

Environment Protection Licence



Licence - 6106

Licence Details

Number:	6106
Anniversary Date:	15-August
Review Due Date:	27-Feb-2011

Licensee

TWEED SHIRE COUNCIL
PO BOX 816
MURWILLUMBAH NSW 2484

Licence Type

Premises

Premises

MURWILLUMBAH LANDFILL
WARDROP VALLEY ROAD
MURWILLUMBAH NSW 2484

Scheduled Activity

Waste disposal (application to land)

Fee Based Activity

Waste disposal (application to land)

Scale

0 - All

Region

North East - North Coast
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NSW 2460

INFORMATION ABOUT THIS LICENCE.....	5
Dictionary.....	5
Responsibilities of licensee.....	5
Variation of licence conditions	5
Duration of licence	5
Licence review	5
Fees and annual return to be sent to the EPA.....	5
Transfer of licence	6
Public register and access to monitoring data.....	6
1 ADMINISTRATIVE CONDITIONS	6
A1 What the licence authorises and regulates	6
A2 Premises to which this licence applies.....	7
A3 Other activities	8
A4 Information supplied to the EPA.....	8
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND.....	8
P1 Location of monitoring/discharge points and areas.....	8
3 LIMIT CONDITIONS	9
L1 Pollution of waters.....	9
L2 Load limits.....	9
L3 Concentration limits.....	10
L4 Volume and mass limits	10
L5 Waste	10
L6 Noise Limits.....	11
L7 Hours of operation.....	12
4 OPERATING CONDITIONS.....	12
O1 Activities must be carried out in a competent manner.....	12
O2 Maintenance of plant and equipment.....	12
O3 Dust Control	12
O4 Closure plan	12
O5 Leachate disposal	13
O6 Maintenance of <sedimentation system / leachate holding ponds>.....	13
O7 Management of surface waters.....	13
O8 Fire risk reduction works	13
O9 Burning of green waste	13
O10 Screening of waste.....	14
O11 Waste compaction.....	14
O12 Filling plan	14
O13 Completion of landfill cells.....	14
O14 Unauthorised entry	14

Environment Protection Licence



Licence - 6106

O15	Degradation of local amenity.....	14
O16	Tracking of mud and waste	14
O17	Covering of waste.....	15
O18	Control of pests, vermin and weeds	15
O19	Fire extinguishment.....	15
O20	Fire fighting capability.....	15
O21	Staff training	15
O22	Quality assurance.....	15
5	MONITORING AND RECORDING CONDITIONS	15
M1	Monitoring records.....	15
M2	Requirement to monitor concentration of pollutants discharged	16
M3	Testing methods - concentration limits.....	18
M4	Recording of pollution complaints	18
M5	Telephone complaints line.....	18
M6	Requirement to monitor volume or mass	19
M7	Monitoring remaining landfill capacity	19
M8	Determination of Uncontaminated Groundwater Quality for Reference Purposes.....	19
M9	Weather monitoring	19
M10	Overflow Monitoring	19
6	REPORTING CONDITIONS.....	19
R1	Annual return documents	19
R2	Notification of environmental harm.....	21
R3	Written report	21
R4	Recording of fires	22
R5	Leachate discharges to surface waters.....	22
R6	Landfill Gas Hazard Reporting	23
R7	Waste recording	23
R8	Groundwater Contamination Reporting.....	23
R9	Trigger Level Exceedance Reporting.....	24
	GENERAL CONDITIONS.....	24
G1	Copy of licence kept at the premises	24
	POLLUTION STUDIES AND REDUCTION PROGRAMS	25
U1	Quality assurance program	25
U2	Waste screening plan.....	25
U3	Surface water management	25
U4	Leachate Treatment System	25
U5	Surface Water Management System Upgrade	26
U6	Preparation of a Closure Plan	26
U7	Final Capping Survey	26
U8	Post landfill closure groundwater and surface water monitoring report.....	26

Environment Protection Licence



Licence - 6106

SPECIAL CONDITIONS.....	27
DICTIONARY	27
General Dictionary	27
1 Special Dictionary	29

Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act); and
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

Environment Protection Licence

Licence - 6106



Environment,
Climate Change
& Water

The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

TWEED SHIRE COUNCIL
PO BOX 816
MURWILLUMBAH NSW 2484

subject to the conditions which follow.

