# Muswellbrook Coal

# MP 29
# Pollution Incident Response Management Plan

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|---|---|---|---|---|---|
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| Reviewed by | Manager Relinquishment and Closure | Signature | B.Hopwood | Date | 14/10/2026 |
| Approved by | Head HSECT | Signature | Liam Wilson | Date: | 14/10/2026 |

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# 1.0 PURPOSE

Muswellbrook Coal Company Limited (MCC) operates the Muswellbrook Open Cut Coal Mine, located approximately 3 kilometres (km) to the northeast of Muswellbrook in the Hunter Valley of New South Wales. MCC is a wholly owned subsidiary of Idemitsu Australia Pty Limited (IAR). IA has been operating in Australia since 1978 and is an Australian subsidiary of Japanese company Idemitsu Kosan Company Limited.

Mining activities ceased at MCC in December 2022 with the last coal hauled from site in March 2023. Rehabilitation (bulk shaping, topsoiling, mulching, seeding) at the Muswellbrook mine has been completed and is now monitoring and maintaining the rehabilitation, progressing towards mining lease relinquishment and closure.

The Pollution Incident Response Management Plan (PIRMP) has been developed to satisfy the requirements of MCC's Environmental Protection Licences 656 and 21983 (EPL) issued by the Environment Protection Authority (EPA).

## 1.1 SCOPE

The PIRMP is supported by an Environmental Management Strategy (EMS) and subordinate Environmental Management Plans (EMP).

The EPA define a pollution incident as:

> *an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises, but it does not include an incident or set of circumstances involving only the emission of any noise.*

## 1.2 OBJECTIVES

The objective of the PIRMP is to manage and minimise the impact of pollution incidents from operations on the environment and nearby residences. The following actions will be undertaken to achieve this objective:

- Detail the methods to prevent a pollution incident occurring,
- Detail the methods to respond to a pollution incident should one occur,
- Specify the testing requirements of the PIRMP, and
- Specify the regulatory reporting requirements.

## 2.0 LEGISLATION AND STATUTORY REQUIREMENTS

The relevant licence and legislative requirements are shown in **Table 1** along with information on where they are addressed in this plan.

**Table 1: Statutory Requirements**

| Licence/ Legislative Requirement No. | Condition | Section |
|---|---|---|
| **Environmental Protection Licence** | | |
| O4 | The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises in accordance with Part 5.7A of the Act and chapter 4 of the Protection of the Environment Operations (General) Regulation 2022. | This plan |
| **Protection of the Environment Operations Act 1997** | | |
| 153A | The holder of an environment protection licence must prepare a pollution incident response management plan that complies with this Part in relation to the activity to which the licence relates. | This plan |
| 153C (a) | A pollution incident response management plan must be in the form required by the regulations and must include the following:<br>the procedures to be followed by the holder of the relevant environment protection licence, or the occupier of the relevant premises, in notifying a pollution incident to:<br>(i) the owners or occupiers of premises in the vicinity of the premises to which the environment protection licence or the direction under section 153B relates, and<br>(ii) the local authority for the area in which the premises to which the environment protection licence or the direction under section 153B relates are located and any area affected, or potentially affected, by the pollution, and<br>(iii) any persons or authorities required to be notified by Part 5.7, | 9.2<br>9.1<br>9.1 |
| 153C (b) | a detailed description of the action to be taken, immediately after a pollution incident, by the holder of the relevant environment protection licence, or the occupier of the relevant premises, to reduce or control any pollution, | □ |

