

Environment Protection Licence

Licence - 4460

Licence Details	
Number:	4460
Anniversary Date:	01-July

Licensee
MT OWEN PTY LIMITED
PO BOX 320
SINGLETON NSW 2330

Premises
MT OWEN MINE
HEBDEN ROAD
RAVENSWORTH NSW 2330

Scheduled Activity
Coal works
Crushing, grinding or separating
Extractive activities
Mining for coal

Fee Based Activity	Scale
Coal works	> 5000000 T annual handling capacity
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Extractive activities	> 100000-500000 T annual capacity to extract or process
Mining for coal	> 5000000 T annual production capacity

Region
North - Hunter
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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:

MT OWEN PTY LIMITED
PO BOX 320
SINGLETON NSW 2330

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

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

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

- the activity scale limits imposed by this licence;
- the activity scale limits which apply for the reporting period specified in this licence; and
- 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
MT OWEN MINE
HEBDEN ROAD
RAVENSWORTH
NSW 2330
PREMISES BOUNDARY DEFINED PLAN TITLED "MT OWEN COMPLEX PROPOSED EPL BOUNDARIES - MT OWEN MINE BOUNDARY" DATED 1/11/2019 EPA REFERENCE DOC19/1069603 AND SHAPE FILES EPA REFERENCE DOC19/985525.

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A3 Other activities

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

Ancillary Activity
Railway Systems
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:

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

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
8	Particulate Matter Monitoring		TEOM "SX13 D8" identified as 8 at coordinates 318877, 6416848 (Easting Northing) on Figure 1
9	Particulate Matter Monitoring		TEOM "SX13 D10" identified as 9 at coordinates 324739, 6411628 (Easting Northing) on Figure 1
10	Particulate Matter Monitoring		TEOM "SX13 D9" identified as 10 at coordinates 323944, 6407999 (Easting Northing) 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.

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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
18	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	STP discharge at coordinates 320358, 6414174 (Easting, Northing) identified as 18 on Figure 1
19	Effluent quality monitoring	Effluent quality monitoring	STP discharge at coordinates 318081, 6413860 (Easting, Northing) identified as 19 on Figure 1
20	Ambient water quality monitoring		Monitoring location BMC 1 at coordinates 316960, 6415938 (Easting, Northing) identified as 20 on Figure 1
21	Ambient water quality monitoring		Monitoring location BMC 2 at coordinates 316641, 6415622 (Easting, Northing) identified as 21 on Figure 1
22	Ambient water quality monitoring		Monitoring location BMC 3 at coordinates 316340, 6414467 (Easting, Northing) identified as 22 on Figure 1
23	Ambient water quality monitoring		Monitoring location YC 1 at coordinates 319356, 6415138 (Easting, Northing) identified as 23 on Figure 1
24	Ambient water quality monitoring		Monitoring location YC2 at coordinates 318678, 6414514 (Easting, Northing) identified as 24 on Figure 1
25	Ambient water quality monitoring		Monitoring location YC 3 at coordinates 317387, 6411430 (Easting, Northing) identified as 25 on Figure 1
26	Ambient water quality monitoring		Monitoring location SC 1 at coordinates 322554, 6415745 (Easting, Northing) identified as 26 on Figure 1
27	Ambient water quality monitoring		Monitoring location SC2 at coordinates 320558, 6416049 (Easting, Northing) identified as 27 on Figure 1
28	Ambient water quality monitoring		Monitoring location SC 3 at coordinates 319470, 6410400 (Easting, Northing) identified as 28 on Figure 1

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29	Discharge to pipe Water Quality Monitoring	Discharge to pipe Water Quality Monitoring	Discharge of mine water to Liddell Mine via GRAWSS pipe at Co-ordinates 316423, 6415400 (Easting, Northing) identified as Liddell discharge on Figure 2.
30	Discharge to pipe Water Quality Monitoring	Discharge to pipe Water Quality Monitoring	Discharge of mine water to Glendell via GRAWSS pipe at co-ordinates 319277, 6410560 (Easting, Northing) identified as Ravensworth discharge on Figure 2.

