

Environment Protection Licence

Licence - 661

Licence Details	
Number:	661
Anniversary Date:	30-November

Licensee
VIVA ENERGY AUSTRALIA PTY LTD
GPO BOX 872
MELBOURNE VIC 3001

Premises
GORE BAY TERMINAL
MANN'S AVENUE
GREENWICH NSW 2065

Scheduled Activity
Chemical storage
Shipping in bulk
Waste storage

Fee Based Activity	Scale
Chemical storage waste generation	> 100 T annual volume of waste generated or stored
Petroleum products storage	> 100000 kL storage capacity
Shipping in bulk	> 500000 T of annual capacity to load and unload
Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste type stored

Region
Metropolitan - Sydney Industry
Level 13, 10 Valentine Ave
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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:

VIVA ENERGY AUSTRALIA PTY LTD
GPO BOX 872
MELBOURNE VIC 3001

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
Chemical storage	Chemical storage waste generation	> 100 T annual volume of waste generated or stored
Chemical storage	Petroleum products storage	> 100000 kL storage capacity
Shipping in bulk	Shipping in bulk	> 500000 T of annual capacity to load and unload
Waste storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	Any listed waste type stored

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
GORE BAY TERMINAL
MANNS AVENUE
GREENWICH
NSW 2065
LOT 1 DP 3907, LOT 2 DP 3907, LOT 3 DP 3907, LOT 1 DP 4830, LOT 2 DP 4830, LOT 3 DP 4830, LOT 4 DP 4830, LOT 5 DP 4830, LOT 6 DP 4830, LOT 7 DP 4830, LOT 8 DP 4830, LOT 9 DP 4830, LOT 1 DP 133435, LOT 1 DP 229766, LOT 2 DP 229766, LOT 1 DP 372400, LOT 1 DP 528574, LOT 185 DP 752067, LOT 326 DP 752067, LOT 464 DP 752067, LOT 831 DP 752067, LOT 963 DP 752067, LOT 964 DP 752067, LOT 968 DP 752067, LOT 971 DP 752067, LOT 972 DP 752067, LOT 1 DP 942430

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.

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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.

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
3	Weather monitoring station		Weather monitoring labelled "EPA ID No. 3 Weather station on drawing titled "EPA Licence - Discharge Points Gore Bay Terminal" submitted with letter to the EPA dated 17 November 2005.

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.

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge to waters Discharge quality and volume monitoring	Discharge to waters Discharge quality and volume monitoring	Outlet pipe to enclosure box in Gore Cove labelled "CPI SOUTH EPA ID No. 1" on drawing titled 'EPA Licence - Discharge Points Gore Bay Terminal' submitted to the EPA with letter dated 17 November 2005.

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2	Discharge to waters Discharge quality and volume monitoring	Discharge to waters Discharge quality and volume monitoring	Outlet from interceptor to enclosure box in Gore Cove labelled as "CPI North EPA ID No. 2" on drawing titled "EPA Licence - Discharge Points Gore Bay Terminal" submitted to the EPA with letter dated 17 November 2005.
4	Discharge to water	Discharge to water	flexible discharge point
5	Discharge to water	Discharge to water	flexible discharge point

P1.4 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

Noise/Weather

EPA identification no.	Type of monitoring point	Location description
7	Noise monitoring	Map submitted with email to EPA dated 17/08/2016 Titled "EPA Monitoring Points" EPA ref:DOC16/411983

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Load limits

L2.1 The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.

L2.2 The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol.

