

1466 Castlereagh Highway
BLACKMANS FLAT NSW 2790

The Director
Major Infrastructure Assessment
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Sir Madam

Re: Mount Piper Ash Placement Project (Application No. MP 09_0186)

I am totally opposed to the proposed Lambert's Gully North and Lambert's Gully South options, because the separation distance to 13 homes in Blackmans Flat village is totally inadequate.

I am totally opposed to the Ivanhoe No. 4 option, because of the large area of high conservation value bushland that will need to be destroyed.

I am totally opposed to the Nuebeck's Creek option, because *Hakea microcarpa* and a number of other key indicator species of the Endangered Ecological Community (EEC) of Montane Peatlands and Swamps of the New England Tableland, NSW North Coast, Sydney Basin, South East Corner, South Eastern Highlands and Australian Alps occurs on this site.

If a single option must proceed, then I support the Lambert's Gully South option, but only on the condition that Delta Electricity purchases the properties of those Blackmans Flat residents who wish to leave, in particular those who will suffer the greatest noise, dust, and visual impacts.

Delta Electricity must accept responsibility for the impact it has on people's lives. Every one of the 16 Major Project approvals in the Blackmans Flat area since 2005 has Delta's name on it, including the open-cut mines supplying the coal, heavy coal trucks transporting the coal, the fly-ash dumps, the expanded 2000 MW power station, and Lithgow City Council's Solid Waste Landfill – the result of a dirty land deal between Council, Delta Electricity and Centennial Coal.

Delta Electricity have gotten everything they wanted out of this town – without having to change so much as a comma on a single DA to address the concerns of the people who actually live here. Regardless of the fact the 13 homes in Blackmans Flat were here long before Delta came to town, regardless of the fact this area is not zoned Heavy Industry or Waste Disposal or Extractive Industry, but Rural 1 (a) – surely there must be a point when the Department of Planning says 'enough is enough', this town is no longer safe or healthy or fit for human habitation, and get the people out?

But if the NSW Government won't protect the health, safety, amenity, environment or human rights of the people who live here, then the people will fight for themselves. If the NSW Government subsequently doesn't like the way people go about fighting for their rights, too bad. The people here have nothing left to lose – but the NSW Government and Delta Electricity have everything to lose – and the residents of Blackmans Flat intend to make sure that happens.

Delta Electricity may have the power and influence to destroy people's lives, but they don't have the power to keep people quiet. And residents just love reading about Delta on the front page of major national newspapers, because they know the NSW Government wants to sell it off, and each media story wipes \$millions off the sale price. Sooner or later Delta management will figure out that it might have been cheaper to do the right thing by the people of Blackmans Flat in the first place.

The conclusions reached in the EA are totally deficient in the following areas:

1. CUMULATIVE IMPACTS

The noise, air quality, transport, groundwater and surface water pollution studies fail to take into account the cumulative impacts from –

1. Lithgow City Council Waste Management Facility adjacent Lambert's Gully North and South – land to be transferred from Delta Electricity to Lithgow Council, will have major transport, noise and dust impacts for Blackmans Flat residents 7 days per week;
2. Pine Dale Mine, including proposed expansion to 1.2 mtpa to supply Mt Piper power station;
3. Coal>Link Haul Road, used to transport coal from Angus Place Colliery to Mt Piper;
4. Extension of Angus Place Colliery from 3.5 Mtpa to 4 Mtpa (DGR's issued);
5. Construction and operational noise from a much noisier air-cooled 2000 MW expansion of Mt Piper Power Station;
6. Increased coal haulage along the Castlereagh Hwy through Blackmans Flat from Invincible Open-cut mine, Ivanhoe North Open-cut Mine, and Cullen Valley Mine
7. Increased Ash transport by road – The Executive Summary of the EA states on page 3 that *"Delta currently is able to provide about 200,000 tonnes per year from Mt Piper Power Station for reuse in the cement industry"* and *"Delta continues to seek opportunities for reuse of the ash produced."* Most is likely to go the metropolitan area, so will be transported along the Castlereagh Hwy, increasing noise levels for sensitive receivers in Blackmans Flat.
8. Nuebeck's Creek Mine – remnant coal will need to be mined before use as a fly-ash dump,

All of the above proposals are likely to proceed during the life of this ash repository proposal, and therefore the cumulative impacts of noise, dust, transport, groundwater and surface water pollution should be fully assessed.