1 Administrative conditions

A1 What the licence authorises and regulates

A1.1 Not applicable.

A1.2 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity
Waste disposal (application to land)

Fee Based Activity	Scale
Waste disposal (application to land)	0 - All

A1.3 Not applicable.

A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
MURWILLUMBAH LANDFILL
WARDROP VALLEY ROAD
MURWILLUMBAH
NSW
2484
LOT 1 DP 232745 & PORTION OF LOT 10 DP
258122
Refer Murwillumbah Landfill Environmental Management Plan Figures 1-3. For portion of Lot 10 DP 258122 that is part of the premises, refer Tweed Shire Council correspondence to Department of Environment and Conservation (EPA) dated 22 September 2006 and 8 August 2006.

A3 Other activities

A3.1 Not applicable.

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- (a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- (b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

A4.2 The Landfill Environmental Management Plan - Murwillumbah Landfill, Tweed Shire Council, December 1999 is not to be taken as part of the documentation in A4.1, other than those parts specifically referenced in this licence.

2 Discharges to air and water and applications to land**P1 Location of monitoring/discharge points and areas**

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

Air

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location
9	Landfill gas generation monitoring		Refer MG 1 - LEMP Figure 2 [Amended], Attached to Councils letter dated 17 April 2000.
12	Air quality monitoring		All buildings within 250m of the landfilled area and any areas with the potential to accumulate gas.

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Licence - 6106

- P1.3 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

Water and land

EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
1	Leachate quality and volume monitoring	Leachate quality and volume monitoring	Outlet of the leachate dam - refer MS1, LEMP Figure 2 [Amended], Attached to Councils letter dated 17 April 2000.
3	Stormwater quality monitoring	Stormwater quality monitoring	Sedimentation dam outlet - refer MS3, Figure 2 [Amended] - Attached to Councils letter dated 1 November 2000.
4	Groundwater quality monitoring		Refer MG1 - LEMP Figure 2 [Amended], Attached to Council letter dated 17 April 2000.
5	Groundwater quality monitoring		Refer MG2 - LEMP Figure 2 [Amended], Attached to Councils letter dated 17 April 2000.
6	Groundwater quality monitoring		Refer MG3 - LEMP Figure 2 [Amended], Attached to Councils letter dated 17 April 2000.
13	Surface water quality monitoring		Downstream Monitoring Point refer MS2, LEMP Figure 2 [Amended], Attached to Councils letter dated 1 November 2000.

3 Limit conditions**L1 Pollution of waters**

- L1.1 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.

L2 Load limits

- L2.1 Not applicable.
- L2.2 Not applicable.

L3 Concentration limits

- L3.1 For each monitoring/discharge point or utilisation area specified in the table\& below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\&.

Water and Land

POINT 3

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile Concentration Limit
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

Discharges from Point 3 do not have to comply with Condition L3.3 until augmentation of the sedimentation dam is complete or the 1 April 2001, whichever comes first.

- L3.4 Exceedances of the concentration limits for pH and TSS in condition L3.3 are permitted at the following points for the duration of the overflow:
Point No. 3, whenever a wet weather overflow is occurring due to rainfall events greater than or equal to 83.8mm in total falling over any consecutive 5 day period.
- L3.5 Leachate is only permitted to overflow from the leachate management system as a direct result of a rainfall event of equal to or greater than 348mm in total falling over any consecutive 5 day period, and only from the following point: Point 1 - Leachate Dam Outlet.

L4 Volume and mass limits

- L4.1 Not applicable.