| Licence/ Legislative Requirement No. | Condition | Section |
|---|---|---|
| 153C (c) | the procedures to be followed for co-ordinating, with the authorities or persons that have been notified, any action taken in combating the pollution caused by the incident and, in particular, the persons through whom all communications are to be made, | 9.1 |
| 153C (d) | any other matter required by the regulations. | See section below |
| **Protection of the Environment Operations (General) Regulation 2022** | | |
| 72 (a) | a description of the hazards to human health or the environment associated with the activity to which the licence relates (the "relevant activity" ), | 6.1, 7.1 |
| 72 (b) | the likelihood of any such hazards occurring, including details of any conditions or events that could, or would, increase that likelihood, | 6.1, 7.1 |
| 72 (c) | details of the pre-emptive action to be taken to minimise or prevent any risk of harm to human health or the environment arising out of the relevant activity, | 6.3, 7.2 |
| 72 (d) | an inventory of potential pollutants on the premises or used in carrying out the relevant activity, | 6.2 |
| 72 (e) | the maximum quantity of any pollutant that is likely to be stored or held at particular locations (including underground tanks) at or on the premises to which the licence relates, | 6.2 |
| 72 (f) | a description of the safety equipment or other devices that are used to minimise the risks to human health or the environment and to contain or control a pollution incident, | 6.3, 7.2 |
| 72 (g) | the names, positions and 24-hour contact details of those key individuals who:<br>(i) are responsible for activating the plan, and<br>(ii) are authorised to notify relevant authorities under the Act, section 148, and<br>(iii) are responsible for managing the response to a pollution incident, | 12.3 |
| 72 (h) | the contact details of each relevant authority referred to in the Act section 148, | 9.1 |
| 72 (i) | details of the mechanisms for providing early warnings and regular updates to the owners and occupiers of premises in the vicinity of the premises to which the licence relates or where the scheduled activity is carried on, | 9.2 |
| 72 (j) | the arrangements for minimising the risk of harm to any persons who are on the premises or who are present where the scheduled activity is being carried on, | □ |

| Licence/ Legislative Requirement No. | Condition | Section |
|---|---|---|
| 72 (k) | a detailed map (or set of maps) showing the location of the premises to which the licence relates, the surrounding area that is likely to be affected by a pollution incident, the location of potential pollutants on the premises and the location of any stormwater drains on the premises, | Figure 1 |
| 72 (l) | a detailed description of how any identified risk of harm to human health will be reduced, including (as a minimum) by means of early warnings, updates and the action to be taken during or immediately after a pollution incident to reduce that risk, | □ |
| 72 (m) | the nature and objectives of any staff training program in relation to the plan, | 10.0 |
| 72 (n) | the dates on which the plan has been tested and the name of the person who carried out the test, | 10.1 |
| 72 (o) | the dates on which the plan is updated, | 10.1 |
| 72 (p) | the manner in which the plan is to be tested and maintained. | 10.1 |
| 74 (1) | A plan is to be made readily available:<br>(a) to an authorised officer on request, and<br>(b) to a person who is responsible for implementing the PIRM plan at the premises:<br>(i) to which the relevant licence relates, or<br>(ii) where the relevant activity takes place. | 10.2 |
| 74 (2) | A PIRM plan is also to be made publicly available in the following manner within 14 days after it is prepared:<br>(a) in a prominent position on a publicly accessible website of the person who is required to prepare the PIRM plan,<br>(b) if the person does not have such a website - by providing a copy of the PIRM plan, without charge, to any person who makes a written request for a copy. | 10.2 |
| 74 (3) | Subclause (2) applies only in relation to that part of a plan that includes the information required under:<br>(a) the Act, section 153C (a), and<br>(b) this regulation section 72(h) and (i) or 73(b)(ii) and (iii). | Noted |
| 74 (4) | Personal information, within the meaning of the *Privacy and Personal Information Protection Act 1998*, is not required to be included in a PIRM plan made available to a person other than an authorised officer. | Noted |

| Licence/ Legislative Requirement No. | Condition | Section |
|---|---|---|
| 75 (1) | A PIRM plan must be tested—<br>(a) routinely at least once every 12 months, and<br>(b) if a pollution incident occurred during an activity to which an environment protection licence relates, which caused or threatened material harm to the environment, within the meaning of the Act, section 147—within 1 month of the incident occurring. | 6.2 |
| 75 (2) | The test must be carried out in a way to ensure the following—<br>(a) the information included in the PIRM plan is accurate and up to date,<br>(b) the PIRM plan is capable of being implemented in a workable and effective way. | 6.2 |
| 75 (3) | A test carried out under subsection (1)(b) must assess the matters specified in subsection (2) in light of the incident. | 6.2 |

## 3.0 REFERENCES

- *Protection of the Environment Operations Act 1997.*
- Environmental Protection Licence 656.

