in the respective sections 2,</p>	<p>Administrative non-compliance</p> <p>During the audit period, BHOP has not consistently supplied the EPA with Quarterly Blast Reports at the required quarterly frequency.</p>	<p>Administrative non-compliance</p> <p>Clarification of reporting requirements to be requested in update to the EPL.</p>	31 July 2022



**Broken Hill Operations Pty Ltd - Rasp Mine
2022 Independent Environmental Audit – Action Plan**

Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		compliance with production blast limits at condition L5.1.	3, 4, 5, 6 and 7 of the report. The report also included a table with blast data for the number of production blasts during the reporting period across BHOP's (EPL) licensed and roving monitors. It was stated that on a few occasions during the audit period, BHOP has supplied the EPA with two Quarterly Blast Reports (i.e. for successive quarters) at the same time.			
32	CML 7 1	Notice to Landholders Within a period of three months from the date of grant/renewal of this lease or within such further time as the Minister may allow, the lease holder must serve on each landholder of the land a notice in writing indicating that this lease has been granted/renewed and whether the lease includes the surface. An adequate plan and description of the lease area must accompany the notice. If there are ten or more landholders affected, the lease holder may serve the notice by publication in a newspaper circulating in the region where the lease area is situated. The notice must indicate that this lease has been granted/renewed; state whether the lease includes the surface and must contain an adequate plan and description of the lease area.		Administrative non-compliance During this March 2022 audit, BHOP was unable to provide evidence of written notification to landholders of the leased land or of a published notice in a newspaper circulating in the lease area.	Administrative non-compliance Will seek guidance from the Minister.	31 December 2022
33	CML 7 2	Mining Operations Plan	As of March 2022, BHOP's current Rasp Mine Mining Operations Plan (MOP) covers	Administrative non-compliance	Administrative non-compliance	2 July 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<p>(a) Mining operations must not be carried out otherwise than in accordance with a Mining Operations Plan (MOP) which has been approved by the Director-General of the Department of Primary Industries – Mineral Resources.</p> <p>(b) The MOP must:</p> <ul style="list-style-type: none"> • identify areas that will be disturbed by mining operations; • detail the staging of specific mining operations; • identify how the mine will be managed to allow mine closure; • identify how mining operations will be carried out on site in order to prevent and/or minimise harm to the environment; • reflect the conditions of approval under: - the Environmental Planning and Assessment Act 1979 - the Protection of the Environment Operations Act 1997 - and any other approvals relevant to the development including the conditions of this lease; and • have regard to any relevant guidelines adopted by the Director-General. <p>(c) The titleholder may apply to the Director-General to amend an approved MOP at any time.</p> <p>(d) It is a defence to a breach of this condition if:</p> <ol style="list-style-type: none"> i. the operations constituting the breach were necessary to comply with a lawful order or direction given under the Mining Act 1992, the Environmental Planning and Assessment Act 1979, Protection of the Environment Operations Act 1997 or the Occupational Health and Safety Act 2000; and 	<p>the period from 1 October 2021 to 30 September 2023.</p> <p>In relation to the paragraphs of this condition:</p> <p>(a) The Auditors sighted the Resources Regulator’s letter of approval of the current MOP, dated 27 September 2021 (letter reference: MAAG0012267).</p> <p>(b) In relation to each dot point in this paragraph, the MOP:</p> <ul style="list-style-type: none"> • identifies “Nearly the entire surface of CML7 is disturbed or has previously been disturbed during the course of mining over 130 years” (Table 7-3); • details the staging of specific mining operations (section 2 – Mining areas and methods); • in relation to how the mine will be managed to allow mine closure, refer to administrative non-compliance below; • identifies how mining operations will be carried out on site in order to prevent and/or minimise harm to the environment (e.g. Table 3-2 describes mitigation of key potential environmental issues during operations, including potential noise, vibration, air quality and water impacts); • generally reflects the conditions of approval of the Environmental Planning and Assessment Act 1979, the Protection of the Environment Operations Act 1997 and other approvals relevant to the development including the conditions of CML007 (e.g. Table 6-1); • has regard to relevant Guidelines (section 12 states that amendments to the MOP “will be undertaken in accordance with MOP Guidelines (DRE, September 2013)”). 	<p>In relation to paragraph (b) of this condition, the current Mining Operations Plan (1 October 2021 to 30 September 2023) does not identify how the Rasp Mine will be managed to allow mine closure, due to an apparent lack of agreement with relevant agencies regarding end land use.</p> <p>Section 4 of the MOP states: “It is BHOP understands that DPIE are currently involved in discussions with a number of government agencies to identify a process for determining the final end land use across the length of the Line of Lode, including those areas that come within the mining leases of Perilya. For the purposes of this MOP there is no proposed end land use. The following sections discussing rehabilitation objectives risks and plans are based on meeting the current rehabilitation requirements as outlined in the PA 07_0018 (MOD4) with agreement for end land use from DPIE-RR yet to be obtained.”</p> <p>During the audit period, external service provider, Mine Earth (WA) issued a report titled: “Rasp Mine – Dust Management Options Assessment” and dated July 2021, for BHOP’s Mod 6 application (refer to Appendix I of BHOP’s Modification Report for Mod 6, dated August 2021). Section 4.7 (Dust management options assessment) in the report identified 11 options (listed in Table 5 of the report) for post-closure dust management. The report states (in Table 6) that options 1, 2a, 2b and 3 as described below “were considered to be the most</p>	<p>To be developed into the Rehabilitation Management Plan.</p>	



