

Environment Protection Licence

Licence - 21529

Licence Details

Number:	21529
Anniversary Date:	02-June

Licensee

AUSTRALIAN INDUSTRIAL ENERGY PTY LTD

PO BOX 1070

WOLLONGONG NSW 2500

Premises

PORT KEMBLA GAS TERMINAL

INNER AND OUTER HARBOUR

PORT KEMBLA NSW 2505

Scheduled Activity

Chemical storage

Contaminated soil treatment

Crushing, grinding or separating

Fee Based Activity

Scale

Contaminated soil treatment	Any annual handling capacity
Crushing, grinding or separating	> 30000-100000 T annual processing capacity
Petroleum products storage	> 100000 kL storage capacity

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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:

AUSTRALIAN INDUSTRIAL ENERGY PTY LTD
PO BOX 1070
WOLLONGONG NSW 2500

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 development work listed below at the premises listed in A2.

There are three stages to the scheduled development works of which the following stages are authorised by this licence:

The stages are outlined at Licence Condition A1.2.

A1.2 Stage 1: Early enabling works and demolition of existing infrastructure and wharf at Berth 101, transport of material to stockpile area in Outer Harbour

Stage 2A: Land based activities – completion of excavation and stockpiling works undertaken during Stage 1, construction of new wharf and other land based facilities within Inner Harbour

Stage 2B: Marine based activities – continuation of Stage 2A, excavation/ dredging activities, reclamation of material into the emplacement cell in Outer Harbour.

A1.3 Note that Stage 1 works also includes stockpiling of excavated material from Berth 101 at the following locations:

- Berth 101; and
- Outer Harbour

at locations shown in the latest version of the Erosion and Sediment Control Plan (as viewed by the EPA). The Licensee must ensure any works undertaken in accordance with this condition are in compliance with Licence Condition O5.1.

A1.4 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
Contaminated soil treatment	Contaminated soil treatment	Any annual handling capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 30000 - 100000 T annual processing capacity
Chemical storage	Petroleum products storage	> 100000 kL storage capacity

A1.5 Until such time as the scheduled development works are completed, Licence Condition A1.1 supersedes Licence Condition A1.4.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

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Premises Details
PORT KEMBLA GAS TERMINAL
INNER AND OUTER HARBOUR
PORT KEMBLA
NSW 2505
LOT 22 DP 1128396, LOT 8 DP 1154760, LOT 70 DP 1182824
BERTH 101: LOT 22 DP 1128396, LOT 8 DP 1154760, LOT 70 DP 1182824. ALSO INCLUDES OUTER HARBOUR AREAS AS APPROVED UNDER INFRASTRUCTURE APPROVAL NO SSI 9471 (AND SUBSEQUENT MODIFICATIONS).

A2.2 For the purposes of this licence, the premises is defined by the most recent premises map(s) held on EPA Electronic File EF21/2792 and approved in writing by the EPA.

A2.3 Premises map(s) changes as a result of scheduled land portion handover, land portion surrenders, land portion additions and any other changes are permitted to be altered through this condition.

Any proposed variations to the premises must:

- be submitted to the EPA in electronic format;
- be clearly described in writing;
- include a complete map set containing unique identifiers for revision number, map sheet numbers and issue date;
- be submitted to the EPA no less than 5 business days prior to the date of the scheduled land portion handover, land portion surrenders, land portion additions or any other changes; and
- demonstrate environmental impacts in relation to any changes have been considered and can be managed in an appropriate manner

A2.4 The approved premises map(s) must be available for public viewing on the licensee's project website, or a related website approved in writing by the EPA, no more than 3 business days after the approval of the maps by the EPA.