L5 Waste

- L5.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Licence - 6106

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

Condition L5.1 does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Virgin Excavated Natural Material	As defined in Schedule 1 of the POEO Act, as in force from time to time	Waste Disposal (application to land)	The total amount of waste disposed of must not exceed 3500 tonnes per year
NA	Building and Demolition Waste			
NA	Paper and Cardboard			
NA	Asphalt Waste			
NA	Asbestos Waste		Waste Processing	No more than 200 cubic metres of processed garden waste is to be stored at the premises at any one time
NA	Waste Tyres			
NA	Garden Waste			
NA	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time			NA

L5.2 The licensee must not dispose of any tyre at the premises unless:

- (a) the tyre has a diameter of 1.2 metres or more; or
- (b) the tyre has been shredded or had its walls removed as defined in condition L5.6 (a); or
- (c) the tyre was delivered to the premises as part of a domestic load as defined by condition L5.6 (b).

L5.3 In condition L5.5:

- (a) tyres are taken to be shredded only if the tyres are in pieces measuring no more than 250mm in any direction; and
- (b) domestic loads means a load containing no more than 5 tyres having a diameter of less than 1.2 metres.

L6 Noise Limits

L6.1 Noise from the premises must not exceed:

- (a) an $L_{Aeq(15 \text{ minute})}$ noise emission criterion of 50 dB(A) (6:30am to 5:30pm) Monday to Friday and 8:00am to 4:30pm Saturdays, Sundays and Public Holidays ; and
- (b) at all other times, an $L_{Aeq(15 \text{ minutes})}$ noise emission criterion of 40 dB(A),

except as expressly provided by this licence.

L6.2 Noise from the premises is to be measured at the most affected point on or within the nearest residential property boundary or, if this is more than 30m from the residence, at the most affected point within 30m of the residence , to determine compliance with this condition.

L7 Hours of operation

- L7.1 All work at the premises must be conducted between the following hours:
6:30am to 5.30pm Mondays to Fridays, 8am to 4.30pm Saturdays, Sundays and Public Holidays.
- L7.2 The hours of operation permitted by this licence may be varied where there is no significant impact on the ambient levels outside the premises or at any noise sensitive location. The licensee must provide evidence that no significant impact occurs prior to a variation being granted for the hours of operation.

4 Operating conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- (a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- (b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
(a) must be maintained in a proper and efficient condition; and
(b) must be operated in a proper and efficient manner.

O3 Dust Control

O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O4 Closure plan

O4.1 The last licensee must prepare and submit to the EPA, by 1 April 2008, a closure plan in accordance with section 76 of the Protection of the Environment Operations Act 1997.

O4.2 Landfilling at the site is to cease by 30 November 2009.

O5 Leachate disposal

O5.1 Leachate impounded in the leachate storage dam may only be irrigated on areas which drain directly to the leachate dam.

O5.2 The volume of leachate directed to the utilisation area must not exceed the capacity of the area to assimilate the leachate.

O5.3 The perimeter of the utilisation area must be contoured to prevent stormwater running onto the utilisation area from all storm events less than or equal to a 1 in 10 year 24 hour duration storm event .

O5.4 The licensee must take all practicable measures to minimise the amount of leachate in the leachate management system to enable compliance with condition L3.5.

O6 Maintenance of sedimentation system / leachate pond

O6.1 The sedimentation pond and leachate pond must be maintained to ensure that their design capacity is available for the storage of stormwater and leachate.

O6.2 Sedimentation and erosion control structures must be installed throughout the landfill in accordance with the LEMP [Attachment B – Management Technique No. 3] to prevent erosion of the site.

O7 Management of surface waters

O7.1 The perimeter of the areas where waste has been landfilled must be contoured to prevent stormwater running onto these surfaces from all storm events less than or equal to a 1 in 10 year 24 hour duration storm event.

O7.2 The drainage from all areas at the premises which will liberate suspended solids when stormwater runs over these areas must be diverted into sedimentation dam .

O8 Fire risk reduction works

O8.1 The licensee must have in place and implement the procedures detailed in the LEMP – Management Technique No 12 – Fire Prevention, to minimise the risk of fire at the premises.

O9 Burning of green waste

O9.1 There must be no incineration or burning of any waste at the premises.

O10 Screening of waste

O10.1 The licensee must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this licence to be disposed of at the premises.

O11 Waste compaction

O11.1 The licensee must ensure that the amount of landfill space used per tonne of waste is minimised, in accordance with the procedures detailed in the LEMP Management Technique 24 – Compaction of Waste.

