

Environment Protection Licence



Licence - 1625

Licence Details

Number:	1625
Anniversary Date:	01-April

Licensee

PORT KEMBLA COAL TERMINAL LIMITED

PO BOX 823

WOLLONGONG EAST NSW 2520

Premises

PORT KEMBLA COAL TERMINAL LIMITED

PORT KEMBLA ROAD

WOLLONGONG NSW 2500

Scheduled Activity

Coal works

Shipping in bulk

Fee Based Activity

Scale

Coal works	> 5000000 T annual handling capacity
Shipping in bulk	> 500000 T of annual capacity to load and unload

Region

Metropolitan - Illawarra

Level 3, NSW Govt Offices, 84 Crown Street

WOLLONGONG NSW 2500

Phone: (02) 4224 4100

Fax: (02) 4224 4110

PO Box 513 WOLLONGONG EAST

NSW 2520

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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);
- 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).

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

PORT KEMBLA COAL TERMINAL LIMITED
PO BOX 823
WOLLONGONG EAST NSW 2520

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 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	Fee Based Activity	Scale
Coal works	Coal works	> 5000000 T annual handing capacity
Shipping in bulk	Shipping in bulk	> 500000 T of annual capacity to load and unload

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
PORT KEMBLA COAL TERMINAL LIMITED
PORT KEMBLA ROAD
WOLLONGONG
NSW 2500
LOT 1 DP 1125445, LOT 3 DP 1125445, LOT 22 DP 1128396, LOT 8 DP 1154760

A2.2 Note: In relation to Condition A2.1, the premises excludes pipelines, infrastructure and operations associated with the holder of Environment Protection Licence No. 654 issued under the Protection of the Environment Operations Act 1997.

A3 Information supplied to the EPA

A3.1 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:

- 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
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

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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.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust deposition monitoring		P1 25m south of Bulk Products Berth E306952 N6184836
2	Dust deposition monitoring		P2 40m south of Bulk Products Berth stockyard E307179 N6184540
3	Dust deposition monitoring		P3 40m east of Bulk Products Berth stockyard E307198 N6184856
4	Dust deposition monitoring		P4 40m east of Coal Berth stockyard E307103 N6185818
5	Dust deposition monitoring		P5 Northern pond E306916 N6186282
6	Dust deposition monitoring		P6 40m west of Coal Berth stockyard E306908 N6185720
7	Dust deposition monitoring		P7 250m west of Coal Berth stockyard E306673 N6185865
8	Dust deposition monitoring		P8 Northern truck wash E306744 N6186371
9	Dust deposition monitoring		P9 Sydney Water recycled water plant E306936 N6186639
12	Dust deposition monitoring		P12 157 Church Street Wollongong E306520 N6188025
15	Dust deposition monitoring		P15 North of planning office E306859 N6185458

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17	Dust deposition monitoring	P13 Entry gate to Berth 109 E305867 N6185702
18	Dust deposition monitoring	P10 Links Seaside Apartments, 1 Ross Street, Wollongong. E306872 N6187535
19	Dust deposition monitoring	P11 Vikings Oval E306710 N6187446
20	Ambient air monitoring	C1 Southern monitoring site Southern Pond E307102 N6184596
21	Ambient air monitoring	C2 Northern monitoring site Sydney Water recycled water plant E306874 N6186945

P1.2 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.

P1.3 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.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
16	Discharge to waters Water quality monitoring	Discharge to waters Water quality monitoring	DP16 Outlet of Settlement Lagoon E306674 N6185924
22	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP22 TS1 Pond E306732 N6186214
23	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP23 Central Pond E306912 N6185207
24	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP24 Tower 3 Pond E306896 N6185046
25	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP25 Southern Pond E307103 N6184594

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26	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP26 Workshop Pond E306816 N6185563
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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 Concentration limits

L2.1 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.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table.

L2.4 Water and/or Land Concentration Limits

POINT 16

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible				Not visible
Total suspended solids	milligrams per litre				50

L2.5 Exceeding the limit specified in Condition L2.4 of this licence for Total Suspended Solids for discharges from Point 16 identified by Conditions P1.2 and P1.3 is only permitted when the discharge occurs solely as a result of rainfall measured at the premises. For discharge to be considered to occur solely as a result of rainfall, the rainfall must exceed a 5 day rainfall depth value of 90 mm over a consecutive 5 day period.

L2.6 The licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.

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- L2.7 The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.
- L2.8 The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L4.2 before using the revised statistical correlation.

