

THE FOLLOWING SAMPLE SUBMISSION, USING A SUBMISSIONS GUIDE CIRCULATED BY **ENVIRONMENTAL JUSTICE AUSTRALIA**, WAS RECEIVED FROM 25 SUBMITTERS.

MANY OF THE SUBMITTERS VARIED THEIR SUBMISSIONS, AND/OR ADDED COMMENTS ON THE FOLLOWING ISSUES:

Coal dust, summer petrol volatility, control of volatile organic liquids, wood smoke, regulation of greenhouse gases and motor vehicle emissions.

SUBMISSION: PROPOSED PROTECTION OF THE ENVIRONMENT OPERATIONS (CLEAN AIR REGULATION) 2022

Thank you for the opportunity for members of the public to provide comments in relation to the draft Clean Air Regulations proposed as replacement to the present Regulations from 1 September 2022

I have significant concerns that the proposed Regulations fall way short of what is needed to achieve real improvements in clean air quality.

I am firmly of the view that a rethink of the draft proposal is required, because:

(i) Pollution from coal-fired power station is dangerous and harmful to public health and well-being

Long-term research and review provide abundant evidence that fine particle exposure can - and do - cause adverse health effects and increased risk of death; There is no safe level of exposure to air pollution.

Indicative data record in surrounding areas and communities around coal-fired power stations starkly reveals: some hundreds of babies born with significantly low birth-weight; more than usually high numbers of children with asthma, and some 785 premature deaths.

Nitrogen dioxide is strongly associated with childhood asthma and impaired lung development, which can lead to lifelong adverse health effects and premature death; long term exposure to sulfur dioxide, even at low concentrations, has been associated with cardiorespiratory mortality. There are no safe levels of exposure.

(ii) Australian air pollution standards inadequate compared with those mandated in many other countries

Power stations in NSW are licenced to emit toxic air pollution at concentrations far greater than power stations in other jurisdictions. For several decades, the United States of America, the European Union, South Korea, China, Japan, along with various other nations since taking similar strong steps, have required increasingly effective pollution controls for particle matter, nitrogen oxides, sulfur dioxide and mercury.

Unaccountably, it appears that we permit the emission of **twelve times** more mercury pollution than is allowed in Europe!

(iii) Proven technologies are available to reduce air pollution from coal fired power stations

Such technologies as low nitrogen oxides burners wet scrubbers or selective catalytic reduction methods are well established and standard operating mitigations in coal-fired power stations across the globe.

Hence, it is self-evidently reasonable and achievable that pollution standards that apply to coal fired power stations should be tightened to require the installation of best practice pollution reduction technologies.

(iv) No coal fired power stations should be exempt from the standards in the Clean Air Regulation

The proposed Clean Air Regulation contains changes that are supposedly designed to make some of the biggest emitters move to tighter pollution standards – but, unaccountably, seeks to achieve that essential outcome over an excessively liberal lead time Of 2025 – 2030.

This seems an unwarrantedly generous concession to the convenience of the big polluters – but the benefit to polluters comes at an unconscionable ongoing cost to public health and well-being, while the toxic emissions continue to poison their local communities

Even worse: the proposed Regulations as they stand would continue to provide those major polluters with the totally undeserved right to apply for exemptions.

Power station operators should **not** be able to get exemptions.

The proposed Clean Air Regulation gives operators a significant lead time to install pollution control technology to bring their pollution down. They should not be able to avoid pollution standards that are intended to better protect community health.

Coal fired power station operators **MUST** be required to improve pollution control technology as their power stations get older and more glaringly out of step with the environmentally sustainable and public health outcomes we must strive to achieve to ensure a liveable future.

Conclusions in Brief

The current standards of air pollution are far too inappropriately high, and the proposed new Regulations do not sufficiently reduce pollution limits or standards for toxic air pollutants. Indeed, the standards are glaringly weak in comparison with those mandated in many other comparable countries and jurisdictions.

Of greatest concern, the regulation of coal-fired power stations changes minimally under the revision now proposed; hence, the present unacceptable levels of toxic pollutants from these notorious sources will scarcely change in the short term – the requirement for such operators to reduce these emissions is kicked further down the road by another 3-8 years – surely an egregious dereliction of the duty of care to protect public health.

Even worse - and quite unacceptably - even under these proposed Clean Air Regulations, coal-fired plant operators such as AGL and Energy Australia can seek and obtain Exemption from the pollution reduction requirements of the Regulations. As a glaring example of this weakness in the regulations, the Vales Point Power Station operated by Delta Electricity, has successively sought and been granted such exemptions several times, over many years; and under these Proposed Regulations, might be enabled to continue their toxic emissions indefinitely...

It is beyond doubt or question that the toxic pollutants (especially nitrous oxides, sulphur dioxide and mercury, along with various others) have major adverse impacts upon public health – and that coal-fired power stations are the biggest source of controllable air pollution in the State.

A 2021 a NSW Parliamentary Inquiry Committee concluded that: ***“It is time that NSW’s comparatively outdated and relaxed exceedance limits are tightened to reduce harmful impacts to NSW residents’ health”***

Working productively together, we can surely do better than what is now being proposed. It would be a sorry exercise in futility if

This is surely – and as designed as such by the relevant legislation - an opportunity to achieve real, effective beneficial change; one that must not be vitiated or squandered.

Much stronger immediate and ongoing limits and compliance enforcement action is essentially required, under the EPA’s clear Duty of Care and Responsibility to the health of the environment and of public health and well-being.

Thank you for the opportunity to provide these comments.

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3rd June 2022