



# Environment Protection Licence

Licence - 563

<b><u>Licence Details</u></b>	
Number:	563
Anniversary Date:	20-July

  

<b><u>Licensee</u></b>
BULGA COAL MANAGEMENT PTY LIMITED
PRIVATE MAIL BAG 8
SINGLETON NSW 2330

  

<b><u>Premises</u></b>
BULGA COAL
BROKE ROAD
SINGLETON NSW 2330

  

<b><u>Scheduled Activity</u></b>
Coal works
Crushing, grinding or separating
Mining for coal

  

<b><u>Fee Based Activity</u></b>	<b><u>Scale</u></b>
Coal works	> 5000000 T annual handing capacity
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Mining for coal	> 5000000 T annual production capacity

  

<b><u>Region</u></b>
North - Hunter
Ground Floor, NSW Govt Offices, 117 Bull Street
NEWCASTLE WEST NSW 2302
Phone: (02) 4908 6800
Fax: (02) 4908 6810
PO Box 488G
NEWCASTLE NSW 2300



# Environment Protection Licence

Licence - 563

<b>INFORMATION ABOUT THIS LICENCE</b>	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
<b>1 ADMINISTRATIVE CONDITIONS</b>	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Other activities	7
A4 Information supplied to the EPA	7
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	7
P1 Location of monitoring/discharge points and areas	7
<b>3 LIMIT CONDITIONS</b>	9
L1 Pollution of waters	9
L2 Concentration limits	9
L3 Volume and mass limits	10
L4 Waste	10
L5 Blasting	10
L6 Other limit conditions	11
<b>4 OPERATING CONDITIONS</b>	11
O1 Activities must be carried out in a competent manner	11
O2 Maintenance of plant and equipment	11
O3 Dust	12
O4 Other operating conditions	12
<b>5 MONITORING AND RECORDING CONDITIONS</b>	12
M1 Monitoring records	12
M2 Requirement to monitor concentration of pollutants discharged	13
M3 Testing methods - concentration limits	14
M4 Recording of pollution complaints	14
M5 Telephone complaints line	15



# Environment Protection Licence

Licence - 563

M6	Requirement to monitor volume or mass	15
M7	Blasting	15
M8	Other monitoring and recording conditions	16
<b>6</b>	<b>REPORTING CONDITIONS</b>	<b>16</b>
R1	Annual return documents	16
R2	Notification of environmental harm	17
R3	Written report	17
R4	Other reporting conditions	18
<b>7</b>	<b>GENERAL CONDITIONS</b>	<b>19</b>
G1	Copy of licence kept at the premises or plant	19
G2	Contact number for incidents and responsible employees	19
G3	Other general conditions	19
<b>8</b>	<b>SPECIAL CONDITIONS</b>	<b>20</b>
E1	Hunter River Salinity Trading Scheme (HRSTS)	20
<b>DICTIONARY</b>		<b>22</b>
	General Dictionary	22

# Environment Protection Licence

---

Licence - 563



## 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).

# Environment Protection Licence

Licence - 563



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:

BULGA COAL MANAGEMENT PTY LIMITED
PRIVATE MAIL BAG 8
SINGLETON NSW 2330

subject to the conditions which follow.

# Environment Protection Licence

Licence - 563

## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

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

Scheduled Activity	Fee Based Activity	Scale
Coal works	Coal works	> 5000000 T annual handing capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Mining for coal	Mining for coal	> 5000000 T annual production capacity

Note: In relation to this licence, the licensee must comply with:

- a) the activity scale limits imposed by this licence;
- b) the activity scale limits which apply for the reporting period specified in this licence; and
- c) the activity scale limits imposed by other legal instruments, such as approvals currently in force under the *Environmental Planning and Assessment Act 1979*.

