

# Environment Protection Licence

Licence - 12840

## Licence Details

Number:	12840
Anniversary Date:	03-April

## Licensee

MT OWEN PTY LIMITED  
 PO BOX 320  
 SINGLETON NSW 2330

## Premises

GLENDALL MINE  
 HEBDEN ROAD  
 RAVENSWORTH NSW 2330

## Scheduled Activity

Coal works  
 Mining for coal

## Fee Based Activity

## Scale

Coal works	> 2000000-5000000 T annual handing capacity
Mining for coal	> 3500000-5000000 T annual production capacity

## Region

Regional North - Newcastle  
 Ground Floor, NSW Govt Offices, 117 Bull Street  
 NEWCASTLE WEST NSW 2302  
 Phone: (02) 4908 6800  
 Fax: (02) 4908 6810  
 PO Box 488G  
 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:

<b>MT OWEN PTY LIMITED</b>
<b>PO BOX 320</b>
<b>SINGLETON NSW 2330</b>

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	> 2000000 - 5000000 T annual handing capacity
Mining for coal	Mining for coal	> 3500000 - 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
<p> <b>GLENDELL MINE</b>  <b>HEBDEN ROAD</b>  <b>RAVENSWORTH</b>  <b>NSW 2330</b> </p>
<p> <b>PREMISES DEFINED BY PLAN TITLED "MT OWEN GLENDELL OPERATIONS GLENDELL MINE BOUNDARY" DATED 28/5/2020 AND SHAPE FILES EPA REFERENCE DOC20/418954.</b> </p>

### A3 Other activities

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

Ancillary Activity

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## 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
12	Particulate Matter Monitoring		EBam PM10 monitor at co-ordinates 320917 6407509 (Easting, Northing) shown as EPA Point 12 on Figure 1.
13	Particulate Matter Monitoring		EBam PM10 monitor at co-ordinates 3317850 6410748 (Easting, Northing) shown as EPA Point 13 on Figure 1.

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

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

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
14	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	STP effluent monitoring and discharge at co-ordinates 318075 6409729 (Easting, Northing) shown as STP-1 on Figure 1.

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15	Effluent quality monitoring Discharge to utilisation area	Effluent quality monitoring Discharge to utilisation area	STP effluent monitoring and discharge at co-ordinates 318820 6409452 (Easting, Northing) shown as STP-2 on Figure 1.
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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
4	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC2 at co-ordinates 323330 6408023 (Easting, Northing) shown as EPA Point 5 on Figure 1.
5	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor MOC1 at co-ordinates 320425 6405768 (Easting, Northing) shown as EPA Point 4 on Figure 1.
7	Noise monitoring	Noise monitoring location in NMG2 at co-ordinates 323900 6408220 (Easting, Northing) identified as N4 in Figure 2.
8	Noise monitoring	Noise monitoring location in NMG8 at co-ordinates 319730 6403670 (Easting, Northing) identified as N8 in Figure 2.
9	Noise monitoring	Noise monitoring location in NMG6 at co-ordinates 320490 6405630 (Easting, Northing) identified as N9 in Figure 2.
10	Noise monitoring	Noise monitoring location in NMG7 at co-ordinates 320940 6405770 (Easting, Northing) identified as N10 in Figure 2.
11	Noise monitoring	Noise monitoring location in NMG5 at co-ordinates 321670 6405140 (Easting, Northing) identified as N11 in Figure 2.
16	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological station Sx13M1 at co-ordinates 317883 6409485 (Easting, Northing) shown as 16 on Figure 1.
17	Meteorological Station – to determine meteorological conditions for noise monitoring	Meteorological station Sx13M2 at co-ordinates 324321 6409911 (Easting, Northing) shown as 17 on Figure 1.
18	Noise monitoring	Secondary monitoring location at co-ordinates 325147 6407672 (Easting, Northing) identified as N14 in Figure 2.

Note: The datum for grid references in this licence is the Geodetic Datum of Australia 2020 (GDA20), Zone 56.

