

# Environment Protection Licence

Licence - 3141

## Licence Details

Number:	3141
Anniversary Date:	30-November

## Licensee

UNITED COLLIERIES PTY LTD  
PRIVATE MAIL BAG 13  
SINGLETON NSW 2330

## Premises

UNITED COLLIERIES  
134 JERRYS PLAINS ROAD  
WARKWORTH NSW 2330

## Scheduled Activity

Coal works  
Crushing, grinding or separating  
Mining for coal

## Fee Based Activity

## Scale

Coal works	> 5000000 T annual handling capacity
Crushing, grinding or separating	> 2000000 T annual processing capacity
Mining for coal	> 5000000 T annual production capacity

## Region

Regional North - Newcastle  
Ground Floor, NSW Govt Offices, 117 Bull Street  
NEWCASTLE WEST NSW 2302  
Phone: (02) 4908 6800  
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NEWCASTLE NSW 2300

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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:

UNITED COLLIERIES PTY LTD
PRIVATE MAIL BAG 13
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	> 2000000 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
UNITED COLLIERIES
134 JERRYS PLAINS ROAD
WARKWORTH
NSW 2330
PREMISES DEFINED BY PLAN TITLED "UNITED WAMBO JOINT VENTURE PROJECT ENVIRONMENT PROTECTION LICENCE 3141 PLAN OF PREMISES" DATED 25/11/2020 EPA REFERENCE DOC20/913399-4 AND SHAPE FILES EPA REFERENCE DOC20/913399-3

### A3 Other activities

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

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Ancillary Activity
Chemical Storage - General Chemical Storage
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.

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

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

- P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.
- P1.2 The following points referred to in the table 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
4	Ambient Air Monitoring		PM10 TEOM at co-ordinates 314118, 6393961 (Easting, Northing) identified as AQ01 on Figure 1.
5	Ambient Air Monitoring		PM10 TEOM at co-ordinates 312055, 6390321 (Easting, Northing) identified as AQ02 on Figure 1.
6	Ambient Air Monitoring		PM10 TEOM at co-ordinates 304502, 6398490 (Easting, Northing) identified as AQ03 on Figure 1.
7	Ambient Air Monitoring		PM10 TEOM at co-ordinates 305928, 6399587 (Easting, Northing) identified as AQ04 on Figure 1.
8	Ambient Air Monitoring		TSP HVAS at co-ordinates 314300, 6394930 (Easting, Northing) identified as HVAS01 on Figure 1.

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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
10	Effluent Quality Monitoring		Effluent quality monitoring from STP at co-ordinates 311617, 6397247 (Easting, Northing) identified as STP01 on Figure 1.
11		Discharge to Utilisation Area	Effluent Irrigation Area at co-ordinates 311367, 6397264 (Easting, Northing) identified as STP02 on Figure 1.
23	Water quality monitoring		Ambient monitoring in Wollombi Brook at co-ordinates 312509, 6392866 (Easting, Northing) shown as WB02 on Figure 1.
24	Water quality monitoring		Ambient monitoring in Wollombi Brook at co-ordinates 314376 6395037 (Easting, Northing) shown as WB03 on Figure 1.
25	Water quality monitoring		Ambient monitoring in Wollombi Brook at co-ordinates 314874 6396247 (Easting, Northing) shown as WB04 on Figure 1.
26	Water quality monitoring		Ambient monitoring in Redbank Creek at co-ordinates 313672, 6396168 (Easting, Northing) shown as RC01 on Figure 1.

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
3	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological Station at co-ordinates 321259, 6397526 (Easting, Northing) identified as WS2 on Figure 1.
12	Noise monitoring	Noise Monitoring Point in NMG1 at co-ordinates 313354, 6388694 (Easting, Northing) identified as NM01 on Figure 1.
13	Noise monitoring	Noise Monitoring Point in NMG2 at co-ordinates 310491, 6390223 (Easting, Northing) identified as NM02 on Figure 1.



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14	Noise monitoring	Noise Monitoring Point in NMG4 at co-ordinates 3318616, 6398438 (Easting, Northing) identified as NM04 on Figure 1.
15	Noise monitoring	Noise Monitoring Point in NMG5 at co-ordinates 306001, 6399786 (Easting, Northing) identified as NM05 on Figure 1.
16	Noise monitoring	Noise Monitoring Point in NMG6 at co-ordinates 304172, 6398160 (Easting, Northing) identified as NM06 on Figure 1.
17	Noise monitoring	Noise Monitoring Point in NMG7 at co-ordinates 304666, 6399100 (Easting, Northing) identified as NM07 on Figure 1.
19	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 311155, 6390609 (Easting, Northing) identified as BM03 on Figure 1.
20	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 305998 6399784 (Easting, Northing) identified as BM05 on Figure 1.
21	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 304496, 6398655 (Easting, Northing) identified as BM07 on Figure 1.
22	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitoring Point at co-ordinates 317931, 6397826 (Easting, Northing) identified as BM08 on Figure 1.

