

Environment Protection Licence

Licence - 20137

Licence Details	
Number:	20137
Anniversary Date:	05-October

Licensee
J.R. & E.G. RICHARDS PTY LTD
PO BOX 500
TUNCURRY NSW 2428

Premises
JR & EG RICHARDS COMPOSTING FACILITY
704 ARMIDALE ROAD
GRAFTON NSW 2460

Scheduled Activity
Composting

Fee Based Activity	Scale
Composting	> 5000-50000 T annual capacity to receive organics

Region
Waste & Resource Recovery
59-61 Goulburn Street
SYDNEY NSW 2000
Phone: (02) 9995 5000
Fax: (02) 9995 5999
PO Box A290
SYDNEY SOUTH 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:

J.R. & E.G. RICHARDS PTY LTD
PO BOX 500
TUNCURRY NSW 2428

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
Composting	Composting	> 5000 - 50000 T annual capacity to receive organics

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
JR & EG RICHARDS COMPOSTING FACILITY
704 ARMIDALE ROAD
GRAFTON
NSW 2460
PART LOT 9 DP 622189, PART LOT 10 DP 622189
THE LICENCE INCLUDES THE AREA LABELLED "MI ORGANICS SITE BOUNDARY" ON THE MAP ENTITLED "GREENWASTE FACILITY & MATERIALS RECOVERY FACILITY SITE BOUNDARIES" DATED 11/11/2016 (DOC16/608108).

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 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.

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

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
2	Leachate level monitoring		Leachate pond marked 'Leachate Pond 1' on drawing titled 'Alterations to Composting Facility, Discharge Locations' enclosed with licence application dated 28 May 2012.
3	Leachate level monitoring		Leachate pond marked 'Leachate Pond 2' on drawing titled 'Alterations to Composting Facility, Discharge Locations' enclosed with licence application dated 28 May 2012.
4	Leachate quality and level monitoring	Leachate quality and level monitoring	Leachate pond 3 marked 'R1' on drawing titled 'Alterations to Composting Facility, Discharge Locations' enclosed with licence application dated 28 May 2012.
5		Leachate discharge rate	Waste water utilisation area marked 'R2' on drawing titled 'Alterations to Composting Facility, Discharge Locations' enclosed with licence application dated 28 May 2012.
6	Stormwater quality	Stormwater quality	Stormwater Overflow/Discharge marked as 'S1' on drawing titled 'Alterations to Composting Facility, Discharge Locations' enclosed with licence application dated 28 May 2012.

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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.
- L1.2 Leachate is only permitted to overflow from Point 4 as a direct result of a 24 hour, 1 in 10 year Average Recurrence Interval (ARI) storm event, that is a rainfall event greater than 192 mm within a 24 hour time period.

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 6

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

- L2.5 Exceedance of the concentration limits for pH and TSS in condition L2.4 are only permitted as a direct result of a 24 hour, 1 in 10 year Average Recurrence Interval (ARI) storm event, that is a rainfall event greater than 192 mm within a 24 hour time period.

L3 Waste

- L3.1 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

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"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	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005.	As specified in each particular resource recovery exemption	
NA	Wood waste	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Composting	
NA	Manure	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Composting	
NA	Garden waste	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Composting	
NA	Food waste	As defined in Schedule 1 of the POEO Act, as in force from time to time.	Composting	

L3.2 The quantity of waste received or processed at the premises must not exceed 10,000 tonnes per year.

L4 Noise limits

L4.1 Noise emitted from the premises must not exceed the noise emission criterion in the table below measured or computed in accordance with section 11.1.2 of NSW Industrial Noise Policy (NSW EPA, January 2000).

L4.2 Noise emitted from the premises must not exceed the noise emission criterion in the table below measured or computed at 30m from the nearest residential dwellings from the north-east to south-east of the premises over a period of 15 minutes using "FAST" response on the sound level meter.

Time Period	Noise Emission Criterion	dB(A)
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Day	LAeq (15 minute)	40
Evening	LAeq (15 minute)	35
Night	LAeq (15 minute)	35
Night	LA1 (1 minute)	45

L4.3 For the purpose of condition L4.1:

- Day is defined as the period from 7:00am to 6:00pm Monday to Saturday and 8:00am to 6:00pm Sunday and Public Holidays.
- Evening is defined as the period 6:00pm to 10:00pm.
- Night is defined as the period from 10:00pm to 7:00am Monday to Saturday and 10:00pm to 8:00am Sunday and Public Holidays.