P1.5 For the purposes of Condition P1.1, P1.2, P1.3 and P1.4 Figure 1 refers to the plan titled " Mt Owen Glendell Operations Glendell Mine Monitoring Locations" dated 25/5/2020 EPA Reference DOC20/418954.

P1.6 For the purposes of Condition P1.4 Figure 2 refers to the document titled "Figure 2 Noise Monitoring Locations" in letter from Umwelt dated 28 May 2020 EPA Reference DOC20/418954.



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P1.7 The Licensee is authorised to transfer saline mine water to Ravensworth Mine and Mt Owen Mine.

## 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	Biosolids categorised as unrestricted use, or as restricted use 1, 2 or 3, in accordance with the criteria set out in the biosolids guidelines	Biosolids for use as soil ameliorant for mining rehabilitation.	As specified in each particular resource recovery exemption	The Licensee must comply with the Biosolids exemption 2014.

L2.2 Waste generated on the premises must not be disposed of on the premises unless authorised by a condition of this Licence.

L2.3 The Licensee must not dispose of more than 600 Tonnes of heavy Plant-tyres on the premises in any annual return year period.

L2.4 The Licensee is authorised to receive saline mine water from Mt Owen mine.

### L3 Noise limits

L3.1 For the purposes of the noise limits in this licence the 'night' period is defined as 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holiday.

L3.2 The noise emission limits identified in this licence apply under all meteorological conditions except:

- (a) during wind speeds greater than 3m/s at 10 metres above ground level; or
- (b) under stability category G temperature inversion conditions; or under stability category F

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temperature inversion conditions and wind speeds greater than 2 metres per second at 10 metres above ground level.

Note: Stability category temperature inversion conditions are to be determined by the sigma-theta method referred to in the Noise Policy for Industry.

L3.3 Noise generated at the premises must not exceed the noise limits presented in the table below.

Location	Day / Evening /Night LAeq(15min)	LA1(1min)
EPA point 7 in NMG 2	38	45
EPA point 8 in NMG 8	35	45
EPA point 9 in NMG 6	42	45
EPA point 10 in NMG 7	40	45
EPA point 11 in NMG 5	38	45
EPA point 14	35	45
22b Turner in NMG6	41	45
other in A	40	45
47 Vollebregt & Clarke in NMG6	42	45
other in B	37	45
27 McInnery in NMG7	40	45
31 Olofsson in NMG7	38	45
other in C	35	45
37a & 37b Richards in NMG5	38	45
83 Westcott	38	45
110 Hall in NMG5	38	45
34 Poulton	37	45
9 Burgess in NMG5	36	45
all other privately owned land	35	45

L3.4 The sensitive receivers referred to in Condition L3.3 are identified in DA80/95 Mod 3 EPA Reference DOC20/418954-2 and related documents in DOC20/418954 that show the details.

## 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 4 or 5 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 4 or 5 in Condition P1.4.

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- 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 4 or 5 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 4 or 5 in Condition P1.4.
- L4.5 The licensee shall only carry out blasting on site between 9am and 5pm, Monday to Saturday (EST) inclusive, and 9am to 6pm Monday to Saturday (DST) inclusive. No blasting is allowed on Sundays, public holidays or any other time without written approval of the Secretary of Planning.
- L4.6 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.*

## 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.



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- 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 the emission of dust from the premises.

## 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

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

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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 Waste management

O6.1 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 heavy Plant waste tyres are laid flat with a maximum of 10 tyres per site and a minimum distance of 10m between sites;
- c) 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;
- d) place heavy Plant waste tyres at least 10m away from coarse reject material or tailings emplacement areas;
- e) not place any heavy Plant waste tyres near heated material or carbonaceous material; and
- f) not place any heavy Plant waste tyres in an area likely to leach to any water-course.

## O7 Other operating conditions

O7.1 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.

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.

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## 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 14,15

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

M2.3 Air Monitoring Requirements

### POINT 12,13

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

M2.4 Special Method 1 requires the Licensee to undertake the monitoring of PM<sub>10</sub> concentration in strict accordance with the manufacturer's operating manual supplied with the continuous monitoring equipment and titled "EBAM Particulate Monitor Operation Manual E-BAM-9800 REV M", or any updated version as supplied by the manufacturer.