O12 Filling plan

O12.1 The licensee must manage the disposal of waste at the premises in accordance with the progressive filling plan, as detailed in the LEMP Management Technique 27 - Filling Plan [Figures 3A-D].

O13 Completion of landfill cells

O13.1 The licensee must ensure that the landfill cells are capped progressively and in accordance with condition 13.2 during operations and specifically at times when the level of waste reaches final heights as detailed in the LEMP Management Technique No. 27 Filling Plan / Contours.

O13.2 Final capping must comprise four layers in the order of installation: a seal bearing surface, a sealing layer, an infiltration drainage layer and the revegetation layer as specified in the LEMP Management Technique 28 - Site Capping and Revegetation.

O14 Unauthorised entry

O14.1 The licensee must take all practicable steps to control entry to the premises.

O15 Degradation of local amenity

O15.1 The licensee must implement all practical initiatives to prevent the degradation of the local amenity by litter.

O16 Tracking of mud and waste

O16.1 The licensee must implement all practical initiatives to minimise the tracking of waste and mud offsite by vehicles.

O17 Covering of waste

- O17.1 Cover material must be clean earthen material or an alternative material approved by the EPA.
- A] Fortnightly Cover – Cover material must be applied to a minimum depth of 15 centimetres over all exposed landfilled waste at least once every fortnight.
- B] Intermediate Cover – Cover material must be applied to a depth of 30 centimetres over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.
- C] Cover Material Stockpile – At least two weeks cover material must be available at the premises under all weather conditions. This material may be won on site or alternatively a cover stockpile must be maintained adjacent to the tip face.

O18 Control of pests, vermin and weeds

- O18.1 The licensee must implement all practical initiatives to control pests, vermin and weeds at the premises.

O19 Fire extinguishment

- O19.1 The licensee must extinguish fires at the premises as soon as possible.

O20 Fire fighting capability

- O20.1 The licensee must have adequate fire prevention measures in place, and ensure that facility personnel are able to access fire-fighting equipment and manage fire outbreaks at any part of the premises in accordance with the LEMP Management Technique 38 - Fire Fighting Capacity.

O21 Staff training

- O21.1 The licensee must ensure that adequately trained staff are available at the premises in order to administer the requirements of this licence.

O22 Quality assurance

- O22.1 The licensee must install the capping system at the premises in accordance with the quality assurance program HB 90.3 [2000].

5 Monitoring and recording conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol

Licence - 6106

must be recorded and retained as set out in this condition.

M1.2 All records required to be kept by this licence must be:

- (a) in a legible form, or in a form that can readily be reduced to a legible form;
- (b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- (c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

- (a) the date(s) on which the sample was taken;
- (b) the time(s) at which the sample was collected;
- (c) the point at which the sample was taken; and
- (d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/discharge point or utilisation area specified below (by a point 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:

POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per litre	Quarterly	Grab sample
Biochemical oxygen demand	milligrams per litre	Quarterly	Grab sample
Conductivity	microsiemens per centimetre	Quarterly	In situ
Copper	milligrams per litre	Quarterly	Grab sample
Dissolved Oxygen	milligrams per litre	Quarterly	In situ
Manganese	milligrams per litre	Quarterly	Grab sample
Nitrate	milligrams per litre	Quarterly	Grab sample
Nitrite	milligrams per litre	Quarterly	Grab sample
Nitrogen (total)	milligrams per litre	Quarterly	Grab sample
Redox potential	As approp.	Quarterly	In situ
Temperature	degrees Celsius	Quarterly	In situ
Total Kjeldahl Nitrogen	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	In situ

Licence - 6106

POINT 3

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per litre	Quarterly	Grab sample
Biochemical oxygen demand	milligrams per litre	Quarterly	Grab sample
Conductivity	microsiemens per centimetre	Quarterly	In situ
Copper	milligrams per litre	Quarterly	Grab sample
Dissolved Oxygen	milligrams per litre	Quarterly	In situ
Manganese	milligrams per litre	Quarterly	Grab sample
Nitrate	milligrams per litre	Quarterly	Grab sample
Nitrite	milligrams per litre	Quarterly	Grab sample
Nitrogen (total)	milligrams per litre	Quarterly	Grab sample
Redox potential	As approp.	Quarterly	Grab sample
Temperature	degrees Celsius	Quarterly	In situ
Total Kjeldahl Nitrogen	milligrams per litre	Quarterly	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	In situ