L4.4 The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:

1. Wind speeds greater than 3 metres/second at 10 metres above ground level; or
2. Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
3. Stability category G temperature inversion conditions.

L4.5 For the purposes of condition L4.3:

1. Data recorded by the meteorological station must be used to determine meteorological conditions; and
2. Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L4.6 To determine compliance with the noise limits in condition L4.1, the noise equipment must be located at:

1. the most affected point at a location where there is no dwelling at the location; or
2. for LAeq(15 minute) noise limits:
 - approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
 - within approximately 50 metres of the boundary of a National Park or a Nature Reserve; and or
3. for LA1(1 minute) noise limits, the noise equipment must be located within 1 metre of a dwelling façade.

L4.7 A non-compliance of condition L4.1 will still occur where noise generated from the premises is in excess

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of the appropriate limit is measured:

1. at a location other than an area prescribed by conditions L4.5; and/or
2. at a point other than the most affected point at a location.

L4.8 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L5 Hours of operation

L5.1 All work at the premises must only be conducted between 7:00am and 5:00pm Mondays to Fridays and 7:00am and 12:00pm on Saturdays.

L6 Potentially offensive odour

L6.1 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.

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O3 Dust

- O3.1 All operations and activities occurring at the premises must be carried out in a manner that will prevent the emission of dust from the premises.
- O3.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times except during loading and unloading.
- O3.3 The licensee must ensure that no material is tracked from the premises.

O4 Effluent application to land

- O4.1 Waste water must only be applied on the waste water utilisation area described in EPA Identification Point 5.
- O4.2 Spray from waste water application must not drift beyond the boundary of the waste water utilisation area to which it is applied.
- O4.3 Waste water utilisation areas must effectively utilise the waste water applied to those areas. This includes the use for pasture or crop production, as well as ensuring the soil is able to absorb the nutrients, salts, hydraulic load and organic materials in the solids or liquids. Monitoring of land and receiving waters to determine the impact of waste water application may be required by the EPA.

O5 Emergency response

- O5.1 The licensee must prepare, maintain and implement as necessary a Pollution Incident Response Management Plan ("PIRMP") for the premises. The licensee must keep the PIRMP on the premises at all times. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fires) that may occur at the premises, or may be associated with activities that occur at the premises, and which are likely to cause material harm to the environment.
- O5.2 The PIRMP must be tested annually at a minimum, or following a pollution incident. If a current emergency response plan does not exist at the date of issue of this licence, the licensee must develop an emergency response plan within 3 months of that date.

Note: The licensee must develop the PIRMP in accordance with the requirements in Part 5.7A of the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (General) Regulation 2009*.

O6 Other operating conditions

- O6.1 Waste in the receival area must be moved to the tunnel waste holding area within a maximum of 24 hours of delivery, to minimise the risk of odour emissions from this area.

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- O6.2 The waste receipt area inside the main composting building must be regularly cleaned and disinfected to minimise the risk of residual odours.
- O6.3 Waste material must be processed in the premises composting tunnel before it can be stored on the outdoor composting pads.
- O6.4 A Stormwater Management Scheme must be prepared and implemented for the development. Implementation of the scheme must mitigate the impacts of stormwater run-off from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. Where a Stormwater Management Plan has not yet been prepared, the Scheme should be consistent with the guidance contained in *Managing Urban Stormwater: Soils and Constuction Vol 1 (Landcom 2004)*.

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 Water and/ or Land Monitoring Requirements

POINT 4

Pollutant	Units of measure	Frequency	Sampling Method
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Alkalinity (as calcium carbonate)	milligrams per litre	Yearly	Grab sample
Ammonia	milligrams per litre	Yearly	Grab sample
BOD	milligrams per litre	Yearly	Grab sample
Conductivity	millisiemens per centimetre	Yearly	Probe
Nitrate	milligrams per litre	Yearly	Grab sample
pH	pH	Yearly	Probe
Potassium	milligrams per litre	Yearly	Grab sample

POINT 6

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH	Each overflow event	Probe
Total suspended solids	milligrams per litre	Each overflow event	Probe

M3 Testing methods - concentration limits

- M3.1 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 Weather monitoring

- M4.1 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in condition M4.2.
- M4.2 The licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 in the table below. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Air temperature	Degrees celsius	Continuous	1 hour	AM-4
Wind direction	Degrees	Continuous	15 minutes	AM-2 & AM-4
Wind speed	m/s	Continuous	15 minutes	AM-2 & AM-4
Sigma theta	Degrees	Continuous	15 minutes	AM-2 & AM-4
Rainfall	mm	Continuous	15 minutes	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

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

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 either; the date of the issue of this licence.