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		<p>ii. the Director-General had been notified of the terms of the order or direction prior to the operations constituting the breach being carried out.</p> <p><i>Note: The Director-General is deemed to be notified of the terms of an order or direction if the order or Direction was issued by the Department or a copy of the order or direction has been faxed to 02 4931 6790.</i></p> <p>(e) A MOP ceases to have affect 7 years after date of approval or other such period as identified by the Director-General. An approved amendment to the MOP under condition (c) does not constitute an approval for the purpose of this paragraph unless otherwise identified by the Director-General.</p>	<p>(c) During the audit period, BHOP applied to the Resources Regulator to amend the MOP. For example, the Auditors sighted an email from the Resources Regulator dated 2 December 2020, which included an attached letter (not sighted) "MOP Satisfactory LETT0005328.pdf".</p> <p>(d) It was stated that there have been no orders or directions received from the Resources Regulator during the audit period which would have caused a breach of this condition.</p> <p>(e) The current MOP will cease to have effect less than 7 years after the date of approval by the Resources Regulator.</p>	<p>effective solutions":</p> <ul style="list-style-type: none"> • Option 1 – Cover mining areas with waste rock; • Option 2a – Stabilise mining areas with an impervious cover (e.g. concrete) to bind contaminants and fine particles; • Option 2b – Stabilise mining areas with an impervious cover (e.g. slag) to bind contaminants and fine particles; and • Option 3 – Install bunds or other wind breaks to reduce wind velocity. 		
34	CML 7 7	<p>Reports</p> <p>The lease holder must provide an exploration report, within a period of twenty-eight days after each anniversary of the date this lease has effect or at such other date as the Director-General may stipulate, of each year. The report must be to the satisfaction of the Director-General and contain the following:</p> <p>(a) Full particulars, including results, interpretation and conclusions, of all exploration conducted during the twelve months period;</p> <p>(b) Details of expenditure incurred in conducting that exploration;</p> <p>(c) A summary of all geological findings acquired through mining or development evaluation activities;</p> <p>(d) A statement of the ore and mineral</p>	<p>It was stated that surface exploration drilling has increased in the two years prior to March 2022.</p> <p>It was stated that BHOP's exploration report for 2020-2021 was provided to the DPE on 16 November 2021, which is 39 days after the CML7 anniversary date (8 October).</p>	<p>Non-compliance (low risk)</p> <p>During this March 2022 audit:</p> <ul style="list-style-type: none"> • BHOP was unable to provide evidence that exploration reports for 2018-2019 and 2019-2020 were prepared and provided to the DPE within the required 28 day period; and • the 2020-2021 exploration report (which was not sighted) was provided to the DPE on 16 November 2021 (i.e. 11 days late). 	<p>Non-compliance (low risk)</p> <p>INX schedule to be developed to advise of due dates with relevant documentation.</p>	31 July 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		reserves (e) Particulars of exploration proposed to be conducted in the next twelve months period; (f) All plans, maps, sections and other data necessary to satisfactorily interpret the report.				
35	CML 7 15	<p>Exploratory Drilling</p> <p>(1) At least twenty eight days prior to commencement of drilling operations the lease holder must notify the relevant Department of Natural Resources regional hydrogeologist of the intention to drill exploratory drill holes together with information on the location of the proposed holes.</p> <p>(2) If the lease holder drills exploratory drill holes he must satisfy the Director-General that:-</p> <p>(a) all cored holes are accurately surveyed and permanently marked in accordance with Departmental guidelines so that their location can be easily established;</p> <p>(b) all holes cored or otherwise are sealed to prevent the collapse of the surrounding surface;</p> <p>(c) all drill holes are permanently sealed with cement plugs to prevent surface discharge of groundwaters;</p> <p>(d) if any drill hole meets natural or noxious gases it is plugged or sealed to prevent their escape;</p> <p>(e) if any drill hole meets an artesian or sub-artesian flow it is effectively sealed to prevent contamination of aquifers.</p> <p>(f) once any drill hole ceases to be used the hole must be sealed in accordance with</p>	<p>The Auditors consider that this condition relates only to surface exploratory drilling (i.e. not underground drilling).</p> <p>Section 2.1.1 of BHOP’s 2019, 2020 and 2021 AEMRs provides details of surface exploration undertaken during the reporting period. In each of these AEMRs, section 2.1.1 states: “The drill pads were installed off existing tracks with minimal earthworks required. No surface rehabilitation activities were undertaken on CML7 during the reporting period as the drill pads were still operational, although drill holes have been capped.”</p>	<p>Non-compliance (low risk)</p> <p>During this March 2022 audit, BHOP was unable to provide evidence of having given the minimum 28 days’ prior notification of surface exploratory drilling to the Resources Regulator.</p>	<p>Non-compliance (low risk)</p> <p>Exploration Manager to implement process to ensure compliance with this condition.</p>	30 September 2022



Item No.	Condition	Requirement	Finding	Non-compliances or Recommendations	Action	Date Required
		Departmental guidelines. Alternatively, the hole must be sealed as instructed by the Director-General. (g) once any drill hole ceases to be used the land and its immediate vicinity is left in a clean, tidy and stable condition.				