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
BULGA COAL
BROKE ROAD
SINGLETON
NSW 2330
PREMISES DEFINED BY PLAN TITLED "BULGA COAL FIGURE 1. EPL563 BOUNDARY" DATED 25/1/2018 EPA REF DOC18/335117-02 WITH UNDERGROUND MINING OF WHYBROWN SEAM AND BLAKEFIELD SEAM DEFINED BY PLAN TITLED "BULGA COAL FIGURE 3. EPL563 UNDERGROUND MINING ACTIVITIES" EPA REF DOC18/335117-04

# Environment Protection Licence

Licence - 563

## A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Electricity Generation from Gas
Sewage Treatment Systems

## A4 Information supplied to the EPA

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

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

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

A4.2 Any other document and/or management plan is not to be taken as part of the documentation in condition A4.1, other than those documents and/or management plans specifically referenced in this licence.

## 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

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

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
9	Particulate Matter Monitoring		Monitor "D9" at coordinates 320781 6384921 (Easting Northing) identified as EPA Point 9 on Figure 1.
10	Particulate Matter Monitoring		Monitor "D10" at coordinates 323196 6378178 (Easting Northing) identified as EPA Point 10 on Figure 1.
15		Discharge to Air	Gas Flares at coordinates 321188, 6378951 (Easting, Northing) identified as BUO Flares on Figure 1.

# Environment Protection Licence

Licence - 563



16	Discharge to air	Gas Power Plant Air Emission Unit 1 at co-ordinates 322406, 6380180 (Easting, Northing) identified as BUO Power Station on Figure 1.
17	Discharge to Air	Gas Power Plant Air Emission Unit 2 at co-ordinates 322406, 6380180 (Easting, Northing) identified as BUO Power Station on Figure 1.
18	Discharge to Air	Gas Power Plant Air Emission Unit 3 at co-ordinates 322406, 6380180 (Easting, Northing) identified as BUO Power Station on Figure 1.

P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

P1.3 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

## Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
4	Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS) Discharge Quality Volume Monitoring	Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS) Discharge Quality Volume Monitoring	HRSTS discharge from 'CHPP Surge Dam' at coordinates 325189 6382547 (Easting Northing) identified as EPA Point 4 on Figure 1.
11	Discharge of saline water under the Hunter Salinity Trading Scheme (HRSTS) Discharge Quality Volume Monitoring	Discharge of saline water under the Hunter Salinity Trading Scheme (HRSTS) Discharge Quality Volume Monitoring	HRSTS discharge from 'Northern Dam' at coordinates 324217 6386978 (Easting Northing) identified as EPA Point 11 on Figure 1.
12	Discharge to Utilisation Area, Effluent Quality Monitoring	Discharge to Utilisation Area, Effluent Quality Monitoring	BOC CHPP STP Discharge at coordinates 324346, 6383002 (Easting, Northing) identified as BOC STP Discharge on Figure 1.
13	Discharge to Utilisation area, Effluent quality monitoring	Discharge to Utilisation area, Effluent quality monitoring	BOC East Pit Muster STP Discharge at coordinates 323222, 6383622 (Easting, Northing) identified as BOC East Pit Muster STP Discharge on Figure 1.
14	Discharge to Utilisation Area, Effluent quality monitoring	Discharge to Utilisation Area, Effluent quality monitoring	BUO STP Discharge at coordinates 322701, 6380815 (Easting, Northing) identified as BUO STP Discharge on Figure 1.

Note: Page Break.



# Environment Protection Licence

Licence - 563

- 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
5	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitor location identified as "Dawtrey" at coordinates 317221 6381145 (Easting Northing) on Figure 1.
6	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor location identified as "Hedley" at coordinates 324830 6388160 (Easting Northing) on Figure 1.
7	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor location identified as "Bulga" at coordinates 315110 6384567 (Easting Northing) on Figure 1.
8	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor location identified as "Charlton" at coordinates 320968 6377640 (Easting Northing) on Figure 1.

Note: For the purpose of conditions P1.1, P1.2, P1.3 and P1.4, "Figure 1" refers to the plan titled "Bulga Coal Figure 1: EPL 563 Premises Boundary" dated 25 January 2018 (EPA Reference DOC18/335117-02).

## 3 Limit Conditions

### L1 Pollution of waters

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

### L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.
- L2.4 Water and/or Land Concentration Limits

# Environment Protection Licence

Licence - 563



## POINT 4,11

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-9.5
Total suspended solids	milligrams per litre				120

## L3 Volume and mass limits

- L3.1 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
4	megalitres per day	130
11	megalitres per day	500

## L4 Waste

- L4.1 The licensee must not cause, permit or allow any waste to be received at the premises unless specified in this licence.