POINTS 4,5,6

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per litre	Quarterly	Representative sample
Biochemical oxygen demand	milligrams per litre	Quarterly	Representative sample
Conductivity	milligrams per litre	Quarterly	In situ
Copper	milligrams per litre	Quarterly	Representative sample
Manganese	milligrams per litre	Quarterly	Representative sample
Nitrate	milligrams per litre	Quarterly	Representative sample
Nitrite	milligrams per litre	Quarterly	Representative sample
Nitrogen (total)	milligrams per litre	Quarterly	Representative sample
Redox potential	As approp.	Quarterly	Representative sample
Temperature	degrees Celsius	Quarterly	In situ
Total Kjeldahl Nitrogen	milligrams per litre	Quarterly	Representative sample
pH	pH	Quarterly	Representative sample

POINTS 9,12

Pollutant	Units of measure	Frequency	Sampling Method
Methane	percent by volume	Yearly	Probe

POINT 13

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per litre	Quarterly	Grab sample
Biochemical oxygen demand	milligrams per litre	Quarterly	Grab sample
Conductivity	microsiemens per centimetre	Quarterly	In situ
Copper	milligrams per litre	Quarterly	Grab sample
Dissolved Oxygen	milligrams per litre	Quarterly	In situ
Manganese	milligrams per litre	Quarterly	Grab sample
Nitrate	milligrams per litre	Quarterly	Grab sample
Nitrite	milligrams per litre	Quarterly	Grab sample
Nitrogen (total)	milligrams per litre	Quarterly	Grab sample
Redox potential	As approp.	Quarterly	Grab sample
Temperature	degrees Celsius	Quarterly	In situ
Total Kjeldahl Nitrogen	milligrams per litre	Quarterly	Grab sample
Total suspended solids	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	In situ

For the purposes of the above tables 'Special Frequency 1' means the collection of samples quarterly, as well as daily whenever water is discharged from the sediment basin during dry weather and during rainfall events of up to 83.8mm falling at the premises over any consecutive five day period.

M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- (a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- (b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- (c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The Protection of the Environment Operations (Clean Air) Regulation 2002 requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M4.2 The record must include details of the following:

- (a) the date and time of the complaint;
- (b) the method by which the complaint was made;
- (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- (d) the nature of the complaint;
- (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- (f) if no action was taken by the licensee, the reasons why no action was taken.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

Licence - 6106

- M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M5.3 Conditions M5.1 and M5.2 do not apply until 3 months after:
- (a) the date of the issue of this licence or
 - (b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

M6 Requirement to monitor volume or mass

- M6.1 Not applicable.

M7 Monitoring remaining landfill capacity

- M7.1 The licensee must monitor the remaining disposal capacity (in cubic metres) of the landfill.

M8 Determination of Uncontaminated Groundwater Quality for Reference Purposes

- M8.1 The licensee must submit in writing to the EPA the data required by Condition M2 within two months of the completion of each quarterly sampling event. The data must be submitted in graphical and tabular form.

M9 Weather monitoring

- M9.1 The licensee must on a daily basis measure and record rainfall at the landfill.

M10 Overflow Monitoring

- M10.1 For the purpose of complying with conditions R5 the licensee must monitor overflow events from discharge Point 1.

6 Reporting conditions

R1 Annual return documents

What documents must an Annual Return contain?

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- (a) a Statement of Compliance; and
 - (b) a Monitoring and Complaints Summary.
- A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

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.

- R1.3 Where this licence is transferred from the licensee to a new licensee:
- (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

Deadline for Annual Return

- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

- R1.6 Not applicable.

