

Environment Protection Licence



Licence - 4606

Licence Details

Number:	4606
Anniversary Date:	01-January

Licensee

CANTERBURY-BANKSTOWN COUNCIL

PO BOX 8

BANKSTOWN NSW 1885

Premises

KELSO TIP

BRANGROVE ROAD

MILPERRA NSW 2214

Scheduled Activity

Waste disposal (application to land)

Waste processing (non-thermal treatment)

Fee Based Activity

Scale

Non-thermal treatment of general waste	Any annual processing capacity
Waste disposal by application to land	Any capacity

Region

Waste & Resource Recovery

59-61 Goulburn Street

SYDNEY NSW 2000

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NSW 1232

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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:

CANTERBURY-BANKSTOWN COUNCIL
PO BOX 8
BANKSTOWN NSW 1885

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
Waste processing (non-thermal treatment)	Non-thermal treatment of general waste	Any annual processing capacity
Waste disposal (application to land)	Waste disposal by application to land	Any capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
KELSO TIP
BRANSGROVE ROAD
MILPERRA
NSW 2214
LOT 26 DP 4804, LOT 27 DP 4804, PART LOT 154 DP 752013, LOT 25 DP 1080158
AS SHOWN AS "EPL 4606" WITHIN RED LINE ON MAP TITLED "KELSO WASTE MANAGEMENT RESERVE (NO. 74740) - KELSO LANDFILL - EPL 4606 (WASTE DISPOSAL BY APPLICATION TO LAND) - PLAN SHOWING LICENCED AREA" DATED 20 JANUARY 2017

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:

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.

A3.2 The document titled "Kelso Waste & Resource Recovery Facility - Kelso Landfill Site - Landfill Environmental Management Plan" dated 5 December 2016 and prepared by SLR Consulting Australia Pty

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Ltd is not to be taken as part of the documentation in A1, other than those parts specifically referenced in this licence.

Note: For the purposes of this licence the abbreviation "LEMP" is defined as the document titled "Kelso Waste & Resource Recovery Facility - Kelso Landfill Site - Landfill Environmental Management Plan" dated 5 December 2016 and prepared by SLR Consulting Australia Pty Ltd.

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
19	Subsurface Landfill gas - GMW1		Point labelled GMW1 in map titled "Figure 2. EPL4606CBCKelso02_Issue-14 Feb 2017_Surface and Sub-surface Landfill Gas Monitoring Points, Kelso Tip" dated 14/02/2017.
20	Subsurface Landfill gas - GMW2		Point labelled GMW2 in map titled "Figure 2. EPL4606CBCKelso02_Issue-14 Feb 2017_Surface and Sub-surface Landfill Gas Monitoring Points, Kelso Tip" dated 14/02/2017.
27	Subsurface Landfill Gas - MW14		Point labelled MW14 in map titled "Figure 2. EPL4606CBCKelso02_Issue-14 Feb 2017_Surface and Sub-surface Landfill Gas Monitoring Points, Kelso Tip" dated 14/02/2017.
28	Subsurface Landfill Gas - MW1		Point labelled MW1 in map titled "Figure 2. EPL4606CBCKelso02_Issue-14 Feb 2017_Surface and Sub-surface Landfill Gas Monitoring Points, Kelso Tip" dated 14/02/2017.
29	Subsurface Landfill gas - MW12A		Point labelled MW12A in map titled "Figure 2. EPL4606CBCKelso02_Issue-14 Feb 2017_Surface and Sub-surface Landfill Gas Monitoring Points, Kelso Tip" dated 14/02/2017.
30	Subsurface Landfill Gas - MW13A		Point labelled MW13A in map titled "Figure 2. EPL4606CBCKelso02_Issue-14 Feb 2017_Surface and Sub-surface Landfill Gas Monitoring Points, Kelso Tip" dated 14/02/2017.
31	Subsurface Landfill Gas - MW13B		Point labelled MW13B in map titled "Figure 2. EPL4606CBCKelso02_Issue-14 Feb 2017_Surface and Sub-surface Landfill Gas Monitoring Points, Kelso Tip" dated 14/02/2017.

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32	Subsurface Landfill Gas - B2	Point labelled B2 in map titled "Figure 2. EPL4606CBCKelso02_Issue-14 Feb 2017_Surface and Sub-surface Landfill Gas Monitoring Points, Kelso Tip" dated 14/02/2017.
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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
1	Surface Water - SF1		Point labelled SF1 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
2	Surface water - SF2		Point labelled SF2 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
3	Surface water - SF3		Point labelled SF3 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
4	Surface water - SF4		Point labelled SF4 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
5	Surface water - SF5		Point labelled SF5 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.