P1.5 For the purposes of Condition P1.1, P1.2, P1.3 and P1.4 Figure 1 refers to the plan titled "United Wambo Joint Venture Project Environment Protection Licence 3141 Plan of the Premises dated 25/11/2020 EPA Reference DOC20/913399-4.

P1.6 The Licensee is authorised to transfer saline mine water Wambo Mine, Mount Thorley Mine, Warkworth Mine, Ravensworth Mine and Hunter Valley Operations Mine.

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.

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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 Reject	Coarse Reject received from Wambo CHPP for co-disposal to create final landforms	-	The Licensee must comply with The United Wambo Joint Venture and Wambo Coal Washery Rejects (Coal Mine Void) Exemption 2020
NA	Recovered aggregate	To be used on the mine for road making, building, landscape and construction	-	The Licensee must comply with the Recovered aggregate exemption 2014
NA	Coal Washery Reject	Receival from Wambo CHPP for filling voids and creating final landforms.		The Licensee must comply with the Coal washery rejects (coal mine void) Exemption 2014
NA	Manure	To be used in Rehabilitation as soil ameliorant in accordance with Resource Recover Exemption		The Licensee must comply with The Manure Exemption 2014
NA	Compost (The compost exemption 2016-NSW EPA)	To be used in Rehabilitation as soil ameliorant in accordance with Resource Recovery Exemption	-	The Licensee must comply with the Compost Exemption 2016
NA	Biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the biosolids guidelines	To be used in Rehabilitation as soil ameliorant in accordance with Resource Recovery Exemption	-	The Licensee must comply with The Biosolids Exemption 2014

L2.2 The Licensee is authorised to receive mine water from Hunter Valley Operations Mine, Mount Thorley Mine, Warkworth Mine, Ravensworth Operations and Wambo Mine for storage and use in activities authorised by the Licence.

L2.3 Waste generated on the premises must not be disposed of on the premises unless authorised by a condition of this Licence.

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- L2.4 The Licensee must not dispose of more than 400 heavy Plant-tyres on the premises in any annual return year period.

## L3 Noise limits

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

Location	Day LAeq(15min)	Evening LAeq(15min)	Night LAeq(15min)	Night LA1(1min)
EPA Point 12 in NAG1			36	46
EPA Point 13 in NAG2			38	48
EPA Point 14 in NAG4			41	51
EPA Point 15 in NAG5			46	56
EPA Point 16 in NAG6			39	49
EPA Point 17 in NAG7			40	50
Residence 003 in NAG1	38	36	36	46
Residence 006 in NAG1	37	35	35	45
Residence 007 & 379 in NAG1	36	35	35	45
All other private residences in NAG1, NAG2 & NAG6	35	35	35	45
Residence 025 in NAG2	39	38	38	48
All private residences in Area 3	44	44	43	53
All private residences in NAG4	42	42	41	51
Residence 039 in NAG5	46	46	46	56
Residence 016 in NAG5	45	45	45	55
Residence 017 in NAG5	44	44	44	54
Residence 043 in NAG5	43	43	43	53
Residence 050C in NAG5	41	41	41	51

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Residence 050A in NAG5	41	40	40	50
Residence 044 in NAG 5	41	40	39	49
All other private residences in NAG5	41	40	38	48
Residence 320 in NAG6	40	40	40	50
Residence 033 & 343 in NAG6	40	40	39	49
Residence 042 in NAG6	40	40	38	48
Residence 029 & 345 in NAG6	40	40	37	47
Residence 048 in NAG6	39	39	39	49
Residence 030, 049 & 163 in NAG6	39	39	38	48
Residence 075 in NAG6	39	39	37	47
Residence 041B in NAG6	38	38	38	48
Residence 344 & 346 in NAG6	38	38	37	47
Residence 348 in NAG6	38	38	36	46
Residence 041A in NAG6	37	37	37	47
All privately owned residences in NAG7	40	40	36	46

## L3.2 For the purposes of condition L3.1:

- a) Residences referenced in this table are from consent SSD-7142 United Wambo Open Cut Coal Mine dated 29 August 2019 EPA Reference DOC19/1043296 and the document titled "United Wambo Open Cut Coal mine Project noise Impact Assessment": by UMWELT dated July 2016 EPA Reference DOC19/1079039; and
- b) Noise Monitoring Groups in this table are referenced in Figure 1 titled "United Wambo Joint Venture Project Environmental Protection Licence 3141 Plan of Premises" dated 4/12/2019 EPA Reference DOC19/1043296-5 and shape files EPA Reference DOC19/1043296-1.