A3 Other activities

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

Ancillary Activity
General chemicals storage

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:

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

A4.2 Unless specifically stated by another condition of this licence, Environmental Management Plans or systems supplied to the EPA by the licensee do not form part of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

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

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
8	Ambient Air Monitoring - High Volume Air Sampler & Dust Deposition		Northern boundary of the premises, adjacent the southern boundary of Port Kembla Coal Terminal
9	Dust Trak real time dust monitoring		Northern boundary of the premises, adjacent the southern boundary of Port Kembla Coal Terminal
10	Ambient Air Monitoring - High Volume Air Sampler & Dust Deposition		Southern boundary of Berth 101
11	Dust Trak real time dust monitoring		Southern boundary of Berth 101
12	Ambient Air Monitoring - High Volume Air Sampler & Dust Deposition		Southern side of emplacement area, Outer Harbour
13	Dust Trak real time dust monitoring		Southern side of emplacement area, Outer Harbour
14	Ambient Air Monitoring - High Volume Air Sampler & Dust Deposition		Eastern side of emplacement area, Outer Harbour
15	Dusk Trak real time dust monitoring		Eastern side of emplacement area, Outer Harbour
22	Ambient Air Monitoring - High Volume Air Sampler & Dust Deposition		Northern side of emplacement area, Outer Harbour
23	Dusk Trak real time dust monitoring		Northern side of emplacement area, Outer Harbour

P1.2 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.

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Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Primary/Impact works area receiver - Water Quality - WQM 1		North of Berth 101
16	Primary/Impact works area receiver - Water Quality - WQM 2		North of the emplacement cell, Outer Harbour. No more than 20m from emplacement cell silt curtain
17	Primary/Impact works area receiver - Water Quality - WQM 3		South West of Berth 101
18	Background Water Quality - WQM 4		Near the Pacific Ocean entrance to Outer Harbour
19	Background Water Quality - WQM 5		Near entrance to Allans Creek, near Bluescope Steel
20	Wet weather discharge quality monitoring	Wet weather discharge quality monitoring	Berth 101 - Southern Pond. E307103, N6184594
24	Ambient Monitoring		Mobile monitoring point within 5metres of the outermost silt curtain near Berth 101

P1.3 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
21	Meteorological Station	

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 Load limits

L2.1 The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.

Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

L2.2 The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation

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protocol.

Assessable Pollutant	Load limit (kg)
Benzene (Air)	
Volatile organic compounds (Air)	

L3 Concentration limits

- L3.1 For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.
- L3.4 Water and/or Land Concentration Limits

POINT 20

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible	N/A	N/A	N/A	Not Visible
Total suspended solids	milligrams per litre	N/A	N/A	N/A	50

- L3.5 Trigger levels for ambient monitoring - Point 24

Pollutant	Units of Measure	Trigger Level
Total Suspended solids	Milligrams per litre	Background (BG) + 50

Note: Note 1: If the licensee uses Turbidity (NTU) in place of Total Suspended Solids (TSS), the licensee must develop a statistical correlation between NTU and TSS for water quality in order to determine the NTU equivalent of 50 milligrams per litre TSS. The licensee must develop and implement a method approved by the EPA to enable the ongoing verification of the relationship between NTU and TSS. In the absence of this correlation the turbidity value equivalent to 50 milligrams per litre TSS is 50 NTU.

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Note 2: For the purposes of the table above, (BG Level + 50) is defined as the average of the two Total Suspended Solids samples obtained at EPL Points 1, 17 and 18 (collected in the time period of 30mins before and after the grab sampling event) plus 50 mg/L.

Note 3 - The concentration limits specified for TSS do not apply when an exceedance can be directly attributed to rainfall run-off or re-suspension of bottom sediments caused by shipping movements. Ship movements do not include vessels associated with this licence.

L4 Potentially offensive odour

L4.1 The licensee must not cause or permit the emission of offensive odour beyond the premises boundary.

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.

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 that minimises and/or prevents the emission of dust from the premises at all times.

O3.2 Trucks entering and leaving the premises (including travelling between non-contiguous areas of the premises) that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

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O4 Processes and management

- O4.1 The licensee must implement all feasible and reasonable erosion and sediment controls as may be necessary throughout the life of construction works and activities to minimise sediment leaving the premises
- O4.2 The licensee must ensure erosion and sediment controls are designed (stability, location, type and size), constructed, operated and maintained in accordance with Managing Urban Stormwater – Soils and Construction, Volume 1, 4th Edition (Landcom, 2004).