Assessable Pollutant	Load limit (kg)
Benzene (Air)	66.00
Volatile organic compounds - Summer (Air)	
Volatile organic compounds (Air)	5000.00

Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

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L3 Concentration limits

- L3.1 For each monitoring/discharge point or utilisation area specified in the table\&s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\&s.
- L3.4 Water and/or Land Concentration Limits

POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Biochemical oxygen demand	milligrams per litre	-	-	-	50
Oil and Grease	milligrams per litre	-	-	-	10

POINT 2

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Biochemical oxygen demand	milligrams per litre	-	-	-	50
Oil and Grease	milligrams per litre	-	-	-	10

POINT 4

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	-				6.0 - 9.0

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Total organic carbon	milligrams per litre	100
Total suspended solids	milligrams per litre	50

POINT 5

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	-				6.0 - 9.0
Total organic carbon	milligrams per litre				100
Total suspended solids	milligrams per litre				50

L4 Volume and mass limits

- L4.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
- liquids discharged to water; or;
 - solids or liquids applied to the area;
- must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
1	kilolitres per day	10000
2	kilolitres per day	10000
4	kilolitres per day	10000
5	kilolitres per day	10000

L5 Waste

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

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Code	Waste	Description	Activity	Other Limits
A100	Waste from surface treatment of metals & plastics			The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
D120	Mercury; mercury compounds			The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
D210	Nickel compounds			The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
N205	Industrial waste treatment/disposal residues			The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
N230	Ceramic-based fibres similar to asbestos			The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
NA	General or Specific exempted waste			NA
NA	Waste			NA
K130	Sewage sludge & residues			The quantity of hazardous and/or restricted solid

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		and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
M100	Waste substances & articles containing or contaminated with polychlorinated biphenyls, polychlorinated naphthalenes, polychlorinated terphenyls &/or polybrominated biphenyls	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
M260	Highly odorous organic chemicals (including mercaptans and acrylates)	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
N100	Containers & drums containing controlled waste residues	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
N120	Soils contaminated with a controlled waste	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
N140	Fire debris and fire washwaters	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
D220	Lead; lead compounds	The quantity of

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		hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
D270	Vanadium compounds	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
G110	Organic solvent excluding halogenated solvents	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
NA	Waste mineral oils unfit for their original intended use	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
J120	Waste oil/hydrocarbons mixtures/emulsions in water	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.
J160	Waste tarry residues	The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 1,500 tonnes at any one time.

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Note: The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the Protection of the Environment Operations (Waste) Regulation 2014.

L6 Noise limits

L6.1 Noise from the premises must not exceed:

- a) An LA10(15 minute) noise emission criterion of 55 dB(A) (0700 to 2200) seven days a week; and
- b) An LA10(15 minute) noise emission criterion of 50 dB(A) at all other times, except as expressly provided by this licence.

L6.2 Noise from the premises is to be measured or computed at any point on or within 1 metre of the boundary of any residential boundary or other noise sensitive receiver in the vicinity of the premises to determine compliance with condition L6.1 5dB(A) must be added if the noise is tonal or impulsive in character

L6.3 The noise levels referred to in condition L6.1 above apply to the general operation of the premises. Noise levels referred to in L6.1 do not apply to essential maintenance work which generates high noise, where undertaken in accordance with the following:

Any work generating high noise impact must only be undertaken:

- (a) between the hours of 8:00am and 5:00pm Monday to Friday;
 - (b) between the hours of 8:00am and 3:00pm on Saturday;
 - (c) where all feasible and reasonable noise mitigation measures have been implemented;
 - (d) where residents have been notified of extended maintenance activities that are likely to affect their noise amenity; and
 - (e) where measures to monitor noise performance and respond to complaints have been implemented
- except as expressly permitted by another condition of the licence.

L7 Potentially offensive odour

L7.1 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.

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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 Processes and management

- O3.1 The licensee must ensure that any liquid and/or non-liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.
- O3.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.
- O3.3 The licensee must provide written notification to the EPA at least 90 Days before storing any bulk unleaded petrol products and/or Jet fuel products at the premises.

Bulk means more than 200 tonnes (liquefied gases) or 2,000 tonnes (chemical in any other form) as defined in schedule 1 of the POEO Act. The licensee is permitted to store less than 200 tonnes of unleaded petrol products at the premises for general use such as plant and equipment.

O4 Other operating conditions

Vapour Emission Control System (VECS)

- O4.1 The licensee must record all instances when the VECS is operated in bypass mode and report these instances to the EPA by telephoning the EPA's Environment Line on 131555.

