

Environment Protection Licence

Licence - 1967

Licence Details

Number:	1967
Anniversary Date:	28-January

Licensee

PORT OF NEWCASTLE OPERATIONS PTY LIMITED

PO BOX 790

NEWCASTLE NSW 2300

Premises

NEWCASTLE BULK TERMINAL

HERON ROAD

KOORAGANG NSW 2304

Scheduled Activity

Shipping in bulk

Fee Based Activity

Shipping in bulk

Scale

> 500000 T of annual capacity to load and unload

Contact Us

NSW EPA

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12 Darcy Street

PARRAMATTA NSW 2150

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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:

PORT OF NEWCASTLE OPERATIONS PTY LIMITED
PO BOX 790
NEWCASTLE NSW 2300

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
Shipping in bulk	Shipping in bulk	> 500000 T of annual capacity to load and unload

A2 Premises or plant to which this licence applies

- A2.1 The licence applies to the following premises:

Premises Details
NEWCASTLE BULK TERMINAL
HERON ROAD
KOORAGANG
NSW 2304
<p>PREMISES BOUNDED BY THE AREA MARKED AND SHOWN AS "K2 & K3 EPA BOUNDARY" ON SHEETS 1 AND 2 OF THE PLAN TITLED "EPA LICENSE NO.1967 OF KOORAGANG NO.2 & NO.3" PREPARED BY ADW JOHNSON, VERSION V DATED 7/12/2017 ("THE PLAN") (EPA REF. DOC17/624432). THE PREMISES INCLUDES THE AREAS MARKED AND SHOWN ON THE PLAN AS "OVER WATER OPERATIONAL AREA" BUT ONLY DURING EPL 1967 SHIPPING IN BULK OPERATIONS.</p> <p>THE PREMISES EXCLUDES THE AREAS MARKED AND SHOWN ON THE PLAN AS "PARK FUEL'S PIPELINE BELOW GROUND"; "PARK FUEL'S PIPELINE ABOVE GROUND"; "PARK FUEL'S TEMPORARY FLEXIBLE HOSE" (ONLY WHEN USED DURING SHIP DISCHARGE OPERATIONS); "KOORAGANG BULK FACILITIES AND CONVEYOR"; "CEMENT AUST. LEASE"; "ORICA PIPELINE"; "CEMENT AUST. LAND & PIPELINE"; "CARGILL AUSTRALIA LEASE AND PIPELINE"; "QUBE CONVEYOR AND AGRICULTURE LOADER"; AND, "INCITEC PIVOT".</p>

A3 Information supplied to the EPA

- A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

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

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table 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
1	Discharge quality monitoring Discharge to waters	Discharge quality monitoring Discharge to waters	Discharge from First Flush Pit to the South Arm of the Hunter River, marked and shown as "Point 1 - EPA Flush Tank Water Outlet Test Location" and "K2 EPA Point 1" on the Plan.
3	Discharge quality monitoring Discharge to waters	Discharge quality monitoring Discharge to waters	Discharge to bio-filtration pit marked and shown as "Point 1 - EPA Bio-Filtration Monitor Pit" and "K3 EPA Point 1" on the Plan.

P1.2 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
2	Meteorological Station	Anemometer located on top of the amenities block at the Kooragang No. 3 berth.

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

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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 generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.
- L2.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.

L3 Potentially offensive odour

- L3.1 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.
- L3.2 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

L4 Other limit conditions

Wind direction and speed limits for loose bulk cargo operations

- L4.1 Loose bulk cargo operations must cease for a period of at least 15 minutes:
- if the wind is blowing within the sector + or – 90 degrees of true west; and
 - if the average wind speed exceeds 10 metres per second for a five minute period, or
 - if a wind gust exceeds 12 metres per second.

After loose bulk cargo operations have ceased, they must not recommence until the above wind direction and speed limits are not exceeded in the preceding 15-minute time period.

- L4.2 The wind speed restrictions specified in this licence do not apply when:

- loose bulk cargo is loaded or unloaded using methods approved in writing by the EPA for specific cargo(s);
- loose bulk cargo is loaded or unloaded when dust control systems are operating.