Note: the licensee may consider guidance from other industry best practice documents if it can demonstrate the guidance will provide improved outcomes for the environment and meet the requirements of condition L1.1 of this licence.

- O4.3 The licensee must ensure:
- a) all vehicular access points to the premises are designed, constructed, maintained and stabilised to minimise tracking of materials onto public roads and to ensure all-weather entry and exit.
 - b) mud, splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer, motorised plant and equipment leaving the premises, is removed to the greatest extent practicable before it leaves the premises
- O4.4 All erosion and sediment control measures on the premises must be inspected and works undertaken to repair and/or maintain these controls:
- a) weekly during normal construction hours;
 - b) daily during periods of rainfall; and
 - c) within 24 hours of cessation of a rainfall event causing runoff to occur on or from the premises.

The Licensee must record all such inspections including observations and works undertaken to repair and/or maintain erosion and sediment controls

- O4.5 The southern pond in Berth 101 must be maintained to ensure that sedimentation does not reduce their capacity by more than 20% of the design capacity.
- O4.6 Silt curtains must be installed and operated at the premises to minimise the pollution of waters beyond the boundary of the premises during any marine based works. Marine based works includes but is not limited to: pile removal; or any dredging; or construction of the Outer Harbour emplacement cell.
- O4.7 Marine silt curtains must be installed to ensure there are no gaps in the installation.
Note: Marine silt curtain includes both fabric and/or bubble type construction.
- O4.8 There must be no spillages of any materials from above the water surface into waters outside of the silt curtain/s.
- O4.9 The silt curtain/s may only be removed following the prior written approval of the EPA.
- O4.10 Vessels used for the transport of dredge spoil from the dredge site to the Outer Harbour stockpile area must not leak or release dredge spoil into waters en-route.

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- O4.11 All dredgers and associated vessels must have their ballast & bilge water pumped out prior to arriving in Port Kembla Harbour.
- O4.12 The licensee must continue to treat water from the southern ponds in Berth 101 prior to discharge from Licensed Discharge Point 20. The treatment method must be provided in writing to the EPA and cannot be changed without EPA approval.

O5 Waste management

- O5.1 Excavated material and/or dredged spoil must not stockpiled in Outer Harbour unless it will be re-used within the proposed Outer Harbour emplacement cell.
- O5.2 Stockpiles of material excavated from and stored at the Berth 101 premises must be:
- used on-site as backfill or;
 - used for emplacement cell construction or;
 - managed as agreed by the EPA in writing or;
 - disposed of offsite to a facility licensed to accept the material, prior to the commencement of project operations.

O6 Other operating conditions

- O6.1 Any material that is proposed to be crushed or grinded or screened at the premises must not contain any asbestos.
- O6.2 Excavated material will need an asbestos clearance certificate from a third party licensed asbestos assessor prior to being crushed or grinded or screened.
For the purposes of the condition above, 'excavated material' excludes raw slag, concrete or basecourse.

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 Air Monitoring Requirements

POINT 8,10,12,14,22

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AS/NZS 3580.10.1:2016
Total suspended particles	micrograms per cubic metre	Special Frequency 1	AM-15

POINT 9,11,13,15,23

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

Note: Special Frequency 1 means for a 24 hour period every 6 days.

M2.3 Water and/ or Land Monitoring Requirements

POINT 1,16,17,18,19

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	micrograms per litre	Weekly	Grab sample
Arsenic (dissolved)	micrograms per litre	Weekly	Grab sample
Cadmium (dissolved)	micrograms per litre	Weekly	Grab sample
Chromium (dissolved)	micrograms per litre	Weekly	Grab sample
Cobalt (dissolved)	micrograms per litre	Weekly	Grab sample
Copper (dissolved)	micrograms per litre	Weekly	Grab sample
Dissolved Oxygen	percent	Special Frequency 1	Special Method 1
Electrical conductivity	microsiemens per centimetre	Special Frequency 1	Special Method 1
Lead (dissolved)	micrograms per litre	Weekly	Grab sample