## 4.0 DEFINITIONS/ACRONYMS

| | |
|---|---|
| EPA | Environmental Protection Authority |
| EPL | Environmental Protection Licence |
| IA | Idemitsu Australia |
| MCC | Muswellbrook Coal Company |
| PIRMP | Pollution Incident Response Management Plan |

## 5.0 SUPPORTING DOCUMENTS

- MP30 Environmental Management Strategy.
- MP33 Fire Management Plan,
- MP36 Spontaneous Combustion Management Plan,
- MP38 Water Management Plan.
- MOP 15-01 Community Complaints Procedure.

## 6.0 HAZARD, LIKELIHOOD AND PRE-EMPTIVE ACTIONS TO PREVENT POLLUTION RISKS – MINE SITE AREA

### 6.1 MAJOR HAZARDS

The potential major hazards relevant to this PIRMP which have been identified for MCC include:

- Mine water release off-site, and
- Hydrocarbon materials release resulting in environmental damage.

The likelihood of these events occurring has been assessed by MCC through a risk assessment process. This risk assessment also identified the current controls in place to manage these risks along with any additional controls required to manage these risks. The risk assessment ranked the risk of these pollution incidents occurring as medium or low with the current controls in place.

### 6.2 POTENTIAL POLLUTANTS

Potential pollutants on site include:

- Portable water pumps (2)
- Fuel contained within vehicle fuel tanks
- mine water; and
- sediment laden surface water runoff from disturbed areas.

## 6.3 CONTROLS TO PREVENT AND RESPOND TO POLLUTION INCIDENTS

The controls that are in place at MCC to prevent and respond to pollution incidents include:

- Self-bunded storage and fuel tanks,
- Personnel wear PPE at all times when handling dangerous or hazardous substances, such as gloves, masks, glasses etc.,
- Pumping infrastructure to maintain water levels in dams and prevent water discharges,
- Water management system to contain contaminated water on site,
- Firefighting equipment,
- Regular workplace inspections of controls, and
- Environmental monitoring program.

# 7.0 HAZARD, LIKELIHOOD AND PRE-EMPTIVE ACTIONS TO PREVENT POLLUTION RISKS – OLD PIT TOP AREA

## 7.1 MAJOR HAZARDS AND POTENTIAL POLLUTANTS

The potential major hazards relevant to this PIRMP which have been identified for MCC include the release of water from the historical underground mine workings.

The likelihood of these events occurring has been assessed by MCC through a risk assessment process. This risk assessment also identified the current controls in place to manage these risks along with any additional controls required to manage these risks. The risk assessment ranked the risk of these pollution incidents occurring as medium with the current controls in place. The current layout of water management infrastructure within the mine development area is displayed below in Figure 1.

