

Fri 3/06/2022 6:05 PM

wolf messthaler [REDACTED]

A submission to the NSW EPA and the Minister of Environment in response to the Public Consultation Draft Protection of the Environment Operations (Clean Air) Regulation 2022

brilliant work

On 3/06/2022 15:08, Joseph Halwagy wrote:

Dear Mr James Griffin MP and EPA NSW

Re: Submission to the Public Consultation Draft Protection of the Environment Operations (Clean Air) Regulation 2022

We the undersigned, and copied on this correspondence wish to submit our collective response below for consideration by the EPA and Minister for Environment, Mr James Griffin MP, to the Public Consultation Draft Protection of the Environment Operations (Clean Air) Regulation 2022 as exhibited on [POEO \(Clean Air\) Regulation 2022 | NSW Environment Protection Authority](#)

We request the EPA and the Minister to consider our attached power point slides showing undisputed evidence based data for significantly high multiple complex comorbidity rates; significantly high head & neck/lung/kidney/colorectal cancer rates; and significantly lower NAPLAN achievement in local communities affected by air born pollution from Group 2 industries such as Vales Point Coal Power Station.

Sadly, we note that in January this year the EPA granted Vales Point Power Station exemption to extend the period of time the power station remains within Group 2 to at least 2025.

We are extremely concerned to read section 44 (1) Phasing out of Groups 1–4 of the Draft Regulation proposing *“An activity or plant belonging to Group 1 or Group 2 on the commencement of this Regulation remains in the Group if the licence for the activity or plant continues to include a legacy condition stating the activity or plant is taken to belong to the Group”*

We are also extremely concerned to note this Draft Protection of the Environment Operations (Clean Air) Regulation 2022 makes no reference to the ongoing toxic air born pollution from the millions of tons coal ash dams in open unlined dams generated by and deposited around Group 2 industries such as Vales Point, Eraring, and Munmorah Power stations.

Clearly the Draft Protection of the Environment Operations (Clean Air) Regulation 2022 lacks any cognisance and reference to *NSW Government Response Inquiry into costs for remediation of sites containing coal ash repositories*

(<https://www.parliament.nsw.gov.au/tp/files/80392/NSW%20Government%20response%20Inquiry%20into%20costs%20for%20remediation%20of%20sites%20containing%20coal%20ash.pdf>); and to the NSW Legislative Council Public Works Committee Report 4 March 2021 (<https://www.parliament.nsw.gov.au/tp/files/79377/Final%20Report%20-%20Costs%20for%20remediation%20of%20sites%20containing%20coal%20ash%20repositories%20-%202022%20March%202021.pdf>)

The evidence-based data presented in the attached power point slides demonstrate that continued emission and pollution rates with standards in place for decades for Group 2 industries will continue to cause unnecessary generational community suffering dealing with significant health burden than the general population. This lack of social justice is even more extreme for children in the developing years, the sick and elderly residing in close proximity to these Group 2 industries.

Given the reported high profitability of these power generation industries surely it is time they were required to operate at a standard comparable to those set in other developed nations.

We would welcome the opportunity to appear in person to present this data in the hope of assisting in the process of transitioning our local environment into an ecologically sustainable one, which is, of course, the *raison d'être* and primary objective of our Environment Protection laws.

Yours Sincerely

Gary Blaschke OAM; Prof. Gill Boehringer; Assoc. Prof. Ian Charlton; Dr. Merlene Thrift; Dr. Guy Dutson; Joseph Halwagy; Dr. John Shiel; Tom Wilson; De Newton; Wolf Messthaler; John Seed; Julian Halwagy; Tom Da Silva; Suzie Brown; Sonya Mckay; Will Belford; Sam Willis