L3 Waste

- L3.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.
- L3.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.

L4 Noise limits

- L4.1 The proponent shall ensure that the noise generated by the project at any privately-owned residence does not exceed the limits specified in Table 1 for the location nearest to that residence.

Table 1: Noise impact assessment criteria dB(A) LAeq(15 min)

Location	Time Period	Limits (LAeq 15 min dB(A))
Corner of Swan/Kembla Streets	Day	51
	Evening	50
	Night	49
Corner of Swan/Corrimal Streets	Day	51
	Evening	50
	Night	49
Corner of Keira/Fox Streets	Day	55
	Evening	49
	Night	45

Note: a) To determine compliance with the LAeq(15minute) noise limits in the above table, noise from the project is to be measured at the most affected point within the residential boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.

b)The noise emission limits identified in the above table apply under meteorological conditions of:

- Wind speeds of up to 3 m/s at 10 metres above ground level; or
- Temperature inversion conditions of up to 3oC/100m, plus a 2 m/s source-to-receiver component

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drainage flow wind at 10 metres above ground level for those receivers where applicable in accordance with the NSW Industrial Noise Policy.

However, if the proponent has a written negotiated noise agreement with any landowner of the land listed in Table 1, and a copy of this agreement has been forwarded to the Department of Planning and DECC, then the proponent may exceed the noise limits in Table 1 in accordance with the negotiated noise agreement.

L5 Potentially offensive odour

L5.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

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

O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

O3.2 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation or emission, of wind blown or traffic generated dust.

O3.3 All loaded trucks entering or leaving the premises must have their loads covered.

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O4 Processes and management

Sedimentation Ponds

- O4.1 The following ponds referred to in the table below are identified in this licence for the purposes of identifying ponds in Condition O4.2

Sedimentation Pond
TS1 Pond
Northern Pond
Settlement Lagoon
Workshop Pond
Central Pond
Tower 3 Pond
Southern Pond

- O4.2 The ponds must be maintained to ensure that sedimentation does not reduce their capacity by more than 20% of the design capacity.

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 must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
 - kept for at least 4 years after the monitoring or event to which they relate took place; and
 - 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:
- the date(s) on which the sample was taken;
 - the time(s) at which the sample was collected;
 - the point at which the sample was taken; and
 - 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

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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:

M2.2 Air Monitoring Requirements

POINT 1,2,3,4,5,6,7,8,9,12,15,17,18,19

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19

POINT 20,21

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	Continuously
PM2.5	micrograms per cubic metre	Continuous	Continuously
Total Solid Particles	micrograms per cubic metre	Continuous	Continuously

M2.3 Water and/ or Land Monitoring Requirements

POINT 16

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Daily during any discharge	Visual Inspection
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample

POINT 22,23,24,25,26

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Daily during any discharge	Visual Inspection
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample

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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 2010* 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 Environmental monitoring

- M4.1 The licensee is required to install and maintain a rainfall depth measuring device.
- M4.2 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.

M5 Recording of pollution complaints

- M5.1 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.
- M5.2 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.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

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M6 Telephone complaints line

- M6.1 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.
- M6.2 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.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M7 Other monitoring and recording conditions

Noise Monitoring

- M7.1 Noise from the premises must be measured bi-annually (to measure summer and winter levels) via a combination of attended and unattended noise monitoring measures at the potentially affected premises identified in Condition L4.1 of this licence.
- M7.2 The noise monitoring program must be reviewed by the licensee. If no exceedance of the criteria occurs for 6 years and the EPA is satisfied with the review, noise monitoring will not be required to continue.

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
 1. a Statement of Compliance,
 2. a Monitoring and Complaints Summary,
 3. a Statement of Compliance - Licence Conditions,
 4. a Statement of Compliance - Load based Fee,
 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
 7. a Statement of Compliance - Environmental Management Systems and Practices.

At 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.

- 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

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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.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or 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').

R1.6 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.

R1.7 Within the Annual Return, the Statements 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.

R2 Notification of environmental harm

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.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

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.

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- 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;
 - 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 Other reporting conditions

Ambient Air Monitoring Report

- R4.1 The following must be submitted to the EPA with the Annual Return:

A brief summary of the results for all Total Suspended Particulate (TSP) matter, Particulate Matter (PM₁₀) and Particulate Matter (PM_{2.5}) monitoring.

Tabular presentation of all TSP, PM₁₀ and PM_{2.5} levels for monitoring/discharge point 20 and 21. The average result for TSP and PM₁₀ must be detailed within the table.