## L5 Blasting

- L5.1 The airblast overpressure level from blasting operations in or on the premises must not exceed 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 5,6,7 or 8 in Condition P1.4.
- L5.2 The airblast overpressure level from blasting operations in or on the premises must not exceed 120 dB (Lin Peak) at any time; at either monitoring point 5,6,7 or 8 in Condition P1.4.
- L5.3 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 5 mm/second for more than 5% of the total number of blasts during each reporting period; at either monitoring point 5,6,7 or 8 in Condition P1.4.

# Environment Protection Licence

Licence - 563



L5.4 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed 10 mm/second at any time; at either monitoring point 5,6,7 or 8 in Condition P1.4.

L5.5 Offensive blast fume must not be emitted from the premises.

*Definition:*

*Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:*

- 1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or*
- 2. interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.*

## **L6 Other limit conditions**

L6.1 Flares must be operated by the licensee such that there is no visible emission other than for a total period of no more than 5 minutes in any 2 hours, except for heat haze.

Note: The operation of the flares and gas engines are required to comply with the provisions and limits contained within the *Protection of the Environment Operations (Clean Air) Regulation 2010*.

## **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.

# Environment Protection Licence

Licence - 563



- O2.2 The licensee is responsible for the correct operation of the sewage treatment system on the premises.
- O2.3 Correct operation involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.
- O2.4 The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.
- O2.5 The licensee must record each inspection and any actions required or recommended by the technician including all results of tests performed on the sewage treatment system by the technician as required in Condition O2.4.
- O2.6 The licensee must prepare a sewage treatment system maintenance program. The program must include:
- a) Certification from the system provider that the sewage treatment system is operating within its capacity;
  - b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and
  - c) Provide written records of each quarterly inspection.

## O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.

## O4 Other operating conditions

- O4.1 All above-ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.

## 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:
- a) in a legible form, or in a form that can readily be reduced to a legible form;
  - b) kept for at least 4 years after the monitoring or event to which they relate took place; and

# Environment Protection Licence

Licence - 563

c) produced in a legible form to any authorised officer of the EPA who asks to see them.

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

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

## M2 Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

M2.2 Air Monitoring Requirements

### POINT 9,10

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	Special Method 1

Note: For the purposes of condition M2.1, Special Method 1 requires the licensee to undertake the monitoring of PM10 concentrations strictly in accordance with the manufacturer's operating manual supplied with the continuous monitoring equipment and titled "E-Sampler Particulate Monitor Operation Manual".

M2.3 Water and/ or Land Monitoring Requirements

### POINT 4,11

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous during discharge	A probe designed to measure the range 0 to 10,000 uS/cm
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample

### POINT 12,13,14

# Environment Protection Licence

Licence - 563

Pollutant	Units of measure	Frequency	Sampling Method
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample

## M3 Testing methods - concentration limits

- M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
  - b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
  - c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.
- M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

## M4 Recording of pollution complaints

- M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M4.2 The record must include details of the following:
- a) the date and time of the complaint;
  - b) the method by which the complaint was made;
  - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the licensee, the reasons why no action was taken.
- M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

# Environment Protection Licence

Licence - 563

## M5 Telephone complaints line

- M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M5.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## M6 Requirement to monitor volume or mass

- M6.1 For each discharge point or utilisation area specified below, the licensee must monitor:
- the volume of liquids discharged to water or applied to the area;
  - the mass of solids applied to the area;
  - the mass of pollutants emitted to the air;
- at the frequency and using the method and units of measure, specified below.