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6	Surface water - SF6	Point labelled SF6 in in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
7	Groundwater - MW1	Point labelled MW1 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
12	Groundwater - MW13A	Point labelled MW13A in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
13	Groundwater - MW13B	Point labelled MW13B in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
14	Leachate - MW13	Point labelled MW3 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
15	Leachate - MW6	Point labelled MW6 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
23	Groundwater - MW14	Point labelled MW14 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.

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24	Surface water - SF7	Point labelled SF7 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
25	Surface water - SF8	Point labelled SF8 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.
26	Surface water - SF9	Point labelled SF9 in map titled "Figure 1: EPA4606CBCKelso01_Issue-14 Feb 2017_Surface Water, Groundwater and Leachate Sampling Locations, Kelso Tip" dated 14/02/2017.

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 Waste

L2.1 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.

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.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Garden waste	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste processing (non-thermal treatment)	A maximum of 25,000 tonnes of garden waste is permitted to be received at the Premises per annum.

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NA	General solid waste (putrescible)	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste disposal (application to land)	A maximum of 3,500 tonnes of putrescible waste is permitted to be received at the Premises per annum for disposal in Cell D.
NA	General solid waste (non-putrescible)	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste disposal (application to land)	NA
NA	Asbestos waste	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Waste disposal (application to land)	NA
NA	Waste	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

L2.2 The licensee must cease landfilling at the premises by 30 June 2025.

L3 Potentially offensive odour

L3.1 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:

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

O1.2 All operations and activities occurring at the premises must be carried out in a manner that will prevent

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and minimise fire at the premises.

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 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 Processes and management

- O4.1 The licensee must take all practicable steps to control entry to the premises.

O5 Waste management

- O5.1 Cover material must be
- (a) Daily cover
Cover material must be either
 - (i) virgin excavated natural material, or
 - (ii) approved alternative daily cover.

Cover material must be applied to a minimum depth of 15 centimetres over all exposed landfilled waste prior to ceasing operations at the end of each day.

- (b) Intermediate cover

Cover material must be virgin excavated natural material and 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.

- O5.2 For the purposes of Condition O5.1((a)(ii)) the approved alternative daily cover is to be a combination of virgin excavated natural material (VENM) and crushed concrete and/or crushed bricks and/or crushed clay tiles and/or crushed glass fines from domestic or commercial recycling collections at a minimum ratio of 1:4 and be in accordance with alternative daily cover specifications for "Alternative daily cover specification: particulate waste materials" outlined NSW EPA's "Environmental Guidelines Solid waste landfills – 2nd Edition, 2016".
- O5.3 There must be no incineration or burning of any waste at the premises.

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- O5.4 The Landfill Closure Plan titled "Kelso Waste & Resource Recovery Facility - Kelso Landfill Site - Landfill Closure Plan", prepared by SLR Consulting Australia Pty Ltd and dated 5 December 2016 (Report ID: 610.15247-R2).

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 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 19,20,27,28,29,30,31,32

Pollutant	Units of measure	Frequency	Sampling Method
Carbon dioxide	parts per million	Quarterly	Special Method 1
Methane	parts per million	Quarterly	Special Method 1

M2.3 Water and/ or Land Monitoring Requirements

POINT 1,2,3,4,5,6,24,25,26

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Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Special Frequency 1	Grab sample
Conductivity	microsiemens per centimetre	Special Frequency 1	Probe
Nitrogen (ammonia)	milligrams per litre	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	Probe
Total organic carbon	milligrams per litre	Special Frequency 1	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

POINT 7,12,13,23

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Quarterly	Grab sample
Aluminium	milligrams per litre	Yearly	Grab sample
Arsenic	milligrams per litre	Yearly	Grab sample
Barium	milligrams per litre	Yearly	Grab sample
Benzene	milligrams per litre	Yearly	Grab sample
Cadmium	milligrams per litre	Yearly	Grab sample
Calcium	milligrams per litre	Quarterly	Grab sample
Chloride	milligrams per litre	Quarterly	Grab sample
Chlorinated volatile compounds	milligrams per litre	Yearly	Grab sample
Chromium (hexavalent)	milligrams per litre	Yearly	Grab sample
Chromium (total)	milligrams per litre	Yearly	Grab sample
Cobalt	milligrams per litre	Yearly	Grab sample
Conductivity	microsiemens per centimetre	Quarterly	Probe
Copper	milligrams per litre	Yearly	Grab sample
Ethyl benzene	milligrams per litre	Yearly	Grab sample
Fluoride	milligrams per litre	Yearly	Grab sample
Lead	milligrams per litre	Yearly	Grab sample
Magnesium	milligrams per litre	Quarterly	Grab sample
Manganese	milligrams per litre	Yearly	Grab sample
Mercury	milligrams per litre	Yearly	Grab sample
Nitrate	milligrams per litre	Yearly	Grab sample
Nitrite	milligrams per litre	Yearly	Grab sample
Nitrogen (ammonia)	milligrams per litre	Quarterly	Grab sample
Organochlorine pesticides	milligrams per litre	Yearly	Grab sample
Organophosphate pesticides	milligrams per litre	Yearly	Grab sample
pH	pH	Quarterly	Probe
Polycyclic aromatic hydrocarbons	milligrams per litre	Yearly	Grab sample