Where the 24-hour concentration of TSP exceeds 90µg/m³ at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:

- weather data;
- a comparison of TSP levels at monitoring/discharge point 20 and 21;
- the proportion of TSP that is PM₁₀, PM_{2.5} and PM₁;
- the contribution of operating conditions; and
- other relevant factors.

Where the 24-hour concentration of PM₁₀ exceeds 50µg/m³ at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:

- weather data;
- a comparison of PM₁₀ levels at monitoring/discharge point 20 and 21;
- the proportion of PM₁₀ that is PM_{2.5} and PM₁;
- the contribution of operating conditions; and
- other relevant factors.

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Ambient air quality information used to inform the licensee's Annual Environmental Monitoring Report for the financial year preceding 30 June in the reporting period and information used to inform the licensee's Interim Annual Environmental Monitoring Report for the six-month period from 1 July to 31 December in the reporting period may be used to satisfy Condition R4.1. Information collected from 1 January to 31 March in the reporting period may be submitted to the EPA with the next Annual Return.

Wet Weather Overflow Reporting

R4.2 The following must be submitted to the EPA with the Annual Return:

Details of any overflow from Point 22, Point 23, Point 24, Point 25 and/or Point 26 specified by Conditions P1.2 and P1.3.

The following information must be provided for each overflow:

- a tabular presentation of the concentration of each pollutant specified in Condition M2.3;
- date and time of the commencement of each overflow;
- an estimate of the volume of each stormwater overflow and over what time period the overflow occurred;
- the weather conditions at the time of each overflow, specifying the amount of rainfall on a daily basis that had fallen a) on the day(s) of the overflow and b) for each day of the 7 day period prior to the overflow;
- an explanation as to why the overflow occurred;
- an estimate of sedimentation as a percentage of the design capacity of the relevant sedimentation pond identified in Condition O4.1;
- the location(s) of the discharge; and
- was the discharge permitted by the licence.

7 General Conditions

G1 Copy of licence kept at the premises or plant

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.

G2 Other general conditions

G2.1 Completed Programs

Program	Description	Completed Date
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PRP 1- Installation of additional dust control for Difficult Coal Types	Dust Control for Difficult Coal Types. Install additional controls and techniques to minimise dust resulting from handling difficult coal type products.	30-November-2004
PRP 2 - Water Collection System Performance Upgrade	Water Collection System Performance Upgrade. Determine strategies to improve the performance of the water collection treatment and discharge system.	31-January-2007
PRP 3 - Investigate further dust control technique for difficult coal types	Investigate further dust control techniques for difficult coal types. Report the findings of the investigation and preferred dust control strategy.	30-June-2008
PRP 4 - Minimise Spillage of Coal from Maintenance Activities at Berth 102	Report on the Spillage Reduction For Berth 102. Options to improve the spillage capture/minimisation performance of Berth 102.	02-April-2009
PRP 5 - Reuse of treated effluent from Coniston STP in dust control	Reuse of treated effluent from Coniston STP in Dust Control. Implementation will save approx 1 Mega litre per day of potable water and reduce demand pressure on the Sydney drinking water dams.	30-June-2009
PRP 6 - Dust Management Improvement	Dust Management Improvement. Identify ways of improving the effectiveness of dust management and minimising dust emissions.	30-June-2010
PRP 7 - Green and Golden Bell Mangement Plan	Green and Golden Bell Mangement Plan. Minimise the risk of harm or damage to the GGBF and its habitat from any actual or potential pollution from the premises.	30-June-2009
PRP 8 - Identify options to improve the performance of the stormwater pollution control system	Identify options to improve the performance of the stormwater pollution control system. To improve the effectiveness of the stormwater pollution control system at the Port Kembla Coal Terminal.	31-August-2010
PRP 9 - Performance upgrades to the stormwater control system	Performance upgrades to the stormwater control system to improve the systems ability to control suspended solids discharged into Port Kembla Harbour.	30-June-2012
PRP10 - Environmental Improvement Program, Review Truck Wash Performance	Environmental Improvement Program, Review Truck Wash Performance	30-July-2011
PRP11 - Environmental Improvement Program, Install Northern Truck Wash Upgrades	The effectiveness of the northern truck wash can be improved. This PRP is for the purpose of improving the effectiveness of the northern truck wash. The work involves civil and electrical refurbishments & installations together with new operating procedures to be followed by trucking companies using the facility.	06-February-2015
PRP 12 - Implement upgrades to stormwater pollution control system	Implement recommendations from the Port Kembla Coal Terminal Pond Maintenance report or, if not reasonably practical, by alternate measures at the Central, North and TS1 Ponds, and Coal Stockyard area.	09-December-2016