### POINT 4

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	megalitres per day	Electronic level sensor and continuous logger

### POINT 11

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	megalitres per day	Electronic level sensor and continuous logger

## M7 Blasting

- M7.1 To determine compliance with conditions L5.1, L5.2, L5.3 and L5.4:

- Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 5, 6, 7 and 8 for the parameters specified in Column 1 of the table below; and
- The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Sampling Method
Airblast Overpressure	Decibels (Linear Peak)	All blasts	Australian Standard AS 2187.2-2006
Ground Vibration Peak Particle Velocity	millimetres/second	All blasts	Australian Standard AS 2187.2-2006

# Environment Protection Licence

Licence - 563



## M8 Other monitoring and recording conditions

### HRSTS Monitoring

- M8.1 The Licensee must continuously operate and maintain communication equipment which makes the conductivity and flow measurements, taken at Point 4 and 11 available to the "Service Coordinator" within one hour of those measurements being taken and makes them available in the format specified in the report titled "Hunter River Salinity Trading Scheme Discharge Point Telemetry Specification - Rev V1.0 Released 4 October 2018" as published by WaterNSW.
- M8.2 The licensee must ensure that all monitoring data is within a margin of error of 5% for conductivity measurements and 10% for discharge flow measurement.
- M8.3 The licensee must mark monitoring Point 4, and Point 11 with a sign which clearly indicates the name of the licensee, whether the monitoring point is up or down stream of the discharge point and that it is a monitoring point for the Hunter River Salinity Trading Scheme.

### Requirement to Monitor Particulate Matter

- M8.4 The licensee must record the average PM10 concentration at Monitoring Points 9 and 10 at intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA who asks to see them.

## 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.



# Environment Protection Licence

Licence - 563



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

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

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- 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

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.

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

## R3 Written report

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

# Environment Protection Licence

Licence - 563



harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

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

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

## **R4 Other reporting conditions**

R4.1 Reporting blasting limit exceedence

The licensee must report any exceedence of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedence becomes known to the licensee or to one of the licensee's employees or agents.

R4.2 Reporting of blasting monitoring

The results of the blast monitoring required by condition M7.1 must be submitted to the EPA with the Annual Return at the end of each reporting period.

R4.3 HRSTS Reporting

The licensee must compile a written report of the activities under the Scheme for each scheme year. The scheme year shall run from 1 July to 30 June each year. The written report must be submitted to the EPA's regional office within 60 days after the end of each scheme year and be in a form and manner approved by the EPA. The information will be used by the EPA to compile an annual scheme report.

R4.4 The sewage treatment system maintenance program required by Condition O2.6 must be submitted annually to the EPA with the Annual Return.

R4.5 The licensee must retain a copy of each report required by Condition O2.5 for 3 years from the date each record is made.

# Environment Protection Licence

Licence - 563

## 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 Contact number for incidents and responsible employees

G2.1 The licensee must operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the licensee who can:

- a) respond at all times to incidents relating to the premises; and
- b) contact the licensee's senior employees or agents authorised at all times to:
  - i) speak on behalf of the licensee; and
  - ii) provide any information or document required under this licence.

G2.2 The licensee is to inform the EPA in writing of the appointment of any subsequent contact persons, or changes to the person's contact details as soon as practicable and in any event within fourteen days of the appointment or change.

### G3 Other general conditions

#### G3.1 Completed Programs

Program	Description	Completed Date
Saline discharge dispersion investigation.	Saline discharge dispersion investigation.. Minimise risk of saline discharge to downstream irrigators.	31-December-2011
Coal Tailings Clean Up Nine Mile Creek	Remove Coal Tailings from Nine Mile Creek	04-November-2011
Clean Up Verification Report	Provide a report on clean up activities in Nine Mile Creek	04-November-2011
Environmental Harm Assessment	Provide a report on the actual and potential harm caused by the contamination of Nine Mile Creek with Coal Tailings.	04-November-2011
Coal Mine Particulate Matter Control Best Practice.	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	29-June-2012

# Environment Protection Licence

Licence - 563

Particulate Matter Control Best Practice Implementation – Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014
Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.	15-August-2014
Particulate Matter Control Best Practice Implementation – Trial of Best Practice Measures for Disturbing and Handling Overburden	Investigation to establish best practice measures for the handling of overburden.	30-July-2014
Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed lands.	29-May-2015