## L3.3 For the purposes of Condition L3.1:

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

## L3.4 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.

L3.5 For the purposes of condition L3.3:

- a) Data recorded by the meteorological station installed on the premises at EPA Identification Point 3 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 19,20,21 and 22 in Condition P1.3.
- 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 19,20,21 and 22 in Condition P1.3.
- 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 19,20,21 and 22 in Condition P1.3.
- 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 19,20,21 and 22 in Condition P1.3.
- 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.

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.

O3.3 All operations and activities occurring at the premises must be carried out in a manner that will minimise

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the emission of dust from the premises.

## O4 Emergency response

**Note:** 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.

## O5 Waste management

### Heavy Plant-Tyre Disposal

O5.1 The Licensee is authorised to dispose of heavy Plant-tyre waste generated on the premises, in the pit. The Licensee must:

- a) ensure that heavy Plant waste tyres are re-used on the premises as much as practical;
- b) ensure that any surplus heavy Plant waste tyres can be emplaced by being spread out on the pit-floor and buried as deep as practical, but, covered by at least 20m of inert material beneath any final rehabilitated surface;
- c) place heavy Plant waste tyres at least 10m away from coarse reject material or tailings emplacement areas;
- d) not place any heavy Plant waste tyres near heated material;
- e) not place any heavy Plant waste tyres in an area likely to leach to any water-coarse.

## 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;

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- 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.

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 Water and/ or Land Monitoring Requirements

### POINT 10

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

### POINT 23,24,25,26

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

M2.3 Air Monitoring Requirements

### POINT 4,5,6,7

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



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## POINT 8

Pollutant	Units of measure	Frequency	Sampling Method
Total suspended particles	micrograms per cubic metre	Every 6 days	AM-15

M2.4 The Licensee must use real-time data from the meteorological station (EPA Point 3) to calculate real-time stability class for the purpose of managing noise generated on the premises and for noise compliance monitoring against noise limits, in accordance with the EPAs Noise Policy for Industry (2017).

## 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.

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## POINT 3

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Siting	AM-1	-	-	-
Temperature at 10 metres	AM-4	degrees Celsius	10 minutes	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	10 minutes	Continuous
Rainfall	AM-4	millimetres per hour	10 minutes	Continuous
Relative humidity	AM-4	percent	10 minutes	Continuous
Sigma Theta	AM-4	Degrees	10 minutes	Continuous

## M5 Recording of pollution complaints

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

## M6 Telephone complaints line

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

# Environment Protection Licence

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## M7 Blasting

M7.1 To determine compliance with conditions L4.1, L4.2, L4.3 and L4.4:

- a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 18,19,20,21 and 22 for the parameters specified in Column 1 of the table below; and
- b) The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.

Parameters	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

## M8 Other monitoring and recording conditions

M8.1 The licensee must record the average PM10 concentration at EPA Monitoring Points 4,5,6 and 7 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.

## M9 Noise monitoring

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

- a) at the EPA points 12,13,14,15,16 and 17 identified in P1.3; and
- b) occur every calendar month in a reporting period; and
- c) occur during one night time period as defined in the Noise Policy for Industry 2017 for a minimum of 15 minutes at each location from a), and when relevant b) during the night.

M9.2 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

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

M9.3 Where required in writing by the EPA, the Licensee must carry out attended monitoring at sensitive receivers in addition the monitoring required by Condition M9.1.

## 6 Reporting Conditions

# Environment Protection Licence

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## 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 notification that the Annual Return is due.

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').

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.

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## 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 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 notifications

### Notification of Pollution of Waters

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- R4.1 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.
- R4.2 The Licensee must provide written details of the notification to [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au) within seven days of the date of the notification explaining the cause of incident and what is being done to prevent any further pollution incidents.

## Noise Exceedance Notification and Reporting

- R4.3 The Licensee must report any exceedance of Licence noise limits to EPA by email to [info@epa.nsw.gov.au](mailto:info@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.
- R4.4 Within seven days of notifying the EPA of an exceedance of Licence noise limits, the Licensee must provide the EPA a report in writing that explains the cause of the exceedance and the actions taken to prevent future exceedances of noise limits.
- R4.5 An authorised officer of 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 at Condition R4.4. The Licensee must provide such further details to the EPA within the time specified in the request.

