

Environment Protection Licence

Licence - 2509

Licence Details

Number:	2509
Anniversary Date:	06-August

Licensee

MIMOSA REHABILITATIONS PTY LTD

PO BOX 460

WOLLONGONG EAST NSW 2520

Premises

KORRONGULLA

PRIMBEE BY PASS

PRIMBEE NSW 2502

Scheduled Activity

Coal works

Waste disposal (application to land)

Fee Based Activity

Scale

Coal Washery Reject or Slag Landfilling	0 All
Waste disposal by application to land	Any capacity

Contact Us

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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:

MIMOSA REHABILITATIONS PTY LTD
PO BOX 460
WOLLONGONG EAST NSW 2520

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 Washery Reject or Slag Landfilling	0 All
Waste disposal (application to land)	Waste disposal by application to land	Any capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
KORRONGULLA
PRIMBEE BY PASS
PRIMBEE
NSW 2502
LOT 2 DP 773067

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.

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

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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.

Air

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust deposition monitoring PKC No. DDM-1	Dust deposition monitoring PKC No. DDM-1	100m east from NW corner of Korrongulla property boundary. 5 m south of fenceline
18	Dust deposition monitoring PKC No DDM-2	Dust deposition monitoring PKC No DDM-2	170m east from SW corner of Korrongulla property boundary

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.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
2	Groundwater monitoring borehole PKC No. BH5		150 m NE from NW cnr of property boundary, 5 m south of fenceline
3	Groundwater monitoring borehole PKC No. BH5A		200 m NE of SW cnr of Korrongulla property boundary. Located 5 m eastern side of western fence.
4	Groundwater monitoring borehole PKC No. BH8		250 m NE of SW cnr of Korrongulla property boundary. Located 5 m on eastern side of western fence.
5	Groundwater monitoring borehole PKC No BH9		320 m NE of SW cnr of Korrongulla property boundary. Located 10 m on western side of western fence.
6	Groundwater monitoring borehole PKC No BH 10		15 m SW of NE corner of Korrongulla property boundary. Located 0.5 m on western side of eastern fence
7	Groundwater monitoring borehole PKC No. BH11		300 m SW of NE cnr of Korrongulla property boundary. Located 1.5 m on eastern side of eastern fence.
8	Groundwater monitoring borehole PKC No. BH12		20 m to the SE of Primbee Bypass, 30 m to north of the northern boundary of Port Kembla Golf Course.
9	Groundwater monitoring borehole PKC No. BH19		20 m East of entrance to Korrongulla Dredge Pond. Located between the Primbee Bypass and the Security Fence surrounding the Dredge Pond.

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10	Surface water monitoring PKC No. S1	At the western end of Nicolle Rd, 1 m west of the culvert which enters northern side of the Nicolle Rd drain.
11	Surface water Monitoring PKC No. S2	Drainage channel connecting wetland ponds to Nicolle Rd drain, 15 m east of the Government Rd boundary of the wetland.
12	Surface water Monitoring PKC No. S3	NW corner of NE wetland pond
13	Surface water monitoring PKC No. S4	100 m NNE of SW cnr of Korrongulla property boundary. Located 10 m on western side of western fence.
14	Surface water monitoring PKC No. S5	SW cnr of SW wetland pond
15	Pond water monitoring PKC No. DP1	400 m SW of NE cnr of Korrongulla property boundary. Located 60 m on western side of eastern fence.
16	Pond water monitoring PKC No. DP2	400 m SW of NE cnr of Korrongulla property boundary. Located 120 m on western side of eastern fence.
17	Pond water monitoring PKC No. DP3	400 m SW of NE cnr of Korrongulla property boundary. Located 180 m on western side of eastern fence.

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 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.

L2.3 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.

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Code	Waste	Description	Activity	Other Limits
NA	Virgin excavated natural material	To be used for engineering purposes, such as construction of roads and as cover material.	Waste disposal (application to land)	
NA	Copper Slag waste generated by the Port Kembla Copper Smelter (licence 1753)		Waste disposal (application to land)	

Note: Clause 9 of the Protection of the Environment Operations (Waste) Regulation 2005 exempts premises used to dispose of only coal washery rejects, slags or virgin excavated natural material (or any combination of those waste) from the requirement to pay a contribution to the EPA under section 88 of the Act. Thus if the premises are used for the disposal of any waste other than that specified in the regulation, the licensee will become liable to pay the section 88 levy on all waste received at the site.

L3 Noise limits

- L3.1 Noise from the premises must not exceed an LA10 (15 minute) noise emission criterion of 45 dB(A) at the most affected residential premises, except as expressly provided by this licence.
- L3.2 Unless otherwise agreed to in writing by the EPA, works covered by this Licence must only be carried out between the hours of 0700 and 1700 Monday to Friday, and 0700 and 1300 Saturday, and at no time on Sundays and Public Holidays.

Note: These hours of operation are those designated in the Development Consent.

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:
- the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - 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:
- must be maintained in a proper and efficient condition; and
 - must be operated in a proper and efficient manner.

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O3 Dust

O3.1 The licensee must control the generation of dust from the premises.

O3.2 Without limiting the above condition, the following measures must be followed:

1. Sealed or gravel roads must be constructed and maintained from the public roadway to the truckwash area of the landfill.
2. Dust suppression methods, including the use of water sprays and water carts, must be used as frequently as necessary for any unsealed or unvegetated areas at the landfill.

O4 Processes and management

Site security

O4.1 The licensee must take all practicable steps to control entry to the premises.

O4.2 The licensee must install and maintain lockable security gates at all access and departure locations.

O4.3 The licensee must ensure that unauthorised vehicles cannot enter the site at any time and that security gates are locked after hours.