- L4.3 The wind direction and speed limits specified in this licence do not apply when the following loose bulk cargos are being loaded or unloaded at the premises:

- Cotton seed pellets;
- Ferro-alloys;

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- c) Magnetite;
- d) Mineral sands;
- e) Nut coal;
- f) Urea granules;
- g) Wet silica sands; and
- h) Whole soya beans.

Metals Concentrates

- L4.4 The licensee must not receive, store, load or unload Copper, Lead, or Zinc concentrates at the premises.

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.

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

- O3.3 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

O4 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must be developed in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations. The licensee must keep the incident response plan on the premises at all times. The incident response plan must

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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 PIRMP must be tested at least annually or following a pollution incident.

O5 Waste management

- O5.1 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time.
- O5.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

O6 Other operating conditions

Wharf deck loading and unloading requirements

- O6.1 Loose bulk cargo to be unloaded onto or loaded from the wharf deck must be fully contained to prevent dust emissions and pollution of waters.
- O6.2 Loose bulk cargo must not be stockpiled on the wharf deck for a period exceeding 24 hours prior to the commencement of loose bulk cargo loading operations or for a period exceeding 24 hours after the completion of loose bulk cargo unloading operations.

Tracking of Materials

- O6.3 The licensee must ensure that activities are conducted in an environmentally satisfactory manner. So as to minimise and prevent the pollution of air and water the licensee must:
- Ensure that vehicles or containers prior to leaving the premises are clean and sealed in a manner that will not cause materials or wastes used in conducting the activities at the premises to be tracked, thrown from, blown, fall, or cast from any vehicle or container onto a public road.
 - The licensee must have in place and implement procedures to ensure that vehicles and containers exiting the premises are in a condition to ensure that materials are not tracked, thrown, blown, fall or cast onto a public road.

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:
- in a legible form, or in a form that can readily be reduced to a legible form;
 - kept for at least 4 years after the monitoring or event to which they relate took place; and
 - produced in a legible form to any authorised officer of the EPA who asks to see them.

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

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

M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Water and/ or Land Monitoring Requirements

POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

POINT 1,3

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Aluminium (total)	milligrams per litre	Monthly during discharge	Grab sample
Ammonia	milligrams per litre	Monthly during discharge	Grab sample
Arsenic (dissolved)	milligrams per litre	Special Frequency 1	Grab sample
Arsenic (total)	milligrams per litre	Special Frequency 1	Grab sample
Cadmium (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Cadmium (total)	milligrams per litre	Monthly during discharge	Grab sample
Lead (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Lead (total)	milligrams per litre	Monthly during discharge	Grab sample
Mercury (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Mercury (total)	milligrams per litre	Monthly during discharge	Grab sample
Nitrate	milligrams per litre	Monthly during discharge	Grab sample

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Nitrite	milligrams per litre	Monthly during discharge	Grab sample
Nitrogen (total)	milligrams per litre	Monthly	Grab sample
pH	pH	Monthly during discharge	Grab sample
Phosphate	milligrams per litre	Monthly during discharge	Grab sample
Phosphorus (dissolved reactive)	milligrams per litre	Monthly during discharge	Grab sample
Phosphorus (total)	milligrams per litre	Monthly during discharge	Grab sample
Sulfate	milligrams per litre	Monthly during discharge	Grab sample
Sulfide (total)	milligrams per litre	Monthly during discharge	Grab sample
Sulfur	milligrams per litre	Monthly during discharge	Grab sample
Total Kjeldahl Nitrogen	milligrams per litre	Monthly during discharge	Grab sample
Zinc (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Zinc (total)	milligrams per litre	Monthly during discharge	Grab sample

Note: For the purpose of the table above Special Frequency 1 means monitoring once a month during discharge, however only once proceeding each occasion that sulphate of ammonia is handled at the premises.

M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 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 2

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Wind Speed at 10 metres	Special Method 1	metres per second	-	Continuous
Wind Direction at 10 metres	Special Method 1	Degrees	-	Continuous

M4.2 For the purposes of the table above Special Method 1 means monitoring using an anemometer.