Licensee must retain copy of Annual Return

- R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

Environment Protection Licence



Licence - 6106

- R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must 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.
- R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.
- R1.10 All Annual Returns submitted must be accompanied by a letter, describing how many of the samples collected and analysed for each monitoring point were completed in order to comply with:
- (a) yearly monitoring
 - (b) quarterly monitoring; and
 - (c) licence condition R8.1.

The dates on which the sampling occurred to satisfy (a) through to (c) above must also be stipulated.

R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- (a) where this licence applies to premises, an event has occurred at the premises; or
 - (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- (a) the cause, time and duration of the event;
 - (b) the type, volume and concentration of every pollutant discharged as a result of the event;

Licence - 6106

- (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- (g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R4 Recording of fires

- R4.1 The licensee must maintain a daily log and record the following data of fires at the site:
- (a) Time and date when the fire was deliberately started or reported.
 - (b) Whether the fire was authorised by the licensee, and, if not, the circumstances which ignited the fire.
 - (c) The time and date that the fire ceased and whether it burnt out or was extinguished.
 - (d) The location of fire (eg. clean timber stockpile, putrescible garbage cell, etc).
 - (e) Prevailing weather conditions.
 - (f) Observations made in regard to smoke direction and dispersion.
 - (g) The amount of waste that was combusted by the fire.
 - (h) Action taken to extinguish the fire.
- R4.2 The licensee or its employees or agents must notify the EPA in accordance with conditions R2.1 and R2.2 of all fires at the premises as soon as practical after becoming aware of the incident.

R5 Leachate discharges to surface waters

- R5.1 Whenever leachate is discharged to surface waters from the premises, the licensee must notify the event to the EPA in accordance with condition R5.2.
- R5.2 The licensee must provide written details of any leachate discharge(s), to the EPA within 7 days of the date on which the incident occurred in accordance with condition R5.3.
- R5.3 The written details referred to in the above condition must be provided as a report. The report must include the following information:
- (a) the volume of the leachate discharged and over what time period the discharge occurred;
 - (b) the date and time of the commencement of the overflow;
 - (c) the weather conditions at the time of the discharge, specifying the amount of rainfall on a daily basis that had fallen:
 - on the day(s) of the discharge; and
 - for the one week period prior to the discharge.
 - (d) the most recent monitoring results of the chemical composition of the leachate;
 - (e) an explanation as to why the discharge occurred;

Licence - 6106

- (f) the location(s) of the discharge;
- (g) a plan of action to prevent a similar discharge in the future; and
- (h) was the discharge permitted by this licence.

R6 Landfill Gas Hazard Reporting

- R6.1 The licensee must notify the EPA within 24 hours in accordance with condition R2.1 if subsurface monitoring detects methane above 1.25% (v/v), and increase the frequency of monitoring to daily, until the EPA determines otherwise.

R7 Waste recording

- R7.1 The licensee must provide the EPA with information on the quantity of waste received at the facility and the quantity of waste transported from the facility each quarter. The information in respect of a particular quarter is to be provided on the approved Form WISQTR.1 and must be received by the EPA within 60 days of the end of that quarter.

For the purposes of this condition each of the following periods is a quarter:

- (Quarter 1) 1 January - 31 March
- (Quarter 2) 1 April - 30 June
- (Quarter 3) 1 July - 30 September
- (Quarter 4) 1 October - 31 December

R8 Groundwater Contamination Reporting

- R8.1 **Table A - Ground and Surface Water Trigger Levels for the Murwillumbah Landfill Monitoring Program**

Pollutant	Units of Measure	Trigger Level	
		Groundwater	Surface Water
pH	pH	4.5-9.0	6.0-9.0
Conductivity	US/cm	2000	1500
Redox. Potential	Eh	-	-
Dissolved Oxygen	mg/L	-	-
Copper	mg/L	0.05	0.05
Manganese	mg/L	2.0**	2.0
Nitrate	mg/L	0.5	0.5
Nitrite	mg/L	0.5	0.5
Ammonia	mg/L	1.0	1.0