## 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

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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

## 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.

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## 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 L3.1, L3.2, L3.3 and L3.4:
- Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 4 and 5 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

## M8 Other monitoring and recording conditions

### Requirement to Monitor Particulate Matter

- M8.1 The Licensee must record the average PM10 concentration at Monitoring Points 12 and 13 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 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.



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## POINT 7,8,9,10,11

Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period
Night	Monthly	15 minutes	1 operation day

M9.2 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 7,8,9,10 & 11 identified in P1.4 and at supplementary EPA point 18 if noise contributions from the mine cannot be determined; 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.

M9.3 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 L.3.4 and condition M9.

M9.4 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

### 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.



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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.

## 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

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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:

- the cause, time and duration of the event;
- the type, volume and concentration of every pollutant discharged as a result of the event;
- 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;
- 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;
- action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- 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

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 the EPA within seven days of the date of the notification. The information can be emailed.

### Blast Exceedance Notification and Reporting

R4.3 The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any Licence blast limit exceedance.

R4.4 Within seven days of notifying the EPA of an exceedance of Licence 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.

### Noise Exceedance Notification and Reporting

R4.5 The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any Licence noise limit exceedances.

R4.6 Within seven days of notifying the EPA of an exceedance of Licence noise limits, the Licensee must

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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.

- R4.7 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 R4.6. The Licensee must provide such further details to the EPA within the time specified in the request.

## R5 Other reporting conditions

### Noise Compliance Assessment Report

- R5.1 A report containing the monitoring results of noise compliance monitoring specified in this Licence must be submitted annually with the Annual Return as set out in Condition R1.

The noise compliance report shall include the contribution noise from the premises as measured or determined at the monitoring location(s). The method used to determine the contribution noise level from the premises shall be clearly described and shall be consistent with the Noise Policy for Industry.

### Blast Monitoring Compliance Report

- R5.2 The results of 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

- R5.3 The sewage treatment system maintenance program required by condition O2.6 must be submitted annually to the EPA with the Annual Return.

- R5.4 The Licensee must retain a copy of each report required by Condition O2.5 for three years from the date each record is made.

### 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.

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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 Other general conditions

#### G2.1 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.	13-July-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 land	31-March-2015

## 8 Special Conditions

### E1 Ambient Water Quality Monitoring

- E1.1 The Licensee must provide the EPA by 30 March 2021:



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- a) a plan of the premises with the location of ambient water quality monitoring sites. The plan must contain the location of the monitoring sites in easting and northings and a legend referencing the sites; and
- b) a list of the ambient water quality analysis undertaken by the Licensee that includes the monitoring intervals.

(note: The Licensee does not need to supply the location of rain event monitoring sites, but the list must be consistent with the approved water management plan in place at the time for the premises.)

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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

Mr Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 03-April-2008

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## End Notes

- 1 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 2 Licence varied by notice 1100316, issued on 01-May-2009, which came into effect on 01-May-2009.
- 3 Licence varied by notice 1104340, issued on 27-Nov-2009, which came into effect on 27-Nov-2009.
- 4 Licence varied by notice 1113283, issued on 19-Apr-2010, which came into effect on 19-Apr-2010.
- 5 Licence varied by notice 1501215 issued on 21-Dec-2011
- 6 Licence varied by notice 1510491 issued on 21-Mar-2013
- 7 Licence varied by notice 1516178 issued on 05-Sep-2013
- 8 Licence varied by notice 1522195 issued on 16-Oct-2014
- 9 Licence varied by notice 1530224 issued on 04-May-2015
- 10 Licence varied by notice 1531463 issued on 09-Jul-2015
- 11 Licence varied by notice 1532884 issued on 20-Aug-2015
- 12 Licence varied by notice 1538549 issued on 31-Mar-2016
- 13 Licence varied by notice 1546860 issued on 11-Jan-2017
- 14 Licence varied by notice 1551665 issued on 26-Jul-2017
- 15 Licence varied by notice 1555277 issued on 17-Aug-2017
- 16 Licence varied by notice 1588192 issued on 11-Feb-2021