M4.3 The controls of the anemometer used to monitor wind direction and speed as required by conditions M4.1 and M4.2 must not be over-riden at any time during loose bulk cargo operations on the premises except for the time when loose cargo is being loaded or unloaded as specified in condition L4.2 and L4.3.

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.

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M7 Other monitoring and recording conditions

Requirement to record the transfer of the occupation of the berths

M7.1 The licensee must record details of when (i.e. time and date) the occupation of either the Kooragang No. 2 Berth or Kooragang No. 2.5 Berth or Kooragang No. 3 Berth is transferred to another person. The licensee must record details of the name and telephone contact of the person that the berth is transferred to.

Requirement to record shipping and cargo information

M7.2 For the loading and discharge of cargo from ships carried out under the licence, the licensee must record the following information.

- a) The time and date that the ship was berthed.
- b) The location where the ship was berthed (i.e. Kooragang No. 2, Kooragang No. 2.5 or Kooragang Berth).
- c) The name of the ship.
- d) A description of the cargo and tonnage loaded/discharged.
- e) The owner and agent of the cargo.
- f) An assessment of the capacity of the cargo to generate dust during loading/discharge activities.
- g) Dust control measures for the loading/discharge of the cargo.

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.

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

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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 they became aware of the incident.

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

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

a) where this licence applies to premises, an event has occurred at the premises; or

b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA

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within such time as may be specified in the request.

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

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

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

R4 Other reporting conditions

Annual Return reporting of exceedence of wind direction and speed limits

- R4.1 The licensee must supply with each Annual Return, a Wind Direction and Speed Monitoring Report which must include the following information:
- a) the date and times during which the wind direction and speed limits specified in condition L4.1 were exceeded during loose bulk cargo operations;
 - b) the dates and times during which the anemometer was by-passed or overridden and a description of the type of loose bulk cargo being unloaded during each anemometer by-pass or override; and
 - c) an explanation of why, and the dates and times when, the anemometer was not working.

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 nominate to the EPA a representative of the licensee that is available at all times and is

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capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including their telephone number, must be current at all times. The nomination and contact details must be provided to the EPA by email at RegOps.MetroRegulation@epa.nsw.gov.au or by post at PO Box 488G, Newcastle NSW 2300.

G3 Other general conditions

G3.1 Completed Programs

Program	Description	Completed Date
PRP 1 - Dust Minimisation Works	Investigation and implementation of revised procedures and systems to minimise and prevent the emission of dust from the loading and discharge of vessels.	05-November-2013
PRP 2 - Stormwater Improvement Program	Monitoring program to characterise stormwater discharge quality to select and install an improved treatment system for the purpose of preventing the pollution of waters.	31-December-2015
PRP 3 - Surface Water Scoping and Options Study	Scoping of existing surface water management practices and identification of options for the capture and treatment of surface water runoff at the premises.	23-December-2016
PRP 4 - Investigation of Collaborative Stormwater Management Improvement Works	Investigation of collaborative works to improve the quality of stormwater discharges.	22-December-2017
PRP 5 - Investigation of Loose Bulk Cargo Handling Controls	Investigation of the effectiveness of existing environmental controls associated with loose bulk cargo handling operations; and, the trial of options to prevent the pollution of waters.	29-June-2018
PRS 6 - Investigation of Collaborative Stormwater Management Improvement Works - Phase 2	Hydrodynamic investigation to understand the cumulative impacts of stormwater discharges from the premises and the neighbouring Incitec Pivot Limited facility to the Hunter River, with a view to minimising and preventing stormwater discharges polluting waters.	29-April-2019
PRS 8 - Investigation of Collaborative Stormwater Management Improvement Works - Closed Transfer Systems	Investigation into the use of closed systems (rather than vehicles and heavy plant) to transfer fertilisers and any other high-nutrient materials from the premises to receiving sites located on Kooragang Island.	21-May-2021

8 Pollution Studies and Reduction Programs

U1 Pollution Reduction Study (PRS) 7 - Review of Stormwater Management Improvements

U1.1 Background

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Studies into Hunter River water quality have shown that whilst it has improved in recent years, more work needs to be done. Reductions in nutrient pollution to the Hunter River from licensed premises is a focus for the EPA. The licensee handles materials like fertilisers that are high in nutrients.