Licence - 6106

Total Nitrogen	mg/L	5.0	5.0
TKN	mg/L	NA*	NA*
Biological Oxygen Demand	mg/L	20	20

* Not applicable

**Trigger Level for Manganese does not apply to Point 6.

Surface Water - Whenever 2 or more of the indicator analytes [refer Table A] in one sampling round required by Condition M2.1, exceeds the surface water trigger levels specified in Table A, a re-sampling event for the surface water sampling point in question is to be conducted within 14 days of the results being received. If the second set of results also exceed two trigger levels another re-sampling event is to be conducted within 14 days of receiving the results from the second round of sampling. If two trigger levels are in exceedance for all three consecutive monitoring rounds, Council must submit a report to the EPA within 14 days of receiving the results from the third round of sampling, proposing a future monitoring program to assess the extent of surface water contamination emanating from the premises and identify any necessary remediation strategies.

Groundwater - Whenever 2 or more of the indicator analytes [refer Table A] in one sampling round required by Condition M2.1, exceeds the groundwater trigger levels specified in Table A, a re-sampling event for the groundwater sampling point in question is to be conducted within 30 days of the results being received. If the second set of results also exceed two trigger levels another re-sampling event is to be conducted within 30 days of receiving the results from the second round of sampling. If two trigger levels are in exceedance for all three consecutive monitoring rounds, Council must submit a report to the EPA within 14 days of receiving the results from the third round of sampling, proposing a future monitoring program to assess the extent of groundwater contamination emanating from the premises and identify any necessary remediation strategies.

Note: Re-sampling provisions (due to trigger level exceedances of indicator analytes) do not apply for Monitoring Points 4 and 6 until current groundwater investigations have been resolved.

R9 Trigger Level Exceedance Reporting

R9.1 The licensee must review the monitoring results collected in accordance with condition M2, against the trigger levels specified in Table A and notify the EPA in writing within 14 days of any exceedance of the trigger level being detected.

General conditions

G1 Copy of licence kept at the premises

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

Pollution studies and reduction programs

U1 Quality assurance program

- U1.1 The licensee must install the landfill capping system in accordance with AS3905.2.

U2 Waste screening plan

- U2.1 The licensee must prepare and submit to the EPA for review, within three months of this licence being issued, a waste inspection and associated staff training program in accordance with the LEMP Management Technique 21 – Screening of Wastes Received.

U3 Surface water management

- U3.1 The sedimentation dam must be augmented in accordance with Section 6.3 of the "Managing Urban Stormwater: Soils and Construction" document. Specifically:
- (a) for Type F and Type D soils, as defined in Section 6.3 of the "Managing Urban Stormwater: Soils and Construction" document, the settling zone of the basin(s) must be designed, constructed and maintained to collect and contain all runoff generated from 83.8mm of rainfall in total, falling over any consecutive 5 day period, in accordance with Section 6.3 and Appendix F of the "Managing Urban Stormwater: Soils and Construction" document
 - (b) for Type C soils, as defined in Section 6.3 of the "Managing Urban Stormwater: Soils and Construction" document, the settling zone must be designed, constructed and maintained to capture a 0.02 millimetre particle in a flowrate equivalent to one half of the one year average recurrence interval flow estimated to occur at the location of sediment basin, determined in accordance with Section 6.3 of the "Managing Urban Stormwater: Soils and Construction" document; and
 - (c) for all soil types, the sediment storage zone of the basin(s) must be designed and constructed to have a capacity to store at least the estimated average two month sediment yield from the basin's catchment, as estimated using the Revised Universal Soil Loss Equation as described in Section 6.3 of the "Managing Urban Stormwater: Soils and Construction" document.

All soils containing more than 10 per cent dispersible materials must be considered as Type D soils, irrespective of their particle size distribution.

- U3.2 Augmentation of the sedimentation as specified in condition U 3.1 must be completed by the 31 March 2001.

U4 Leachate Treatment System

Licence - 6106

- U4.1 The new leachate irrigation system and aerator for the leachate dam, referred to in Councils correspondence dated 1 November 2000, must be installed and operational by the 1 March 2001.