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PRP 13 - Algae control trial in Settlement Lagoon	The licensee submitted a proposal to trial the use of Eco-Tabs as a measure to prevent and treat algal growth in the Settlement Lagoon to EPA	31-March-2014
Wagon Monitoring and Reporting Environmental Improvement Program	Implement a program of monitoring and reporting on the condition of loaded wagons received at the premises. All trains entering the dump-station will be assessed against criteria relating to likelihood that coal may have been spilt within the rail corridor during the trains most recent journey.	30-September-2016

8 Pollution Studies and Reduction Programs

U1 EIP - Particulate Matter Control Best Practice Study

U1.1 Background / Objective

Air quality in the Illawarra has been improving over time, however the community still remains sensitive to particulate matter and its potential effect on health and amenity. Though there are many sources of particulate emissions including natural, domestic and industrial; continuous improvements to dust controls need to be undertaken by licensees where practicable.

The mining sector of NSW has been undertaking best practice benchmarking studies to reduce emissions of particulate matter from coal mining activities. A methodology was applied based on a Coal Mine Particulate Matter Control Best Practice: Site-Specific Determination Guideline (OEH, 2011) and NSW Coal Mining Benchmarking Study: International Best Practice Measures to Prevent and/or Minimise Emissions of Particulate Matter from Coal Mining (OEH, 2011). This methodology is available for the licensee's use in assessing existing measures and those available to prevent/minimise particulate emissions from the licensee's premises.

Methodology / Deliverables

The licensee must conduct a Site-Specific Best Management Practice Study to identify the most practicable means to reduce particle emissions.

The licensee must prepare a report which includes, but is not necessarily limited to, the following:

- Identification, quantification and justification of existing measures that are being used to minimise particle emissions;
- Identification, quantification and justification of best practice measures that could be used to minimise particle emissions; and
- Evaluation of the practicability of implementing these best practice measures.

The licensee shall be guided by the Coal Mine Particulate Matter Control Best Practice: Site-Specific Determination Guideline (OEH, 2011) document which includes some modifications to account for the licensee's activities. The document can be found at <http://www.epa.nsw.gov.au/resources/air/20110813coalmineparticulate.pdf>.

All cost related information is to be included as an Appendix 1 of the Report.

The report must be submitted by the licensee to the EPA by **30 June 2017**.

The report required by this condition, except for cost related information contained in Appendix 1 of the report, must be made publicly available on the licensee's website by **30 September 2017**.

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U2 EIP - Use of Real Time Particulate Monitoring Data for Operational Control

U2.1 Background / Objective

Port Kembla Coal Terminal (PKCT) has an ambient air quality monitoring program which utilises continuous dust particulate monitors and dust depositional gauges. Two continuous particle monitors are in place, described as LDP 20 – Southern Monitoring Site and LDP 21 – Northern Monitoring Site.

Data generated is used to assess PKCT's contribution to local particulate emissions. Data is available in real time with an automated alerts system in place to warn of elevated dust levels which may relate to the licensee's site activities. The alerts are used to inform an operational response.

Methodology / Deliverables

The licensee must review the effectiveness of the real time particulate monitoring system used at PKCT and the associated management systems in place aimed at reducing dust emissions on site.

The licensee must prepare a report which includes, but is not necessarily limited to, the following:

- A full and detailed description of the Trigger Action Response Plan (TARP), Standard Operating Procedures (SoP) or other plans and procedures, that are in place and currently used by PKCT. This should include how triggers are generated, justification of trigger levels, who warnings are sent to, how warnings are sent, and a description of the documented actions/responses that are currently in place and used by PKCT when triggers levels are exceeded. This should include any escalation pathways or response actions.
- A description of any other investigations that are carried out by PKCT staff when elevated dust levels are reported, for example: wind speed, temperature, rainfall history, and sea conditions regarding possible generation of salt spray;
- A review of the adequacy of existing documentation, including its usefulness to operational personnel;
- A review of system reliability;
- A review of the data generated by the monitoring system and its accuracy; and
- Recommendations for any improvements to the TARPs/SoPs, management systems, and monitoring equipment.

The report must be submitted by the licensee to the EPA by **28 April 2017**.