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
6	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 1 at coordinates 325585, 6409026 (Easting, Northing) identified as 6 on Figure 1
7	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 2 at coordinates 332330, 6408023 (Easting, Northing) identified as 7 on Figure 1
11	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 3 at coordinates 320425, 6405768 (Easting, Northing) identified as 11 on Figure 1
12	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 5 at coordinates 326657, 6409954 (Easting, Northing) identified as 12 on Figure 1
13	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC 4 identified at coordinates 326106, 6409957 (Easting, Northing) identified as 13 on Figure 1.
16	Meteorological Station – to determine meteorological conditions for noise monitoring	Weather station Sx13 M1 at coordinates 317883, 6409485(Easting, Northing) identified as 16 on Figure 1
17	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological monitoring station SX13 M2 at co-ordinates 318081, 6413860 (Easting, Northing) identified as 17 on Figure 1
31	Noise monitoring	Monitoring at co-ordinates 326670, 6414520 (Easting, Northing) identified as N1 on Figure 2 within NMG Area 1.
33	Noise monitoring	Monitoring at co-ordinates 325118, 6409818 (Easting, Northing) identified as N3 on Figure 2 in NMG 2.
34	Noise monitoring	Monitoring at co-ordinates 323900, 6408220 (Easting, Northing) identified as N4 on Figure 2 in NMG 3.

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37	Noise monitoring	Monitoring at co-ordinates 321670, 6405140 (Easting, Northing) identified as N11 on Figure 2 in NMG3 (supplementary monitoring).
39	Noise monitoring	Monitoring at co-ordinates 316265, 6419397 (Easting, Northing) identified as N17 on Figure 2 in NMG 4.
44	Noise monitoring	Monitoring at co-ordinates 326186, 6409143 (Easting, Northing) identified as N15 on Figure 2 in NMG 2 (Supplementary Monitoring).

- P1.5 For the purposes of Condition P1.1, P1.3 and P1.4 Figure 1 refers to the plan titled "Mt Owen Complex Mt Owen Mine Monitoring Locations" dated 20/3/2019 EPA Reference DOC18/688098-2.
- P1.6 For the purposes of Condition P1.3 and P1.4 Figure 2 refers to the plan titled "Mt Owen Complex Mt Owen Mine NMG and NML Locations" dated 5/7/2019 EPA Reference DOC18/688098-10.
- P1.7 The datum for grid references in this Licence is the Geodetic Datum of Australia 1994 (GDA94), Zone 56.

3 Limit Conditions

L1 Pollution of waters

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

L2 Waste

- L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

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

Code	Waste	Description	Activity	Other Limits
NA	Coal washery rejects	For emplacement in coal mining voids as part of the GRAWTS, as approved in Development Consent (s).	As specified in each particular resource recovery exemption	The Licensee must comply with The Coal Washery Rejects Exemption 2014 and The Coal Washery Rejects

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(coal mine void)
Exemption 2014

- L2.2 The Licensee is authorised to receive mine water under the Greater Ravensworth Area Water Sharing Scheme from Liddell Coal Mine, Glendell Coal Mine, Ravensworth Coal Mine and Integra Underground Coal Mine for storage and use in activities authorised by the Licence.

L3 Noise limits

- L3.1 Noise generated at the premises must not exceed the noise limits presented in the table below.

Residences referenced in this table are from the consent SSD 5850 Mod 1 2017 and summarised in EPA Reference DOC18/688098-10

Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LA1(1 minute)
EPA Point 31 & 39	35	35	35	45
EPA Point 33	45	45	42	45
EPA Point 34	42	42	42	50
EPA Point 37	39	39	35	45
EPA Point 44	37	37	37	45
Residence 41,48	36	35	35	45
Residence 91	37	37	36	45
Residence 14, 92	37	37	37	45
Residence 10, 11	37	37	37	46
Residence 13	38	38	38	45
Residence 12, 94, 95, 112	38	38	38	46
Residence 111	39	39	36	45
Residence 19	39	39	39	45
Residence 93	40	40	40	46
Other privately-owned residences	35	35	35	45

- L3.2 For the purposes of Condition L3.1:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays,
- Evening is defined as the period from 6pm to 10pm, and
- Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays

- L3.3 The noise limits set out in condition L3.1 apply under all meteorological conditions except for the

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following:

- a) Wind speeds greater than 3 metres/second at 10 metres above the ground level;
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

L3.4 For the purposes of condition L3.3:

- a) Data recorded by the closest and most representative meteorological station installed on the premises at EPA Identification Point 16 or 17 must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the methods referred to in Fact Sheet D of the Noise Policy for Industry (2017).

L4 Blasting

- L4.1 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 6, 7, 11, 12 or 13 in Condition P1.4.
- L4.2 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 6, 7, 11, 12 or 13 in Condition P1.4.
- L4.3 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 6, 7, 11, 12 or 13 in Condition P1.4.
- L4.4 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 6, 7, 11, 12 or 13 in Condition P1.4.
- L4.5 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.*

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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.

Sewage Treatment System

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 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O3.2 The premises must be maintained in a condition which minimises or prevents the emission of dust from

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the premises.