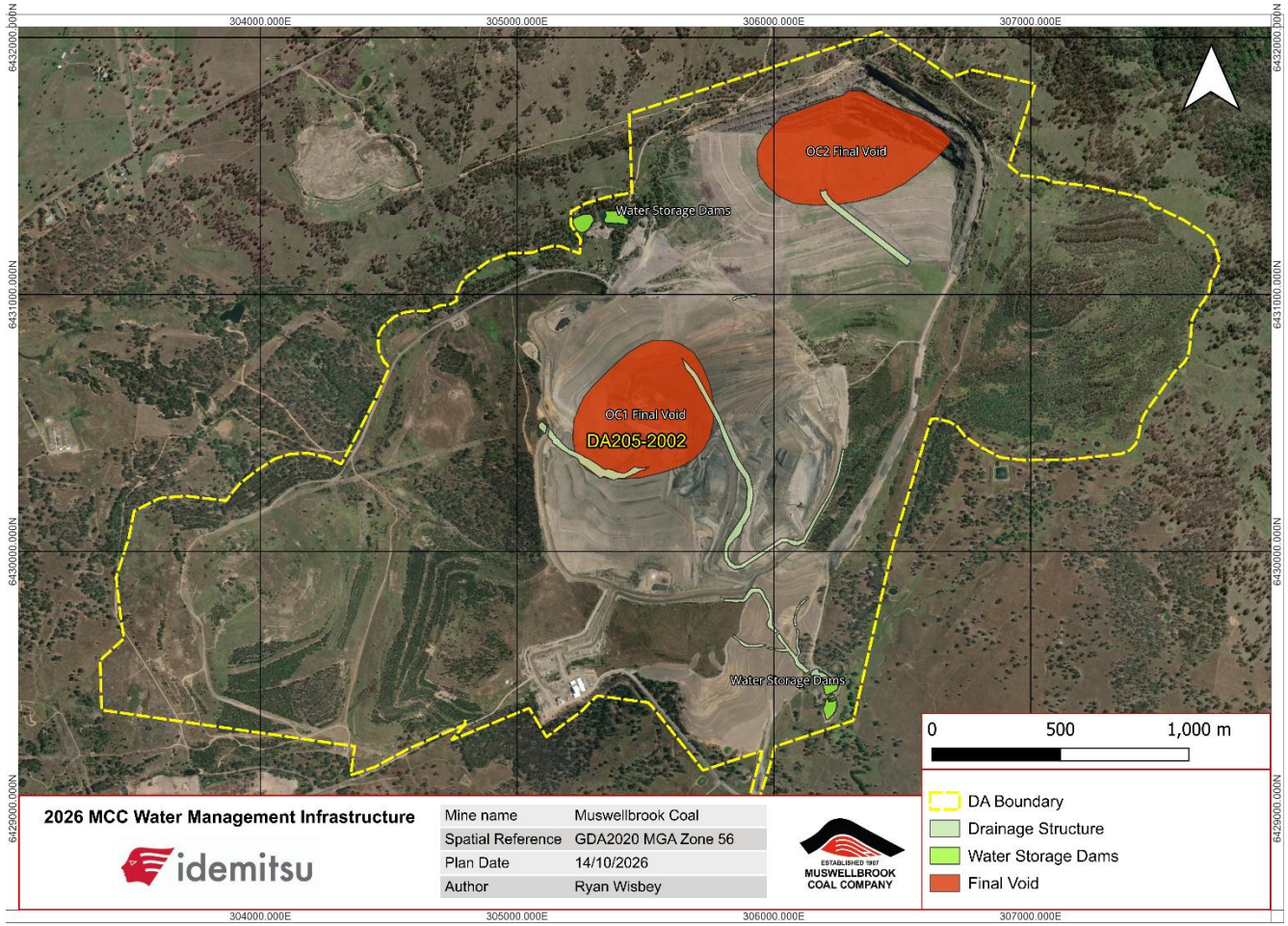



**Figure 1: MCC Water Management Infrastructure**

## 7.2 CONTROLS TO PREVENT AND RESPOND TO POLLUTION INCIDENTS

The Old Pit Top has been rehabilitated. Environmental monitoring programs are in place to prevent and respond to pollution incidents

# 8.0 INCIDENT MANAGEMENT

**In the case of an environmental incident, prior to any other action, the site must contact 000 if the incident presents an immediate threat to human health or property. Fire and Rescue NSW, the NSW Police and the NSW Ambulance Service are the first responders, as they are responsible for controlling and containing incidents.**

If the incident does not pose any threat to human health or property, all possible actions should be taken to control the pollution incident and minimise health, safety and environmental consequences. The actions to be taken include:

- Protecting the safety of all personnel and not potentially endangering themselves by remaining at the location of the pollution incident,
- Immediate securing of the scene and containment of the incident (if possible),
- Immediate reporting of the incident to relevant site contact and relevant authorities,
- Clean up of the pollution incident, and
- Information collection and environmental monitoring.

MCC documents that support the management of pollution incidents include:

- MP30 Environmental Management Strategy,
- MP33 Fire Management Plan,
- MP36 Spontaneous Combustion Management Plan,
- MP38 Water Management Plan,
- MOP 15-01 Community Complaints Procedure.