U5 Surface Water Management System Upgrade

- U5.1 The licensee must provide to the EPA by the 28 March 2003 a Surface Water Management Plan for the Murwillumbah Landfill, which addresses the following issues:-
- A The plan must detail how surface water and sedimentation and erosion control management are to be upgraded to ensure that any surface water discharges from the site comply with the discharge limits specified in licence condition L3.3;
 - B The plan must be consistent with the Managing Urban Stormwater : Soils and Construction Guideline;
 - C The plan must ensure that the areas stabilised with vegetation are maximised; that 'clean' surface water is diverted away from exposed areas; that 'dirty' water is more effectively managed using sedimentation traps, erosion controls etc.; and that the adequacy of the sizing of the existing sedimentation basin is reviewed against the guideline noted above.
- U5.2 Subject to the EPA's endorsement of the Surface Water Management Plan, the licensee must implement all works proposed in the plan by the 30 June 2003.

U6 Preparation of a Closure Plan

- U6.1 The licensee must prepare a Closure Plan in accordance with Licence Conditions (LC) O4.1 and O13 and submit a copy of the plan to the Department of Environment and Climate Change (DECC) for approval, by the **11 September 2009**. The Plan should include requirements that commit to: no further waste being accepted for landfilling after 30 November 2009; and, completion of the final cap by 31 July 2010.

The proposed Final Capping must be technically substantiated using suitably qualified expertise, taking into account the proposed use of the closed landfill, the Environment Protection Authority NSW Environmental Guidelines: Solid Waste Landfills 1996; and LC O4.1 and O13 (which references the Landfill Environment Management Plan Murwillumbah Landfill December 1999, Management Technique No. 28 – Site Capping and Revegetation).

The Closure Plan must incorporate: final landform; closure works layouts; and, amendments satisfying DECC comments in correspondence **dated 21 November 2008 and 10 August 2009**.

U7 Final Capping Survey

- U7.1 Twelve months after the hardstand has been completed, a survey of the capped landfill area will be required to be undertaken to include an analysis of any changes in slope across the hardstand, and highlight any areas where the slope is less than 2%. A written report detailing the survey, analysis and restoration to the capping required will need to be provided to DECCW within two months of the survey being undertaken.

U8 Post landfill closure groundwater and surface water monitoring report

Licence - 6106

- U8 A written report detailing the results of 24 months of groundwater and surface water monitoring since final landfill capping was completed, together with an analysis of the results and proposed further monitoring program is required to be provided to DECCW within two months of the last monitoring round.

Special conditions

Dictionary

General Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997



Licence - 6106

environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 1998.
flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.



Licence - 6106

restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste

1 Special Dictionary

Leachate Means liquid released by, or water that has percolated through, waste and which contains dissolved and/or suspended liquids and/or solids and/or gases.

Mr Chris Hatton

Environment Protection Authority

(By Delegation)

Date of this edition - 28-Jul-2010

End Notes

1	Licence varied by notice 1014186, issued on 17-Jan-2002, which came into effect on 11-Feb-2002.
2	Licence varied by notice 1022511, issued on 17-Feb-2003, which came into effect on 14-Mar-2003.
3	Licence varied by notice 1030161, issued on 19-Aug-2003, which came into effect on 13-Sep-2003.
4	Licence varied by notice 1044224, issued on 03-Feb-2005, which came into effect on 28-Feb-2005.
5	Licence varied by notice 1045882, issued on 23-Mar-2005, which came into effect on 17-Apr-2005.
6	Licence varied by notice 1078950, issued on 26-Oct-2007, which came into effect on 26-Oct-2007.
7	Licence varied by notice 1083065, issued on 20-Feb-2008, which came into effect on 20-Feb-2008.
8	Licence varied by notice 1087618, issued on 21-May-2008, which came into effect on <date to be advised>.
9	Licence varied by notice 1087618, issued on 21-May-2008, which came into effect on 21-May-2008.
10	Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
11	Licence varied by notice 1099030, issued on 24-Mar-2009, which came into effect on 24-Mar-2009.
12	Licence varied by notice 1100121, issued on 24-Apr-2009, which came into effect on 24-Apr-2009.
13	Licence varied by notice 1104810, issued on 10-Aug-2009, which came into effect on 10-Aug-2009.
14	This licence was surrendered subject to conditions by notice 1111783 on 27-Jul-2010.