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Mercury (dissolved)	micrograms per litre	Weekly	Grab sample
Nickel (dissolved)	micrograms per litre	Weekly	Grab sample
pH	pH	Special Frequency 1	Special Method 1
Polycyclic aromatic hydrocarbons	micrograms per litre	Weekly	Grab sample
Temperature	Celsius	Special Frequency 1	Special Method 1
Tributyltin	micrograms per litre	Weekly	Grab sample
TSS	micrograms per litre	Weekly	Grab sample
Turbidity	nephelometric turbidity units	Special Frequency 1	Special Method 1
Zinc (dissolved)	micrograms per litre	Weekly	Grab sample

POINT 20

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Arsenic (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Cadmium (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Chromium (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Cobalt (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Copper (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Lead (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Mercury (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Nickel (dissolved)	micrograms per litre	Daily during any discharge	Grab sample
Oil and Grease	Visible	Daily during any discharge	Visual Inspection
pH	pH	Daily during any discharge	Grab sample
Polycyclic aromatic hydrocarbons	micrograms per litre	Daily during any discharge	Grab sample
Tributyltin	micrograms per litre	Daily during any discharge	Grab sample
TSS	micrograms per litre	Daily during any discharge	Grab sample
Zinc (dissolved)	micrograms per litre	Daily during any discharge	Grab sample

POINT 24

Pollutant	Units of measure	Frequency	Sampling Method
Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample

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M2.4 For the purposes of the above table:

1. Special Method 1 means parameters are recorded from automated monitoring buoys.
2. Special Frequency 1 means parameters requiring monitoring at 15 minute median intervals.
3. Special Frequency 2 means at least once daily when dredging and/or support pile removal is being undertaken. The licensee may vary the monitoring frequency to suit their varying aspects of work, with the prior written consent of the EPA.

M2.5 Water quality parameter probes on the Automated water quality buoys must be calibrated in accordance with manufacturer instructions , or relevant Australian Standards, whichever is more frequent.

M2.6 In the event that monitoring detects an exceedance of the total suspended solids/turbidity trigger level at monitoring point 24 of this licence, the licensee must:

- (a) Enact their Trigger Action Response Plan (TARP); and
- (b) Continue monitoring until the results are within the limits; and
- (c) Notify the EPA in accordance with the notification provisions of this licence, including condition R4.1.

Note: Enactment of the TARP requires ongoing checking and monitoring of water quality in addition to implementation of the following in sequential order:

- Locate the source of the pollution.
- Check and correct environmental controls as required.
- Modification of current activities/practices attributing to elevated suspended solids.
- Where required, cease associated works to prevent more than a localised water quality impact, and to prevent an exceedance at licensed water quality monitoring locations.

M3 Testing methods - concentration limits

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

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

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2021* 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 Testing methods - load limits

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Note: Division 3 of the *Protection of the Environment Operations (General) Regulation 2021* requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.

M5 Environmental monitoring

Port Kembla Harbour Water Quality and Ecological Monitoring Program

M5.1 The licensee must implement the Port Kembla Harbour Ecological Health Monitoring Program and associated reporting as per the GHD / AIE proposal dated September 2021, Rev G (EPA reference DOC21/864104-1).

Note: the initial monitoring frequency is specified in the above proposal, from a baseline event to the first year of operation. Following the first operational report, the ongoing monitoring frequency will then be determined by the EPA in consultation with the licensee.

M6 Weather monitoring

M6.1 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 21

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Wind Speed	AM-2 & AM-4	metres per second	15 minutes	Continuous
Rainfall	AM-1 & AM-4	millimetres per hour	1 hour	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees in a clockwise direction from True North	1 hour	Wind Direction

M6.2 The licensee must monitor and record temperature, humidity, wind direction, wind velocity and rainfall at either the project weather station, or through analysis of equivalent weather information obtained from the Australian Bureau of Meteorology.

Monitoring must:

- be representative of the catchment;
- be undertaken prior to any works that may cause sediment or dust to leave the premises; and
- continue to be operated until soil disturbance activities cease at the premises and the site has been stabilised.

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M7 Recording of pollution complaints

- M7.1 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.
- M7.2 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.
- M7.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M7.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M8 Telephone complaints line

- M8.1 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.
- M8.2 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.
- M8.3 The preceding two conditions do not apply until 1 month after the date of the issue of this licence.