# 9.0 NOTIFICATION PROCEDURES

## 9.1 RELEVANT AGENCY NOTIFICATION

In the instance of identification of an environmental incident or risk, workers have a responsibility to report the issue immediately to their site supervisor, who in turn has a responsibility to report it to the Suitably Qualified or Experienced Person or other senior personnel available.

For a pollution incident the agencies as shown in **Table 2** must be contacted immediately with updates as required.

**Table 2: External Agency Notification Details**

| Department | Phone No. |
|---|---|
| Muswellbrook Council | 02 6549 3700 |
| NSW EPA | 131 555 |
| NSW Health | 02 4924 6477 (ask for public health officer) |
| NSW Rural Fire Service Hunter Valley Fire Control Centre | 02 6541 6900 |
| Safework NSW | 131 050 |
| NSW Fire and Rescue | 000 |

After initial notification of any pollution incident, it will be the responsibility of the Suitably Qualified or Experienced Person to liaise with any authority listed above that requests additional information or is providing directions for management of the pollution incident. This may include incident investigation, preparation of reports and ongoing environmental monitoring results.

## 9.2 NOTIFICATION TO LOCAL LANDHOLDERS AND COMMUNITY

The communication protocols to notify local landholders and the community about pollution incidents will include:

- Early warnings such as same day telephone notification to landholders who may be affected by the incident,
- Utilising local media (e.g., radio) and social media (e.g., local noticeboards) to notify the broader community about the pollution incident,
- Placing notices on the company's website about pollution incidents,
- People placed near the pollution incident to warn the community about the incident and to stop access into the area,
- Providing updates to the community through the following methods,
    - Follow up phone calls/meetings to all landholders who may have been notified by the initial early warning,
    - Community newsletters with information about the pollution incident,
    - Updates on the company's website,
    - Media statements,
    - Complaints management process.
- Information provided to the community will be relevant to the incident and may include type of incident that has occurred, potential impacts local landholders and the community, site contact details, and advice or recommendations based on the incident type and scale.

The Suitably Qualified or Experienced Person or other senior personnel available can authorise the initial notifications to the local community.

Any ongoing or follow up notifications to local landholders and the community will be approved by the Suitably Qualified or Experienced Person before it is released.

## 9.3 INTERNAL NOTIFICATION

A pollution incident will be reported internally as per the requirements of IA's Hazard Incident Reporting and Investigation Guideline.

## 9.4 DETERMINATION OF MATERIAL HARM

Following the containment and reporting of a pollution incident, immediate action must be taken to determine if the incident can be classified as a material harm incident.

As defined by Section 147 of the POEO Act,

*(1) For the purposes of this Part:*

*(a) harm to the environment is material if:*

*(i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or*

*(ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding $10,000 (or such other amount as is prescribed by the regulations), and*

*(b) loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.*

*(2) For the purposes of this Part, it does not matter that harm to the environment is caused only in the premises where the pollution incident occurs.*

The determination of a material harm incident will be made by the Suitably Qualified or Experienced Person.

If an incident is deemed to have material harm to the environment, the Pollution Incident Response Management Plan will be implemented.

The pollution incident response process is shown in the flow chart in **Figure 2**.