M7 Requirement to monitor volume or mass

- M7.1 For each discharge point or utilisation area specified below, the licensee must monitor:
- the volume of liquids discharged to water or applied to the utilisation area;
 - the mass of solids applied to the utilisation area; and
- at the frequency and using the method and units of measure, specified below.

Point 5

Frequency	Unit of Measure	Sampling Method
Daily	Litres per day	Pump meter

- M7.2 The licensee must measure the level of leachate and freeboard at each of the following monitoring points at the frequency and using the method and units specified below.

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Points	Frequency	unit of Measure	Sampling method
1,2,3	Daily	Centimetres	Permanent marker in pond

M8 Noise monitoring

M8.1 To assess compliance with condition L4.1, noise monitoring must be undertaken in accordance with Conditions L4.5 and:

1. measured or computed at 30m from the nearest dwellings for north-east to south-east of the premises;
2. occur annually in a reporting period;
3. occur during each day as defined in the NSW Industrial Noise Policy for a minimum of 1.5 hours; and
4. occur for three consecutive operating days.

M8.2 Should operations and/or management of the premises fans and biofilter change or noise complaints regarding operations at the premises are received by the EPA or licensee, the EPA may require the licensee to conduct noise monitoring in accordance with the NSW Industrial Noise Policy. All noise complaints received by the licensee must be reported to the EPA immediately.

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:

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- 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').
- 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.

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.

- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

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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

- R4.1 Should the EPA or licensee receive noise complaints regarding operations at the premises, the EPA may require the licensee to submit a noise compliance assessment report. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:
- 1. an assessment of compliance with noise limits presented in Condition L4.1; and
 - 2. outline any management actions taken to address any exceedances of the limits contained in Condition L4.1.

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.

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8 Special Conditions

E1 Financial Assurance

- E1.1 A financial assurance must be provided to the EPA in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as 'Authorised Deposit-taking Institutions' under the Banking Act 1959 of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA). The financial assurance must be in favour of the EPA in the amount of one hundred thousand dollars (\$100,000) and is to be provided in one of the following ways:
- a) in full by 28 September 2017; OR
 - b) in three instalments as follows; a first instalment of \$35,000 by 28 September 2017, a second instalment of \$35,000 by 28 March 2018 and a third instalment of \$30,000 by 28 September 2018.
- The financial assurance is required to secure or guarantee funding for works or programs required by or under this licence.
- E1.2 The licensee must provide to the EPA, along with the original counterpart guarantee, confirmation in writing that the financial institution providing the guarantee is subject to supervision by the Australian Prudential Regulatory Authority (APRA).
- E1.3 The financial assurance must contain a term that provides that any money claimed can be paid to the EPA or, at the written direction of the EPA, to any other person.
- E1.4 The financial assurance must be maintained during the operation of the facility and thereafter until such time as the EPA is satisfied the premises is environmentally secure.
- E1.5 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.
- E1.6 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.
- E1.7 **The licensee must provide to the EPA the original counterpart guarantee within five working days of the issue of:**
- a) **the financial assurance required by condition E1.1, and**
 - b) **the adjusted financial assurance as required by condition E1.5 and E1.6**
- E1.8 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.

E2 Environmental obligations of licensee

- E2.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:
- a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents.
 - b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
 - c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.

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- E2.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee must:
- a) Make all efforts to contain all fire water on the premises;
 - b) Make all efforts to control air pollution from the premises;
 - c) Make all efforts to contain any discharge, spill or run-off from the premises;
 - d) Make all efforts to prevent flood water entering the premises;
 - e) Remediate and rehabilitate any exposed areas of soil and/or waste;
 - f) Lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of;
 - g) At the request of the EPA, monitor groundwater beneath the premises and its potential to migrate from the premises;
 - h) At the request of the EPA, monitor surface water leaving the premises; and
 - i) Ensure the premises is secure.
- E2.3 After the licensee's premises cease to be used for the purposes to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:
- a) Remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
 - b) Rehabilitate the premises, including conducting an assessment of the site and if required remediation of any site contamination.

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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 Helen Mulligan

Environment Protection Authority

(By Delegation)

Date of this edition: 05-October-2012

End Notes

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|---|--------------------------|-------------------------------|
| 2 | Licence varied by notice | 1547031 issued on 17-May-2017 |
| 3 | Licence varied by notice | 1554109 issued on 18-Oct-2017 |