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

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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 1

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Monthly	Grab sample
Oil and Grease	milligrams per litre	Monthly	Grab sample
Total organic carbon	milligrams per litre	Monthly	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Monthly	Grab sample

POINT 2

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Monthly	Grab sample
Oil and Grease	milligrams per litre	Monthly	Grab sample
Total organic carbon	milligrams per litre	Monthly	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Monthly	Grab sample

POINT 4

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Pollutant	Units of measure	Frequency	Sampling Method
pH	-	<24hrs prior to discharge	Grab sample
Total organic carbon	milligrams per litre	<24hrs prior to discharge	Grab sample
Total suspended solids	milligrams per litre	<24hrs prior to discharge	Grab sample

POINT 5

Pollutant	Units of measure	Frequency	Sampling Method
pH	-	<24hrs prior to discharge	Grab sample
Total organic carbon	milligrams per litre	<24hrs prior to discharge	Grab sample
Total suspended solids	milligrams per litre	<24hrs prior to discharge	Grab sample

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 Testing methods - load limits

Note: Division 3 of the *Protection of the Environment Operations (General) Regulation 2009* requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.

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

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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.

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 Requirement to monitor volume or mass

M7.1 For each discharge point or utilisation area specified below, the licensee must monitor:

a) the volume of liquids discharged to water or applied to the area;

b) the mass of solids applied to the area;

c) the mass of pollutants emitted to the air;

at the frequency and using the method and units of measure, specified below.

POINT 1

Frequency	Unit of Measure	Sampling Method
Daily	kilolitres per day	Flow meter and continuous logger

POINT 2

Frequency	Unit of Measure	Sampling Method
Daily	kilolitres per day	Flow meter and continuous logger

POINT 4

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	By Calculation (volume flow rate or pump capacity multiplied by operating time)

POINT 5

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	By Calculation (volume flow rate or pump capacity multiplied by operating time)

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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.

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.

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 Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:

- a) the assessable pollutants for which the actual load could not be calculated; and
- b) the relevant circumstances that were beyond the control of the licensee.

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

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R1.8 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.

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.

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

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.

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- 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.

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 Signage

- G2.1 The location of EPA identification points in condition P1 must be clearly marked by signs that indicate the point identification number used in this licence, and be located as close as practical to the point.

G3 Other general conditions

G3.1 Completed Programs

Program	Description	Completed Date
Analysis of samples from boiler blowdowns	PRP 1 - Boiler water blowdowns. Analysis of samples from all boiler blowdowns; collection of blowdowns if necessary to prevent pollution of waters.	28-February-2005
Investigation of oil sheen in Gore Bay from adjoining rock strata	PRP 2 - Investigation of oil sheen in Gore Bay from adjoining rock strata. Removal of visual and hydrocarbon pollution.	28-April-2005
Implement surface water management program	PRP 3 - Provide surface water management program for terminal including diversion of upslope runoff and drainage works. Improvement to monitoring of interceptors. Reduction in water pollution	31-August-2005
Water Pollution Improvement Program	PRP 4 - Water Pollution Improvement Program: To investigate, assess and reduce the generation and discharge of water pollutants at the premises. To reduce the impact of contamination to aquatic ecosystem.	30-April-2007