U3 EIP - Train Condition Exception Reporting

- U3.1 The licensee will visually assess the train wagon condition for trains arriving and unloading coal at the premises. The aim of this condition assessment is to identify wagons that are consistently loaded in a manner that clearly is likely to contribute to spillage of coal in the rail corridor. Examples of conditions that are likely to contribute to spillage of coal into the rail corridor are provided in the document titled: "Coal Train EIP – Exception Conditions to be Reported". This includes but is not limited to wagons that have excessive amounts of coal on the wagon exterior, wagons that have uneven loads and/or wagons that are overloaded.

All trains arriving at the premises observed to have wagons consistently loaded in a manner that is clearly likely to contribute to spillage of coal within the rail corridor must have their identifying details and loaded

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condition recorded by the licensee as an 'Train Condition Exception Report'.

- The Train Condition Exception Reporting process will commence on 1 December 2016
- The 'Train Condition Exception Report' will be provided to the appropriate load point within three (3) days of the train being observed by the Licensee.
- The Licensee must provide a copy of the 'Train Condition Exception report' to the EPA within seven (7) days of the train being observed by the terminal
- The Licensee and EPA will review the results of the Train Condition Exception Reporting Program in Q2 and Q4 2017
- At this time, the Licensee and EPA will determine if the program needs to continue past 30 November 2017

This condition will cease to have effect on 30 November 2017 unless otherwise agreed with by the EPA.

Note: This condition has been included on the Environment Protection Licences of the four main coal shipping terminals in New South Wales, which includes the following:

- The Carrington Coal Terminal, for which Port Waratah Coal Services Ltd (PWCS) holds Environment Protection Licence 601;
- The Kooragang Coal Terminal, for which Port Waratah Coal Services Ltd (PWCS) holds Environment Protection Licence 1552;
- The NCIG Coal Terminal, for which Newcastle Coal Infrastructure Group Pty Ltd (NCIG) holds Environment Protection Licence 12693; and
- The Port Kembla Coal Terminal, for which Port Kembla Coal Terminal Limited (PKCT) holds Environment Protection Licence 1625.

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Dictionary

General Dictionary

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 2009
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 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
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
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 2009.
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

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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 (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 2009
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.
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> .

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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

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 06-July-2000

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End Notes

- 1 Licence varied by notice 1007959, issued on 03-Aug-2001, which came into effect on 28-Aug-2001.
- 2 Licence varied by notice 1015252, issued on 31-Oct-2003, which came into effect on 25-Nov-2003.
- 3 Licence varied by notice 1039267, issued on 28-Jul-2004, which came into effect on 22-Aug-2004.
- 4 Licence varied by notice 1041779, issued on 20-Jan-2005, which came into effect on 14-Feb-2005.
- 5 Licence varied by change to DEC Region allocation, issued on 16-Mar-2006, which came into effect on 16-Mar-2006.
- 6 Licence varied by notice 1065191, issued on 09-Nov-2006, which came into effect on 09-Nov-2006.
- 7 Licence varied by notice 1067980, issued on 11-Jan-2007, which came into effect on 11-Jan-2007.
- 8 Licence varied by notice 1069951, issued on 19-Mar-2007, which came into effect on 19-Mar-2007.
- 9 Licence varied by notice 1078245, issued on 21-Feb-2008, which came into effect on 21-Feb-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 1095925, issued on 14-Jan-2009, which came into effect on 14-Jan-2009.
- 12 Licence varied by notice 1097763, issued on 20-May-2009, which came into effect on 20-May-2009.
- 13 Licence varied by notice 1105898, issued on 14-Jan-2010, which came into effect on 14-Jan-2010.
- 14 Licence varied by notice 1112039, issued on 31-May-2010, which came into effect on 31-May-2010.
- 15 Licence varied by notice 1118754, issued on 06-Jun-2011, which came into effect on 06-Jun-2011.
- 16 Licence varied by notice 1502631 issued on 08-Dec-2011
- 17 Licence varied by notice 1506259 issued on 15-Jun-2012
- 18 Licence varied by notice 1516203 issued on 22-Nov-2013
- 19 Licence varied by notice 1523013 issued on 24-Jun-2014

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20	Licence varied by notice	1523315 issued on 15-Sep-2014
21	Licence varied by notice	1525300 issued on 14-Sep-2015
22	Licence varied by notice	1536255 issued on 18-Dec-2015
23	Licence varied by notice	1537860 issued on 10-Feb-2016
24	Licence varied by notice	1544414 issued on 06-Oct-2016
25	Licence varied by notice	1546709 issued on 21-Nov-2016
26	Licence varied by notice	1548264 issued on 16-Jan-2017