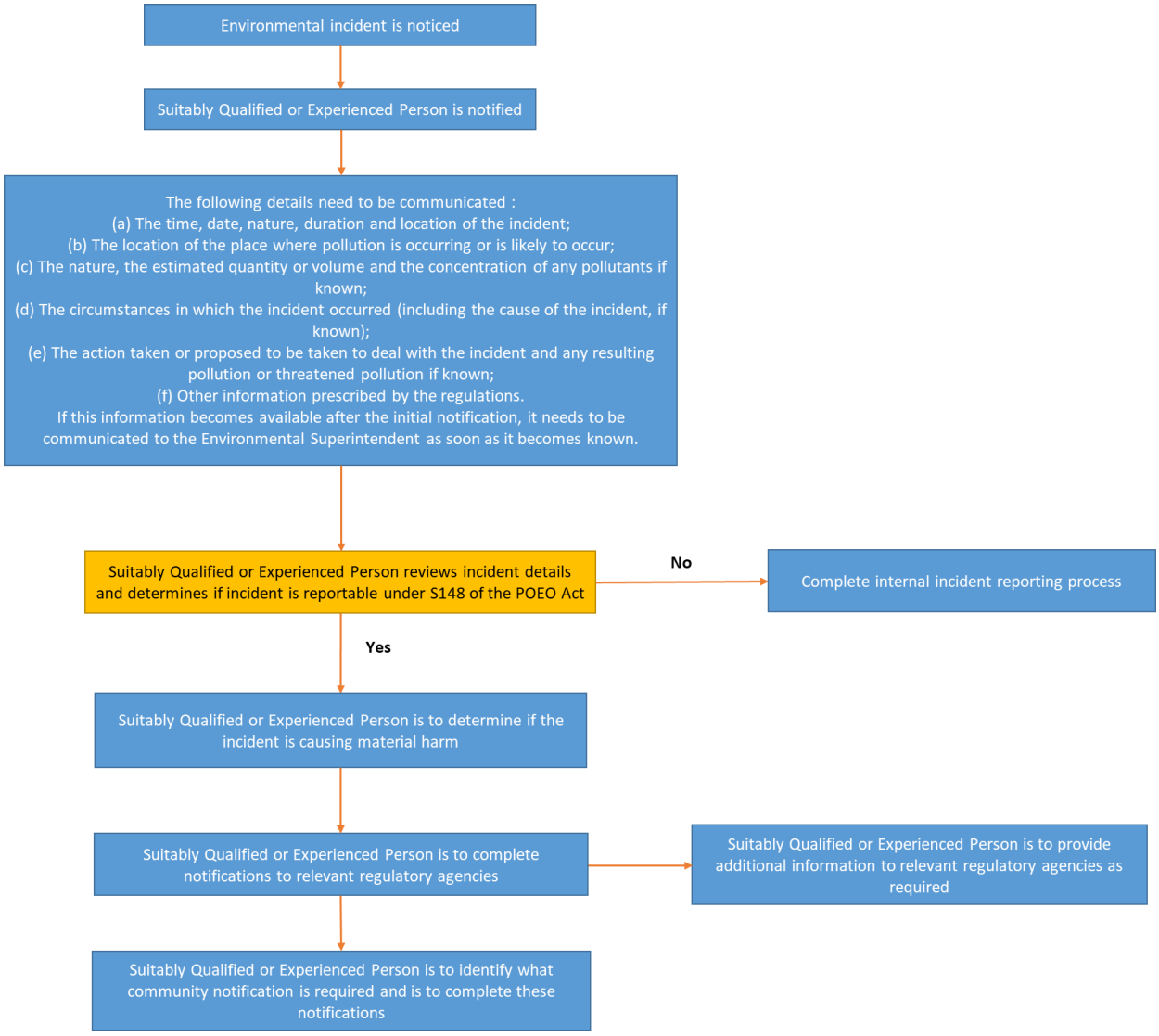



**Figure 2: Pollution Incident Response Flow Chart**

# 10.0 TRAINING, TESTING AND COMMUNICATION

## 10.1 TESTING, REVIEW AND MAINTENANCE

Testing of the PIRMP will be undertaken by undertaking a review of the document on an annual basis. The review will:

- incorporate a desktop evaluation of its accuracy and applicability and/or conducting an environmental emergency drill procedure,
- confirm that contact details in this are accurate and up to date,

In addition, a review of the place will be conducted within one month from the date of any pollution incident that occurs in the course of an activity to which the EPL relates.

## 10.2 AVAILABILITY OF THIS PLAN

The PIRMP shall be kept in written form and shall be made available to all personnel, and to an authorised officer (as defined in the POEO Act) on request.

The PIRMP will be made publicly available within 14 days of finalisation via a prominent position on the company's website.

No personal information (within the meaning of the Privacy and Personal Information Protection Act 1998) will be made publicly available as part of the PIRMP.