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Potassium	milligrams per litre	Quarterly	Grab sample
Semi-volatile organic carbons	milligrams per litre	Yearly	Grab sample
Sodium	milligrams per litre	Quarterly	Grab sample
Standing Water Level	metres	Quarterly	In situ
Sulfate	milligrams per litre	Quarterly	Grab sample
Toluene	milligrams per litre	Yearly	Grab sample
Total dissolved solids	milligrams per litre	Quarterly	Grab sample
Total organic carbon	milligrams per litre	Quarterly	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Yearly	Grab sample
Total Phenolics	milligrams per litre	Yearly	Grab sample
Volatile organic compounds	milligrams per litre	Yearly	Grab sample
Xylene	milligrams per litre	Yearly	Grab sample
Zinc	milligrams per litre	Yearly	Grab sample

POINT 14

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Yearly	Grab sample
Aluminium	milligrams per litre	Yearly	Grab sample
Arsenic	milligrams per litre	Yearly	Grab sample
Barium	milligrams per litre	Yearly	Grab sample
Benzene	milligrams per litre	Yearly	Grab sample
Cadmium	milligrams per litre	Yearly	Grab sample
Calcium	milligrams per litre	Yearly	Grab sample
Chloride	milligrams per litre	Yearly	Grab sample
Chromium (hexavalent)	milligrams per litre	Yearly	Grab sample
Chromium (total)	milligrams per litre	Yearly	Grab sample
Cobalt	milligrams per litre	Yearly	Grab sample
Copper	milligrams per litre	Yearly	Grab sample
Ethyl benzene	milligrams per litre	Yearly	Grab sample
Fluoride	milligrams per litre	Yearly	Grab sample
Lead	milligrams per litre	Yearly	Grab sample
Magnesium	milligrams per litre	Yearly	Grab sample
Manganese	milligrams per litre	Yearly	Grab sample
Mercury	milligrams per litre	Yearly	Grab sample
Nitrate	milligrams per litre	Yearly	Grab sample
Nitrite	milligrams per litre	Yearly	Grab sample
Nitrogen (ammonia)	milligrams per litre	Yearly	Grab sample
Organochlorine pesticides	milligrams per litre	Yearly	Grab sample
Organophosphate pesticides	milligrams per litre	Yearly	Grab sample

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pH	pH	Yearly	Probe
Phosphorus (total)	milligrams per litre	Yearly	Grab sample
Polycyclic aromatic hydrocarbons	milligrams per litre	Yearly	Grab sample
Potassium	milligrams per litre	Yearly	Grab sample
Redox potential	milligrams per litre	Yearly	Grab sample
Sodium	milligrams per litre	Yearly	Grab sample
Sulfate	milligrams per litre	Yearly	Grab sample
Toluene	milligrams per litre	Yearly	Grab sample
Total dissolved solids	milligrams per litre	Yearly	Grab sample
Total organic carbon	milligrams per litre	Yearly	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Yearly	Grab sample
Total Phenolics	milligrams per litre	Yearly	Grab sample
Total suspended solids	milligrams per litre	Yearly	Grab sample
Xylene	milligrams per litre	Yearly	Grab sample
Zinc	milligrams per litre	Yearly	Grab sample

POINT 14,15

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Quarterly	Probe
Standing Water Level	metres	Quarterly	In situ

Note: "Special Frequency 1" means quarterly where samples are collected each quarter and during wet weather events up to a maximum of four (4) wet weather events annually. For quarterly sampling, the sample must be collected at low tide. For wet weather sampling, samples must be collected after rainfall events of 20mm or more.

M2.4 "Special Method 1" means in accordance with the NSW EPA's "Environmental Guidelines Solid Waste Landfills - 2nd Edition, 2016".

Note: The EPA must be notified within 24 hours if the surface and/or sub-surface landfill gas monitoring required by condition M2.1 indicates a gas concentration of 500ppm or greater or a methane concentration greater than 1.25% (v/v).