A Hunter River Estuary modelling exercise conducted by the licensee indicates that industrial discharges are not quickly flushed out to sea with the tides. The modelling indicates that the tidal cycle merely disperses and thus dilutes the pollutants rather than transporting them to the ocean and the overall load of the pollutants is largely retained in the estuary systems. It is therefore important that premises continue to reduce pollutant discharges to the Hunter River.

In recent years the licensee has implemented a range of actions that should have resulted in reductions in pollutant loads to the Hunter River. The most recent proposed change is the introduction of a considerably more efficient and effective unloading crane. The aim of this Pollution Reduction Study (PRS) is to quantify the changes in loads of key nutrients over time and how actions at the premises have impacted pollutant loads. An aim of this PRS is also to identify any further improvement works or actions that could be implemented at the premises to continue to reduce pollutant loads discharged.

Deliverables

Following practical completion of commissioning of the unloader, the licensee must review stormwater discharge quality. The review must include, but is not limited to:

- a) A twelve-month stormwater discharge quality monitoring program, to be commenced following practical completion of commissioning of the unloader.
- b) A year by year review of stormwater quality and loads discharged from the premises since 2015 compared with the twelve-month monitoring program identified in (a) above. At a minimum the review must consider cargo handled, rainfall and nutrient discharge loads (total nitrogen, total phosphorous, ammonia).
- c) An explanation of any trends in stormwater discharge quality, including with reference to any infrastructure improvements completed or changed work practices implemented at the premises.

A report detailing the review, its findings, recommendations for any further improvement works and timeframes for the implementation of any recommendations must be submitted to the EPA at RegOps.MetroRegulation@epa.nsw.gov.au.

Date for completion: **15 months after the date of practical completion of commissioning of the unloader.**

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Dictionary

General Dictionary

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

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



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

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 23-February-2000

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End Notes

- 1 Licence varied by notice 1004513, issued on 27-Feb-2001, which came into effect on 24-Mar-2001.
- 2 Licence varied by notice 1007361, issued on 16-May-2001, which came into effect on 10-Jun-2001.
- 3 Licence varied by notice 1017672, issued on 06-Sep-2002, which came into effect on 01-Oct-2002.
- 4 Licence varied by notice 1029802, issued on 03-Nov-2003, which came into effect on 03-Nov-2003.
- 5 Licence transferred through application 144896, approved on 03-May-2007, which came into effect on 01-May-2007.
- 6 Licence varied by notice 1077212, issued on 19-Sep-2007, which came into effect on 19-Sep-2007.
- 7 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 8 Licence varied by notice 1503995 issued on 01-Feb-2012
- 9 Licence transferred through application 1504510 approved on 22-Feb-2012 , which came into effect on 25-Feb-2012
- 10 Licence format updated on 27-Feb-2012
- 11 Licence varied by notice 1514225 issued on 16-Oct-2013
- 12 Licence varied by notice 1518709 issued on 06-Dec-2013
- 13 Licence transferred through application 1520256 approved on 27-Feb-2014 , which came into effect on 28-Feb-2014
- 14 Licence varied by notice 1524180 issued on 12-Sep-2014
- 15 Licence varied by notice 1528566 issued on 27-Feb-2015
- 16 Licence fee period changed by notice 1531722 on 11-Jul-2015
- 17 Licence varied by notice 1540630 issued on 12-Jul-2016
- 18 Licence varied by notice 1549460 issued on 14-Mar-2017
- 19 Licence varied by notice 1559951 issued on 18-Dec-2017
- 20 Licence varied by notice 1570722 issued on 16-Nov-2018
- 21 Licence varied by notice 1577716 issued on 26-Mar-2019
- 22 Licence varied by notice 1593324 issued on 24-Aug-2020
- 23 Licence varied by notice 1614130 issued on 10-Dec-2021



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