2. NOISE ASSESSMENT

The Lambert's Gully North and South proposed locations are closer to residents in Blackmans Flat than the existing Ash repository, and therefore have the potential for a greater impact on sensitive receivers.

The Noise Assessment identifies that noise levels at Lamberts North under adverse weather conditions are predicted to be exceeded by up to about 3 dB(A) at Blackmans Flat (Location 1). And that is without taking the above 8 cumulative noise impacts into account.

At Lamberts South, the results indicate noise exceedances for Location 1 for the daytime period. The exceedances during the evening period are predicted to be up to 4 dB(A) at Location 2. And that is without taking the above 8 cumulative noise impacts into account.

These cumulative noise impacts are highly relevant. The Noise Graphs on page 31 - 36 for Blackmans Flat from 10 - 20 December 2009 clearly show how noisy it is during the week – major spikes up to 90 dB(A). Yet on Sunday 13 December 2009 (when cumulative noise impacts from Pine Dale Mine and other mines immediately west is not occurring) the noise levels are very low.

The Noise Study predicts general compliance **under neutral weather conditions**, but fails to identify that Wind propagates noise. The annual and seasonal wind roses from wind data collected at Mt Piper Power Station are presented in Figure 4-1 of the Air Quality Assessment.

On average the annual wind speed measured at Mt Piper was 2.5 m/s and the predominant wind was from the west-southwest. Wind speed was at its highest during spring with an average of 2.7m/s, predominantly from the west-southwest, with winds from the southeast also commonly occurring. During the remainder of the year the dominant wind direction was from the west-southwest with average wind speeds of 2.6, 2.2 and 2.4m/s for summer, autumn and winter.

Neutral weather conditions are therefore very rare, and because Lambert's Gully North and South are directly downwind of the village of Blackmans Flat, the predominantly west-southwest winds will propagate noise directly towards sensitive receivers in that village.

The Noise Assessment fails to take into account **Temperature Inversions**, which are common in the Blackmans Flat area during winter, and cause noise to become concentrated and reflected.

The Noise Assessment also fails to take into account the fact that **Blackmans Flat is in a valley**, and noise is reflected off the mountains and echoes within that valley, especially under certain wind directions and during temperature inversions.

3. OPERATIONAL HOURS

The proposed operational hours of 06:00 and 20:00 on Monday to Friday and 06:00 to 17:00 on Saturday and Sunday are totally unacceptable.

Blackmans Flat is a residential village. Operating hours should therefore be restricted to between 07:00 and 18:00 on Monday to Friday, 07:00 to 17:00 on Saturday, and no work on Sundays.

4. AIR QUALITY

The proposed Lambert's Gully North and South sites are closer than the existing facility to nearby residents in Blackmans Flat, and therefore have a greater impact on sensitive receivers in that village. Additionally vehicles carrying ash from the conveyor to the emplacement area will travel greater distances on unsealed internal haul roads, resulting in a possible increase in dust emissions.

The Air Quality Assessment only discusses Total Suspended Particulates (TSP); Particulate matter of 10 microns (PM10), and Deposited dust. It totally ignores the finer particulate matter (PM 2.5) which is prevalent in the Blackmans Flat area and has much more serious adverse health effects.

The annual and seasonal Wind Roses in Figure 4-1 clearly show that the average annual wind speed was 2.5 m/s and the predominant wind was from the **west-southwest**. The village of Blackmans Flat is therefore directly downwind of the proposed Lambert's Gully North and South sites, and the predominant winds will carry dust directly towards sensitive receivers.

The Air Quality Assessment fails to consider the cumulative dust impacts from the 8 existing and proposed projects listed in 1. above, all of which are likely to proceed during the life of this facility.