M9 Requirement to monitor volume or mass

- M9.1 The licensee must record the volume of material that is crushed or grinded at the premises.

M10 Other monitoring and recording conditions

- M10.1 The licensee must carry out, as a minimum, daily inspections of all water pollution control measures required by this licence. A record of each inspection must be made and produced to an EPA authorised officer if requested. The record must include:
- a) Date and time of inspection;
 - b) Details of the location of dredging operations;
 - c) Condition of silt curtains and other water pollution controls.
- Note: No movement of dredge spoil is permitted when a silt curtain required by this licence has not been maintained or is not achieving the requirements of this licence.

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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 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 Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:

- a) the assessable pollutants for which the actual load could not be calculated; and

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b) the relevant circumstances that were beyond the control of the licensee.

R1.7 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.

R1.8 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.

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.

R2.2 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.

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

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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

Water TARP Exceedence reporting requirements

- R4.1 If there is an exceedence of the trigger level for Point 24 as described in Conditions L3.5 and L3.6, then the licensee must submit a Water Quality Impact Report to the EPA by 4pm the following working day.
- R4.2 The Water Quality Impact Report described in Condition R4.1 must:
- include all water monitoring results (including background results from monitoring buoys Point 1, Point 16, Point 17, Point 18 and Point 19) obtained between 2 hours before and after the water quality trigger level in Condition L3.5 was exceeded; and
 - provide an interpretation of those results; and
 - detail the site management response.
- R4.3 The Water Quality Impact Report described in Condition R4.2 must be submitted electronically to the Unit Head, EPA, Regulation Operations Metro South at RegOps.MetroRegulation@epa.nsw.gov.au

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.

8 Special Conditions

E1 Emplacement Cell Report

- E1.1 Condition of consent No. 8 for the project (SSI 9471) requires that an emplacement cell report (report) is prepared to the satisfaction of the Planning Secretary prior to the commencement of dredging, disposal and emplacement activities.

The licensee must provide a Emplacement Cell report (Report) to the EPA for comment. The report must be provided to the EPA at least four weeks prior to commencement of dredging disposal and emplacement activities.

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E2 Pollution Incident Response Management Plan (PIRMP)

- E2.1 The Licensee must prepare a 'Pollution Incident Response Management Plan' (PIRMP) that complies with Part 5.7A of the POEO Act (1997) in relation to the activity to which the licence relates. The PIRMP must be in the form required by the 'Regulations' and include the following:
- the procedures to be followed by the holder of the relevant environment protection licence, or the occupier of the relevant premises, in notifying a pollution incident to:
 - (i) the owners or occupiers of premises in the vicinity of the premises to which the environment protection licence or the direction under section 153B relates, and
 - (ii) the local authority for the area in which the premises to which the environment protection licence or the direction under section 153B relates are located and any area affected, or potentially affected, by the pollution, and
 - (iii) any persons or authorities required to be notified by Part 5.7,
 - a detailed description of the action to be taken, immediately after a pollution incident, by the holder of the relevant environment protection licence, or the occupier of the relevant premises, to reduce or control any pollution,
 - the procedures to be followed for co-ordinating, with the authorities or persons that have been notified, any action taken in combating the pollution caused by the incident and, in particular, the persons through whom all communications are to be made,
 - any other matter required by the regulations, including 'Keeping of Plan', 'Testing of Plan', 'Making Plan Readily Available' and 'Implementation of Plan'

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Dictionary

General Dictionary

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

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

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

Mr Greg Newman

Environment Protection Authority

(By Delegation)

Date of this edition: 02-June-2021

End Notes

2	Licence varied by notice	1610931 issued on 27-Jul-2021
3	Licence varied by notice	1611698 issued on 20-Aug-2021
4	Licence varied by notice	1613193 issued on 01-Oct-2021
5	Licence varied by notice	1613194 issued on 05-Oct-2021
6	Licence varied by notice	1614085 issued on 03-Dec-2021
7	Licence varied by notice	1619489 issued on 28-Jun-2022