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Groundwater investigation, control and remediation	PRP 5 - Groundwater investigation, control and remediation program. Prevent intrusion of surface contaminants into subsurface then transfer to surface water being the waters of Sydney Harbour.	12-December-2006
Odour impact assessment and mitigation	PRP 6 - Preliminary and long term odour impact assessment and reduction program using a risk assessment based improvement approach. The site handles odourous materials and is located in some areas within 50m of residence located on Sydney Harbour. The program is to assess the impact the odours potentially have on residence then action against those sources that emit odours onsite.	20-August-2007
On site PCB storage review and actions	PRP 7 - The licensee applied for an exemption to the CCO for PCBs onsite. The site still stores oils that contain PCBs possibly greater than 50ppm. If PCBs are priority then they should have been removed by 2001 and if non priority by 2004. Removal of PCBs storage adjacent to the waters of middle Sydney Harbour. PCBs are an environmental persisting organic pollutant.	02-May-2007
Vapour Emission Control System (VECS)	Interim VECS monitoring and maintenance program - sampling to be undertaken to develop trigger levels and maintenance program that will reflect compliance with all relevant legislative and licence criteria for the operation and maintenance of the VECS.	30-November-2010
Improved Vapour Emission Control System (VECS)	Licensee to committ to a long term option to the VECS that will satisfy GLCs for benzene, hexane and pentane, comply with all relevant criteria at all times and havecapacity to treat future air pollutant loads. Long term treatment for air toxics, odour and VOC having both regional and local air quality improvement benefits being reducing the release of caricogens and those pollutants that contribute to Sydney photochemcial smog issues.	30-November-2010
Demonstrated performance of the VECS	Commission and Proof of Performance requirement that requires the licensee to validate the performance of the long term VOC, air toxics and odour control as well as nominating a long term maintenance and monitoring program for the chossen long term option. Long term treatment for air toxics, odour and VOC having both regional and local air quality improvement benefits being reducing the release of caricogens and those pollutants that contribute to Sydney photochemcial smog issues.	31-August-2012

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Leak Detection and Repair program	Site wide VOC and air toxics reduction program that will employ double seals and a Leak Detection and Repair program to reduce emissions at the source and minimise air toxics to the maximum extent achievable at those sources. Wholistic removal of air toxics, odour and VOC having both regional and local air quality improvement benefits being reducing the release of caricogens and those pollutants that contribute to Sydney photochemical smog issues.	30-November-2010
Shipping noise investigation	Investigate the impact of noise from shipping vessels on Gore Bay community and report findings and recommendations to the EPA	30-March-2013
Fugitive Emissions - Continuous Improvement	To monitor and reduce VOC emissions from the premises over four years for all priority components of plant and equipment, and submit annual reports to the EPA.	14-July-2015
VECS monitoring and maintenance plan	Licensee to propose VECS monitoring and maintenance plan - to establish carbon bed breakthrough parameters	24-August-2015

8 Pollution Studies and Reduction Programs

U1 Soil and Groundwater Monitoring and Investigation

- U1.1 On or before 31 March each year a report must be submitted to the EPA's Manager Sydney Industry. The report must include;
- (a) A summary of groundwater monitoring results for the previous 12 months;
 - (b) Details of any soil or groundwater investigations undertaken and the results of such investigations;
 - (c) Details of progress against works proposed in previous report;
 - (d) An update of the Conceptual Site Model (CSM) but only if conditions change significantly;
 - (e) An update of the Soil and Groundwater Management Plan (SGMP) if required.

9 Special Conditions

E1 Southern Vapour Emission Control System (VECS) Odour Management Plan (OMP)

- E1.1 The Licensee must prepare and implement an Odour Management Plan (OMP) for the Southern Vapour Emission Control System (VECS). The OMP must detail operational maintenance, management and performance benchmarks of the VECS. The OMP must include, but need not necessarily be limited to:
- A. Design parameters and performance
 - B. Operating regime
 - C. Maintenance regime
 - D. Control efficiency targets and verification benchmarks for:

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- i. Odour; and
- ii. Organic compounds

E. Carbon breakthrough management procedure(s) that are:

- i. Time dependant; and
- ii. Parameter and/or performance dependant

F. Response mechanisms

G. Record keeping

H. Review of plan.

The purpose of the VECS OMP is to:

1. facilitate ongoing proper and efficient operation of the VECS; and
2. minimise odour emissions from the VECS, as far as reasonably practicable.

The OMP is to be submitted to the EPA for comment by no later than 31 May 2018.

Note – compliance with this condition does not equate to compliance with condition L7 and condition O2 of this licence.