- O3.3 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 Effluent application to land

- O4.1 The licensee must ensure that the effluent discharge utilisation area perimeter is fenced and signposted and controlled in a manner to ensure exclusion of persons from that area.
- O4.2 The licensee must ensure that sprays or mists from irrigation do not drift beyond the boundary of the effluent discharge utilisation area and that no ponding occurs.
- O4.3 Application of wastewaters must only be applied at a rate that can be assimilated by the effluent discharge utilisation area and its evapotranspiration capacity.

O5 Emergency response

- O5.1 The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.

O6 Other operating conditions

- O6.1 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
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.

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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 8,9,10

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	AM-22

M2.3 Water and/ or Land Monitoring Requirements

POINT 18,19

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

POINT 20,21,22,23,24,25,26,27,28

Pollutant	Units of measure	Frequency	Sampling Method
Electrical conductivity	microsiemens per centimetre	Monthly	Grab sample
pH	pH	Monthly	Grab sample
TSS	milligrams per litre	Monthly	Grab sample
Turbidity	nephelometric turbidity units	Monthly	Grab sample

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M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- 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
- if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

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

M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Weather monitoring

M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

POINT 16,17

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous
Rainfall	AM-4	millimetres	15 minutes	Continuous
Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous
Relative humidity	AM-4	percent	15 minutes	Continuous

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M5 Recording of pollution complaints

- M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M5.2 The record must include details of the following:
- the date and time of the complaint;
 - the method by which the complaint was made;
 - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - the nature of the complaint;
 - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M6 Telephone complaints line

- M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M7 Blasting

- M7.1 To determine compliance with conditions L4.1, L4.2, L4.3 and L4.4:
- Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 6, 7, 11, 12 and 13 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

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M8 Other monitoring and recording conditions

Requirement to Monitor Particulate Matter

M8.1 The Licensee must record the average PM₁₀ concentration at Monitoring Points 8, 9 and 10 at intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA.

M9 Noise monitoring

M9.1 To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below.

POINT 31,33,34,39

Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period
Night	Monthly	30 minutes	1 operation day

POINT 37,44

Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period
Night	Special Frequency 1	30 minutes	1 operation day

M9.2 Special Frequency 1 refers to a requirement to undertake monitoring in accordance with Condition M9.3b).

M9.3 To assess compliance with condition L3.1, attended noise monitoring must be undertaken in accordance with Conditions L3.2 to L3.4:

- at the EPA points 31, 33, 34 and 39 identified in P1.4; and
- at the secondary locations EPA points 37 and 44 where a definitive judgement of compliance cannot be made at the primary locations; and
- occur every calendar month in a reporting period; and
- occur during one night time period as defined in the Noise Policy for Industry 2017 for a minimum of 30 minutes at each location from a), and when relevant b) during the night.

M9.4 For the purposes of compliance monitoring and determining the noise generated at the premises the modification factors in the EPA's Fact Sheet C of the Noise Policy for Industry (2017) must be applied, as appropriate, to the noise levels measured by noise monitoring equipment.

Definitions

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Noise refers to 'sound pressure levels' for the purpose of conditions L3.1 to L3.4 and condition M9.

M9.5 Where required in writing by the EPA, the Licensee must carry out attended monitoring at sensitive receivers in addition the monitoring required by Condition M9.3.

6 Reporting Conditions

R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

R1.3 Where this licence is transferred from the licensee to a new licensee:

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

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

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- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- a) the licence holder; or
 - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

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

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

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
 - b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - g) any other relevant matters.

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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.

R4 Other notifications

Blast Exceedance Notification

R4.1 The licensee must report any exceedance of licence blasting limits to the EPA Hunter at hunter.region@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.

Noise Exceedance Notification

R4.2 The licensee must report any exceedance of licence noise limits to the EPA Hunter at hunter.region@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents

Notification of Pollution of Waters

R4.3 The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any contravention or potential contravention of Condition L1 of the Licence.

R4.4 The Licensee must provide written details of the notification to the EPA Director Hunter at hunter.region@epa.nsw.gov.au within 7 days of the date of the notification.

R5 Other reporting conditions

Blast Monitoring Reporting

R5.1 The results of the blast monitoring required by the licence must be submitted to the EPA, with each Annual Return, at the end of each reporting period. The monitoring results must identify any exceedance of licence limits.

Noise Monitoring Report

R5.2 The Licensee must provide the EPA with its Annual Return an annual noise compliance assessment report prepared by an appropriately qualified acoustic consultant. The report must include an assessment of any exceedance of noise limits and justification that the noise monitoring points identified in Condition P1.4 are still representative of the sensitive receivers within the noise monitoring groups on Figure 2.