The Air Quality Assessment discusses air quality exceedances in Bathurst, but fails to discuss the history of air quality in Blackmans Flat, even though Delta Electricity, Lambert's Gully Mine and

Pine Dale Mine have supposedly been monitoring air quality in the area for many years. I must assume that more localised air quality data was not used because it has failed to comply.

Every resident of Blackmans Flat recalls the dreadful dust storms that occurred regularly on Mt Piper Ash repository during 2003 and 2004. They were every bit as bad as the dust storms at Kerosene Vale Ash repository in September 2007 that resulted in Delta Electricity being fined \$45,000 plus \$35,000 in Court Costs in the Land and Environment Court.

I and the other residents of Blackmans Flat fail to comprehend how Delta's dust monitoring equipment failed to detect the above incidents. This augers badly for this new proposal, which potentially could see the amount of ash double, and need to be disposed of at twice the current rate if the 2000 MW expansion of Mt Piper proceeds.

I and the other residents of Blackmans Flat also fear what will happen if Delta Electricity is sold off to a new owner, whose only motive is profit. We have already experienced the total failure to dust management by contractors on both the Mt Piper and Kerosene Vale ash dumps when these facilities were government owned, and dread what will happen under private ownership.

5. ASH CONTAMINANTS

Delta is well aware that high levels of metals and other contaminants become concentrated in ash and brine repositories, including Arsenic (As); Silver (Ag); Barium (Ba); Beryllium (Be); Boron (B); Cadmium (Cd); Chromium (Cr³ and Cr⁶); Copper (Cu); F (Fluorine); Iron (Fe); Mercury (Hg); Manganese (Mn); Magnesium (Mg); Calcium (Ca); Molybdenum (Mo); Potassium (K) Dioxins; and Polycyclic Aromatic Hydrocarbons (PAH's).

Higher concentrations of these contaminants are likely to occur in future because once the Reverse Osmosis plant at Wallerawang Power Station is completed, brine from this facility will apparently also be disposed of in Mt Piper Ash repository.

These elements do occur in the dust that is regularly blown onto the residents in Blackmans Flat, and do occur in the vaporised mist that regularly drifts into Blackmans Flat from the dust sprayers on the ash repository. The human health risks can only be considered as staggeringly high.

I cannot accept the conclusion that dust exceedances are unlikely to occur given our past experience from this facility. And given that the new facility will be even closer to and downwind of homes, and the amount of ash is set to double and be dumped at twice the daily rate means that serious dust problems will inevitably occur in Blackmans Flat.

6. VISUAL IMPACT

The existing Mt Piper ash dump is an eyesore for everyone travelling the Castlereagh Hwy to Mudgee. The raw and eroded embankments of the existing dam are a blight on the environment of Blackmans Flat and for travellers along the Castlereagh Highway. This proposal will create further eyesores for sensitive receivers in Blackmans Flat, View Street and along Wolgan Road. Hollow promises to cap and revegetate in 20 years after the facility is full are a nonsense. Most of the residents will be dead and gone by then – probably prematurely so because of the toxic dust blowing off this facility.

Proper rehabilitation plans and enforceable timelines for staged and meaningful revegetation of the ash repository, its bund walls and retaining walls must be submitted prior to approval.

7. SURFACE AND GROUND WATER QUALITY IMPACTS

I and others have raised the appalling water pollution issues associated with Wallerawang and Mount Piper Power Station in numerous submissions to the Department of Planning and Lithgow City Council since 2005. All of these concerns have been ignored to date, so I can see little point wasting my time raising them again. The SCA and DECCW are fully aware of these issues, but their hands also appear to be tied. My time is therefore better be spent pursuing legal options.

CONCLUSION

This facility cannot meet human health or environmental protection requirements. Clearly some trade-offs need to be made. In this instance human health should take precedence, and sensitive receivers in Blackmans Flat must be moved a safe distance away from this facility. Delta Electricity therefore must offer to purchase the residential properties in Blackmans Flat village

Yours faithfully

Chris Jonkers