## 8 Special Conditions

### E1 Hunter River Salinity Trading Scheme (HRSTS)

- E1.1 This licence authorises the discharge of saline water into the Hunter River Catchment from an authorised discharge point (or points), in accordance with the *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2009*.
- E1.2 For the purposes of Clauses 23 and 29 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002 the licensee must apply the conversion factor of 0.6.
- E1.3 The licensee must not exceed the hourly volume discharge limit calculated using the following formula, at all discharge point(s) on this licence titled "Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS)":

$$H = V / RRT$$

Where:

**H** is the hourly volume discharge limit (in megalitres per hour);

**V** is the licence holder's volume discharge limit for the block (in megalitres) calculated in accordance with clause 23 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation (2002); and

**RRT** is the difference between the discharge stop and start times shown on the river register for that block (in hours)

# Environment Protection Licence

---

Licence - 563



*Note 1:* The intent of this condition is to prevent spikes of saline water in the Hunter River as a result of discharges of less than the duration permitted by the river register.

*Note 2:* A river register is issued by the Service Co-ordinator and allows participants of the Hunter River Salinity Trading Scheme (HRSTS) to discharge saline to the Hunter River during a discharge period.

# Environment Protection Licence

Licence - 563

## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	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
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>AM</b>	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> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	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.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	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> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	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.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

# Environment Protection Licence

Licence - 563

<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	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.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	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.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	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> .

# Environment Protection Licence

Licence - 563



<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 05-June-2000



# Environment Protection Licence

Licence - 563

## End Notes

- 1 Licence varied by notice V/M upgrade, issued on 08-Jul-2000, which came into effect on 08-Jul-2000.
- 2 Licence varied by notice V/M upgrade, issued on 10-Jul-2000, which came into effect on 10-Jul-2000.
- 3 Licence varied by notice 1002352, issued on 06-Dec-2000, which came into effect on 31-Dec-2000.
- 4 Condition HRSTS Dis Note varied by notice issued on <issue date> which came into effect on <effective date>
- 5 Licence varied by notice 1013329, issued on 07-Dec-2001, which came into effect on 01-Jan-2002.
- 6 Licence varied by notice 1017720, issued on 24-Feb-2003, which came into effect on 26-Feb-2003.
- 7 Licence varied by notice 1040599, issued on 01-Dec-2004, which came into effect on 26-Dec-2004.
- 8 Licence varied by notice 1048638, issued on 10-Jun-2005, which came into effect on 15-Jun-2005.
- 9 Licence varied by notice 1080258, issued on 05-Feb-2008, which came into effect on 05-Feb-2008.
- 10 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 11 Licence varied by notice 1097821, issued on 15-May-2009, which came into effect on 15-May-2009.
- 12 Licence varied by notice 1104189, issued on 26-Nov-2009, which came into effect on 26-Nov-2009.
- 13 Licence varied by notice 1501198 issued on 24-Oct-2011
- 14 Licence varied by notice 1503040 issued on 21-Dec-2011
- 15 Licence varied by notice 1504642 issued on 28-Mar-2012
- 16 Licence varied by notice 1506493 issued on 21-Mar-2013
- 17 Licence varied by notice 1516189 issued on 05-Sep-2013
- 18 Licence varied by notice 1517593 issued on 21-Oct-2013
- 19 Licence varied by notice 1519857 issued on 05-Mar-2014
- 20 Licence varied by notice 1524549 issued on 10-Sep-2014



# Environment Protection Licence

Licence - 563

21	Licence varied by notice	1524950 issued on 16-Oct-2014
22	Licence varied by notice	1526207 issued on 04-Dec-2014
23	Licence varied by notice	1527537 issued on 07-Jan-2015
24	Licence varied by notice	1528705 issued on 03-Mar-2015
25	Licence varied by notice	1535422 issued on 16-Dec-2015
26	Licence varied by notice	1541248 issued on 07-Jun-2016
27	Licence varied by notice	1542310 issued on 08-Jul-2016
28	Licence varied by notice	1552788 issued on 06-Jul-2017
29	Licence varied by notice	1555280 issued on 18-Aug-2017
30	Licence varied by notice	1562088 issued on 14-Nov-2018
31	Licence varied by notice	1572721 issued on 17-Dec-2018
32	Licence varied by notice	1578155 issued on 26-Apr-2019