Note: In relation to groundwater:

grab sample means that a grab sample is collected from a bore hole in accordance with the AS/NZS 5667.11:1998: Water quality - Sampling - Guidance on sampling of groundwaters.

probe means that a grab is collected from a bore hole in accordance with the AS/NZS 5667.11:1998: Water quality - Sampling - Guidance on sampling of groundwaters, and then the pollutant is measured immediately in the field using an appropriately calibrated and maintained probe.

Groundwater monitoring QA/QC should address the issues detailed in Chapter 4 of the NSW EPA's

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"Environmental Guidelines Solid Waste Landfills - 2nd Edition, 2016".

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.
- 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.

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".

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

- 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

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

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 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').

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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.

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

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EPA within the time specified in the request.

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.

8 Special Conditions

E1 Progressive Closure of the Landfill

- E1.1 The licensee must implement the progressive closure of the landfill to ensure final closure of the site by 1 December 2026, in accordance with the report titled "Kelso Waste & Resource Recovery Facility - Kelso Landfill Site - Landfill Closure Plan", prepared by SLR Consulting Australia Pty Ltd and dated 5 December 2016 (Report ID: 610.15247-R2).

Note: The licensee must design and submit a final capping profile of the landfill to the EPA by 31 December 2017.

- E1.2 The licensee must design and submit a landfill gas management system to the EPA by 31 December 2018.

E2 Surface Water Management Plan

- E2.1 The licensee must, by 1 February 2018, prepare and submit to the EPA an updated surface water management plan for the Premises.

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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

Ms Nadia Kanhoush

Environment Protection Authority

(By Delegation)

Date of this edition: 22-December-2000

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End Notes

- 1 Licence varied by notice 1021847, issued on 14-Nov-2002, which came into effect on 09-Dec-2002.
- 2 Licence varied by notice 1035285, issued on 24-Jun-2004, which came into effect on 07-Jul-2004.
- 3 Licence varied by notice 1038867, issued on 09-Jul-2004, which came into effect on 03-Aug-2004.
- 4 Licence varied by notice 1040704, issued on 13-Dec-2004, which came into effect on 07-Jan-2005.
- 5 Licence varied by notice 1043700, issued on 12-Jan-2005, which came into effect on 06-Feb-2005.
- 6 Licence varied by notice 1044615, issued on 30-Mar-2005, which came into effect on 24-Apr-2005.
- 7 Licence varied by notice 1047074, issued on 23-May-2005, which came into effect on 17-Jun-2005.
- 8 Licence varied by notice 1052729, issued on 15-Aug-2006, which came into effect on 15-Aug-2006.
- 9 Licence varied by notice 1067960, issued on 14-Mar-2007, which came into effect on 14-Mar-2007.
- 10 Licence varied by notice 1072150, issued on 12-Apr-2007, which came into effect on 12-Apr-2007.
- 11 Licence varied by notice 1075772, issued on 10-Sep-2007, which came into effect on 10-Sep-2007.
- 12 Licence varied by notice 1082696, issued on 10-Mar-2008, which came into effect on 10-Mar-2008.
- 13 Licence varied by notice 1092278, issued on 12-Nov-2008, which came into effect on 12-Nov-2008.
- 14 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 15 Licence varied by notice 1096027, issued on 18-Dec-2008, which came into effect on 18-Dec-2008.
- 16 Licence varied by notice 1096332, issued on 15-Jan-2009, which came into effect on 15-Jan-2009.
- 17 Licence varied by notice 1113093, issued on 16-Apr-2010, which came into effect on 16-Apr-2010.
- 18 Licence varied by notice 1114282, issued on 09-Jun-2010, which came into effect on 09-Jun-2010.

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| 19 | Licence varied by Correction to EPA Region data record., issued on 23-Jun-2010, which came into effect on 23-Jun-2010. |
| 20 | Licence varied by correction to DECCW Region data record, issued on 07-Jul-2010, which came into effect on 07-Jul-2010. |
| 21 | Licence varied by notice 1501676 issued on 28-Feb-2013 |
| 22 | Licence varied by notice 1522814 issued on 14-Jul-2014 |
| 23 | Licence varied by notice 1533324 issued on 07-Sep-2015 |
| 24 | Licence varied by notice 1539316 issued on 30-Mar-2016 |
| 25 | Licence transferred through application 1542117 approved on 30-Jun-2016 , which came into effect on 30-Jun-2016 |
| 26 | Licence varied by notice 1546159 issued on 22-Nov-2016 |
| 27 | Licence varied by notice 1547911 issued on 21-Dec-2016 |
| 28 | Licence varied by notice 1548265 issued on 07-Mar-2017 |