E1.2 The Southern Vapour Emission Control System must not be used to treat vapour originating from tanks containing, or processes handling, Volatile Organic Liquids. For the purposes of this condition Volatile Organic Liquids is defined under the *Protection of the Environment Operations (Clean Air) Regulation 2010* (or as updated).

E2 Water Discharge

E2.1 Samples will be taken from the following points:

1. SP-1: Raw influent
2. SP-2: effluent after oil/water separation, before the GAC adsorption filters
3. SP-3: effluent after 1st GAC adsorption filter, before 2nd GAC adsorption filter
4. SP-4: effluent after 2nd GAC adsorption filter before 3rd GAC adsorption filter
5. SP-5 effluent after the GAC adsorption filters, before aeration
6. SP-6: final discharge effluent

1.2 Adopted water quality criteria

Sampling must be undertaken in accordance with the ANZECC (2000) guidelines.

1.3 Sampling frequency

Samples must be collected from each sample point as described in 1.1 and at the following frequency:

- weekly, during the first month of operation
- monthly, thereafter

1.4 Pre-Start Up Sampling

As a precaution, the first sampling round must be conducted after the systems first 24-hour period of operation.

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E2.2 The Licensee must implement the Trigger Action Response Plan provided to the EPA and dated 2 March 2018.

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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: 21-September-2000

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End Notes

- 1 Licence varied by notice 1011542, issued on 03-Feb-2003, which came into effect on 28-Feb-2003.
- 2 Licence varied by notice 1026078, issued on 29-Apr-2003, which came into effect on 24-May-2003.
- 3 Licence varied by notice 1038436, issued on 27-Jul-2004, which came into effect on 21-Aug-2004.
- 4 Licence varied by notice 1052515, issued on 27-Jan-2006, which came into effect on 21-Feb-2006.
- 5 Licence varied by notice 1057746, issued on 13-Apr-2006, which came into effect on 13-Apr-2006.
- 6 Licence varied by notice 1074280, issued on 28-Nov-2007, which came into effect on 28-Nov-2007.
- 7 Licence varied by change to legislation, issued on 29-Nov-2007, which came into effect on 29-Nov-2007.
- 8 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 9 Licence varied by notice 1104118, issued on 19-Jan-2010, which came into effect on 19-Jan-2010.
- 10 Licence varied by notice 1110938, issued on 27-Jan-2010, which came into effect on 27-Jan-2010.
- 11 Licence varied by notice 1111156, issued on 21-Jul-2010, which came into effect on 21-Jul-2010.
- 12 Licence varied by notice 1119078, issued on 15-Sep-2010, which came into effect on 15-Sep-2010.
- 13 Licence varied by notice 1123624, issued on 14-Jan-2011, which came into effect on 14-Jan-2011.
- 14 Licence varied by notice 1507243 issued on 02-Nov-2012
- 15 Licence varied by notice 1510092 issued on 20-Nov-2012
- 16 Licence varied by notice 1511209 issued on 09-Jan-2013
- 17 Licence varied by notice 1511707 issued on 30-Apr-2013
- 18 Licence transferred through application 1514238 approved on 17-May-2013 , which came into effect on 01-Mar-2013
- 19 Licence varied by notice 1522744 issued on 24-Jun-2014

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20	Licence varied by notice	1532087 issued on 24-Jul-2015
21	Licence varied by notice	1533683 issued on 26-Nov-2015
22	Licence varied by notice	1537214 issued on 15-Jan-2016
23	Licence varied by notice	1543417 issued on 17-Aug-2016
24	Licence varied by notice	1546459 issued on 18-Nov-2016
25	Licence varied by notice	1547857 issued on 20-Dec-2016
26	Licence varied by notice	1548953 issued on 28-Mar-2017
27	Licence format updated on	03-Apr-2017
28	Licence varied by notice	1552854 issued on 26-Jun-2017
29	Licence varied by notice	1561636 issued on 02-Mar-2018
30	Licence varied by notice	1562828 issued on 19-Mar-2018