# 11.0 REVIEW OF THE PIRMP

Pollution incident response at MCC has been tested/reviewed on the following dates:

- 15 February 2013 – lead by Coal and Environment Manager,
- 24 February 2014 – lead by Coal and Environment Manager,
- 19 October 2015 – lead by Environmental Coordinator,
- 25 November 2016 – lead by Environmental Coordinator,
- 20 November 2017 – lead by Environmental Superintendent,
- 10 October 2018 – lead by Environmental Superintendent,
- 17 May 2019 – lead by Environmental Superintendent,
- 19 October 2020 – lead by Environmental Superintendent,
- 25 November 2021 – lead by Environmental Officer,
- 15 November 2022 – lead by Environmental Superintendent,
- 27 November 2023 – lead by Rehabilitation Operations Manager, and
- 26 September 2024 – lead by Thiess' Environmental Superintendent
- 21 August 2025 – lead by Environmental Superintendent
- October 2025 – lead by Head of HSECT

# 12.0 RESPONSIBILITIES

## 12.1 LEGAL DUTY TO NOTIFY

Notification responsibilities are detailed in the POEO Act (Section 148), which encompasses all site personnel, including contractors and sub-contractors. These can

be summarised as:

- **the duty of an employee or any person undertaking on activity**: A person or employee carrying out the activity must, immediately after the person becomes aware of the incident that is believed to cause or threaten to cause material harm to the environment, notify their relevant manager of the incident and all relevant information about it.
- **the duty of the employer, occupier of a premises or agent for activity onsite to notify**: An employer or occupier of the premises on which the incident occurs, who is notified (or otherwise becomes aware of) a potential pollution incident, must undertake notification to the appropriate regulatory authority of any "material harm incidents", including relevant information. Notification shall be undertaken as per the requirements in **Section 4.2**.

## 12.2 SPECIFIC RESPONSIBLITIES RELATING TO THE PIRMP

**Table 3** outlines the responsibilities relating to the PIRMP.

**Table 3: Management Plan Responsibilities**

| Position | Task |
|---|---|
| Suitably Qualified or Experienced Person | • Provide adequate resources to implement the requirements of the PIRMP<br>• Notify regulatory authorities of any pollution incidents<br>• Authorise release of information to local landholders and the community in relation to pollution incidents<br>• Coordinate annual testing of the PIRMP |
| All workers | • Report pollution incidents to their manager |

## 12.3 CONTACT DETAILS

There are no immediate surrounding landowners and lessees that require notification of potential incidents

**Table 4** provides the contact details for people with key responsibilities in the PIRMP.

**Table 4: Contact Details for Site Personnel**

| Position | Name | Contact Details |
|---|---|---|
| Manager Relinquishment and Closure | Ben Hopwood | 0429 573 304 |
| | | |
| Head of HSECT (Suitably Qualified or Experienced Person) | Liam Wilson | 0428 713 950 |
| | | |
| Site Security | Various | 0417 680 125 |

## 13.0 REVISION DETAILS

| Revision No. | Date | Reviewed By | Details/Reason for Revision |
|---|---|---|---|
| 1 | July 2018 | Environmental, Technical Services, Production and Safety Departments | Original Management Plan |
| 2 | November 2018 | Environmental Department | Updated with learnings from a testing exercise |
| 3 | July 2019 | Environmental Department | Updated with learnings from a testing exercise |
| 4 | October 2020 | Environmental, Production and Maintenance Departments | Updated with learnings from a testing exercise |
| 5 | November 2021 | Environmental Department | Updated with learnings from a testing exercise |
| 6 | November 2022 | Environmental, Production, Maintenance and Administration Departments | Detailed review due to changes to operations on site |
| 7 | April 2023 | Environmental Department | Removal of radiation gauge information due to them being removed from site |
| 8 | December 2023 | Environmental Department | Updated with learnings from a testing exercise |
| 9 | August 2025 | Environmental Department | Annual review of PIRMP Inclusion of EPL21983 |
| 10 | October 2026 | HSEC | Completion of Rehabilitation and removal of Site Infrastructure |