Water Quality Monitoring Report

R5.3 The licensee must provide the EPA with its Annual Return an annual water quality monitoring report prepared by an appropriately qualified and experienced person that includes the following:

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a) for the monitoring required by the licence during the reporting period to which the Annual Return relates:

- (i) a summary of results for all ambient water quality monitoring required by the licence in table form and graphical form;
- (ii) total daily rainfall records from the premises meteorological monitoring required by the licence on the day that the sampling was undertaken in table form;
- (iii) total daily continuous rainfall records in graphical form; and
- (iv) a plan with the monitoring locations.

b) A graphical presentation of the trends of monitoring results required by the licence for the reporting period to which the Annual Return relates and the preceding data for the period of record the licensee has monitoring results for the licensed location.

c) A graphical representation of total daily continuous rainfall records required by the licence for the record that matches the ambient water quality results, if available.

Sewage Treatment Systems

R5.4 The sewage treatment system maintenance program required by Condition O2.6 must be submitted annually to the EPA with the Annual Return.

R5.5 The licensee must retain a copy of each report required by Condition O2.5 for 3 years from the date each record is made.

7 General Conditions

G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G2 Other general conditions

G2.1 Completed Programs

Program	Description	Completed Date
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Monitor salinity levels	During the next HRSTS discharge the licensee must monitor salinity levels at the nearest downstream irrigation off-take point, to coincide with the peak flow of discharge water. A report must be submitted to the RM within 30 days after sampling. The purpose is to ensure that the discharge of saline water is mixing sufficiently prior to it reaching the nearest downstream irrigation off-take point.	21-October-2014
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.	11-November-2012
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.	14-April-2014
Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed lands.	05-June-2015

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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

Mr Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 14-June-2000

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End Notes

- 1 Licence varied by notice 1003027, issued on 06-Dec-2000, which came into effect on 31-Dec-2000.
- 2 Licence varied by notice 010750, issued on 08-Aug-2000, which came into effect on 02-Sep-2000.
- 3 Licence varied by notice 1008498, issued on 24-Sep-2001, which came into effect on 24-Sep-2001.
- 4 Licence varied by notice 1012303, issued on 05-Nov-2001, which came into effect on 30-Nov-2001.
- 5 Condition HRSTS Dis Note varied by notice issued on <issue date> which came into effect on <effective date>
- 6 Licence varied by notice 1013419, issued on 07-Dec-2001, which came into effect on 01-Jan-2002.
- 7 Licence varied by notice 1025551, issued on 25-Mar-2003, which came into effect on 19-Apr-2003.
- 8 Licence varied by notice 1040314, issued on 06-Oct-2004, which came into effect on 31-Oct-2004.
- 9 Licence varied by notice 1043273, issued on 07-Mar-2005, which came into effect on 30-Mar-2005.
- 10 Licence transferred through application 143347, approved on 01-Apr-2005, which came into effect on 01-Apr-2005.
- 11 Licence fee period changed by notice 1065975 approved on 09-Oct-2006.
- 12 Licence varied by notice 1067160, issued on 14-Dec-2006, which came into effect on 14-Dec-2006.
- 13 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 14 Licence varied by notice 1106347, issued on 27-Nov-2009, which came into effect on 27-Nov-2009.
- 15 Licence varied by notice 1109537, issued on 01-Dec-2009, which came into effect on 01-Dec-2009.
- 16 Licence varied by notice 1109741, issued on 08-Dec-2009, which came into effect on 08-Dec-2009.
- 17 Licence varied by notice 1110500, issued on 08-Jan-2010, which came into effect on 08-Jan-2010.
- 18 Licence varied by notice 1501355 issued on 16-Nov-2011

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19	Licence transferred through application 1502790 approved on 16-Nov-2011 , which came into effect on 21-Nov-2011
20	Licence varied by notice 1502881 issued on 22-Dec-2011
21	Licence varied by notice 1510459 issued on 25-Mar-2013
22	Licence varied by notice 1516174 issued on 05-Sep-2013
23	Licence varied by notice 1524152 issued on 13-Aug-2014
24	Licence varied by notice 1524947 issued on 16-Oct-2014
25	Licence varied by notice 1525741 issued on 07-Nov-2014
26	Licence varied by notice 1530173 issued on 27-Apr-2015
27	Licence varied by notice 1531408 issued on 09-Jul-2015
28	Licence varied by notice 1535924 issued on 07-Dec-2016
29	Licence varied by notice 1554662 issued on 17-Aug-2017
30	Licence varied by notice 1566187 issued on 19-Sep-2019
31	Licence varied by notice 1589194 issued on 29-Jan-2020