## Blast Exceedance Notification and Reporting

- R4.6 The Licensee must report any exceedance of the Licence blast limits to the EPA by email to [info@epa.nsw.gov.au](mailto:info@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.
- R4.7 Within seven days of notifying the EPA of an exceedance of blast limits, the Licensee must provide the EPA a report in writing that explains the cause of the exceedance and the actions taken to prevent future exceedances of blast limits.

## R5 Other reporting conditions

### Blast Monitoring Report

- R5.1 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.

### Sewage Treatment System Report

- R5.2 The sewage treatment system maintenance program required by Condition O2.6 must be submitted annually to the EPA with the Annual Return.
- R5.3 The licensee must retain a copy of each report required by Condition O2.5 for 3 years from the date each record is made.

### Noise Compliance Assessment Report

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R5.4 A report containing the monitoring results of noise compliance monitoring specified in this Licence must be submitted annually with the Annual Return. The report must include, for each monitoring period and monitoring location:

- a) the contribution noise level from the premises as measured or determined at the monitoring location (s); and
- b) a description of the method used to determine or estimate the contribution noise level from the premises that is consistent with the Noise Policy for Industry.

## Heavy Plant-Tyre Disposal Report

R5.5 The Licensee must provide the EPA with the Annual Return a Heavy Plant-Tyre Disposal Report. The Report must include:

- a) a plan of the disposed heavy plant waste tyres on the premises for the period that includes:
  - (i) each tyre serial number;
  - (ii) supplier of each tyre;
  - (iii) purchase date of each tyre;
  - (iv) disposal date of each tyre;
  - (v) co-ordinates (easting and northings) of the disposal of each tyre;
  - (vi) the Real Level (RL) in metres AHD of each tyre placed in the pit;
  - (vii) the number of tyres buried in a particular area; and
  - (viii) the cumulative tonnage of tyres disposed of at the premises each year.

## Water Quality Monitoring Report

R5.6 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:

- 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.

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## 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
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.	21-September-2012

## 8 Special Conditions

### E1 Blast Fume Monitoring Trial

- E1.1 The Licensee must develop a blast fume monitoring program that includes investigation of a range of monitoring equipment to monitor potential impacts at sensitive receivers. A report detailing a potential blast fume monitoring program must be provided to the EPA by 30 June 2021 and include:
- a) monitoring of blast fume products;
  - b) criteria against which blast fume products can be assessed for health impact and impact assessment



# Environment Protection Licence

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criteria;

c) monitoring at height and at ground level; and

d) a description of how the data will be used by the Licensee to manage blast fume impacts.

Note: a requirement to undertake a trial of blast fume monitoring will be included as a condition of the Licence.

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## 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

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<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> .



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<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

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 24-March-2000

# Environment Protection Licence

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## End Notes

- 1 Licence varied by notice 1003034, issued on 06-Dec-2000, which came into effect on 31-Dec-2000.
- 2 Licence varied by notice 1004981, issued on 02-Aug-2001, which came into effect on 27-Aug-2001.
- 3 Condition HRSTS Non Dis Note - Credit Holder in "the Scheme" varied by notice issued on <issue date> which came into effect on <effective date>
- 4 Licence varied by notice 1013309, issued on 07-Dec-2001, which came into effect on 01-Jan-2002.
- 5 Licence varied by notice 1020633, issued on 24-Oct-2002, which came into effect on 18-Nov-2002.
- 6 Licence varied by notice 1024140, issued on 10-Feb-2003, which came into effect on 07-Mar-2003.
- 7 Licence varied by notice 1033919, issued on 23-Jan-2004, which came into effect on 17-Feb-2004.
- 8 Licence varied by notice 1040391, issued on 08-Oct-2004, which came into effect on 02-Nov-2004.
- 9 Licence varied by notice 1073142, issued on 25-Jun-2007, which came into effect on 25-Jun-2007.
- 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 1103748, issued on 27-Nov-2009, which came into effect on 27-Nov-2009.
- 12 Licence varied by notice 1502559 issued on 21-Dec-2011
- 13 Licence varied by notice 1504424 issued on 13-Mar-2012
- 14 Licence varied by notice 1511186 issued on 17-Jan-2013
- 15 Licence varied by notice 1551035 issued on 01-Jun-2017
- 16 Licence varied by notice 1589179 issued on 25-Feb-2020
- 17 Licence varied by notice 1598880 issued on 28-Oct-2020
- 18 Licence varied by notice 1602555 issued on 03-Dec-2020