Control of pests, vermin and weeds

O4.4 The licensee must control pests, vermin and weeds at the premises.

O5 Waste management

Waste Quality Assurance and Verification

O5.1 Prior to any VENM being received at the premises, the licensee must ensure that a composite sample is analysed and assessed in accordance with the Waste Classification Guidelines.

O5.2 Duplicates of all composite samples used for analysis and assessment must be retained safely, clearly labelled and in a form suitable for re-examination by the same testing procedures, for a period of not less than four years.

O5.3 The licensee must analyse and assess Copper Slag Waste in the following manner:

(a) Prior to the implementation of the Monitoring Program for Copper Slag Waste to be developed in accordance with condition PRP1, the licensee must ensure that all copper slag waste received by the premises is analysed and assessed in accordance with the Interim Characterisation And Verification Program specified below.

(b) Following the implementation of the Monitoring program for Copper Slag Waste to be developed in

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accordance with condition PRP1, the licensee must ensure that all copper slag waste received by the premises is analysed and assessed in accordance with that program.

Note:

The licensee has fulfilled the requirements of PRP1.

O5.4 The Interim Characterisation And Verification Program means a program where the copper waste is analysed and assessed in accordance with the Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes on the following basis:

i) a daily composite sample is prepared from a minimum of six representative samples of slag taken from the production process at the smelter at approximately four hour intervals.

ii) the daily composite sample is analysed for its total concentration of the elements arsenic, cadmium, copper, lead and zinc (but not limited to those elements).

iii) the daily composite sample is itself composited on a weekly basis and analysed for leachable concentrations chromium, lead, nickel, benzo(a)pyrene, arsenic, cadmium, copper and zinc using the Toxicity Characteristics Leachate Procedure (TCLP); except

iv) for the first two weeks following smelter startup and for the first two weeks following any statistically significant variation of the composition of the slag, during which period the daily composite sample is analysed for leachable concentrations of chromium, lead, nickel, benzo(a)pyrene, arsenic, cadmium, copper and zinc using the TCLP test.

Note:

The licensee has fulfilled the requirements of PRP1.

Screening of Waste

O5.5 The licensee must develop and implement procedures to:

i) verify that all waste received at the premises is permitted under this Licence;

ii) identify any waste received which is of a type not permitted to be disposed of at the premises; and

iii) remove such waste from the premises for disposal at premises legally entitled to receive such waste.

O6 Other operating conditions

Management of surface waters

O6.1 The landfill surface must be contoured to minimise/prevent the run on of surface waters onto areas where waste has been landfilled except during a 24 hour duration storm event of not less than one in ten year average recurrence interval.

O6.2 Any disturbed areas at the premises must be provided with separate water quality controls for treatment of runoff that contains suspended pollutants.

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Rehabilitation of completion of landfill sections

- O6.3 The licensee must ensure that the landfill cells are capped and revegetated progressively and effectively during operations and specifically at times when the level of waste reaches final heights as detailed in Port Kembla Copper Korrongulla Emplacement Plan Volume 1, Document ID No. May 99:3073:LL:CB.
- O6.4 The licensee must ensure that the landfill cells are filled progressively such that filling of each cell is completed prior to moving into the next cell.
- O6.5 Notwithstanding condition O6.4, commencement of filling of an adjoining cell prior to the completion of the preceding cell is permitted to the extent necessary to obtain a slope suitable for achieving the stabilisation of the final height.

Note: The objective of these conditions is to minimise the area of the landfill which is in an exposed condition.

Prevention of tracking of mud and waste from the premises

- O6.6 The licensee must control the tracking of waste and mud by vehicles before departing the premises to minimise the tracking of waste and mud from these vehicles once they are outside of the premises.

Staff training

- O6.7 The licensee must ensure that all staff are aware of the manner in which the facility is to be managed in order to comply with the conditions of its licence and that appropriate staff are available that can competently carry out all duties required to meet the specified activities and outcomes identified in the facility's LEMP.

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.
- 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

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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 1

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	As approp.	Monthly	Composite sample

POINT 18

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	As approp.	Monthly	Composite sample

Note: The monitoring requirements specified in Monitoring Condition M2.2 are suspended until further notice.

Should site activities recommence as part of the site closure and exit strategy, the licensee must notify the EPA in writing of the date on which it intends to commence the site activities at least 14 days prior to commencement.

The EPA may reinstate the monitoring requirements in discussion with the licensee.

M2.3 Water and/ or Land Monitoring Requirements

POINT 2

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 3

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample

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Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 4

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 5

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 6

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 7

Pollutant	Units of measure	Frequency	Sampling Method
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Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	nanograms per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 8

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 9

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 10

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 11

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Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 12

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 13

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 14

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

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POINT 15

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 16

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

POINT 17

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Quarterly	Grab sample
Cadmium	milligrams per litre	Quarterly	Grab sample
Chromium	milligrams per litre	Quarterly	Grab sample
Copper	milligrams per litre	Quarterly	Grab sample
Lead	milligrams per litre	Quarterly	Grab sample
Nickel	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Zinc	milligrams per litre	Quarterly	Grab sample

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

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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 Recording of pollution complaints

M4.1 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.

M4.2 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.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

M5.1 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.

M5.2 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.

M5.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M6 Requirement to monitor volume or mass

M6.1 Samples taken pursuant to a requirement in this licence to monitor the volume, mass or concentration of pollutants, must be analysed and reported in accordance with the laboratory accreditation requirements set out in section 2.1.3 of the Load Calculation Protocol.

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The Load Calculation Protocol is the Protocol referred to in clause 21 of the Protection of the Environment Operations (General) Regulation 1998. A copy of the Protocol was published in the Government Gazette on 25 June 1999 and can be purchased from the EPA or viewed at <http://www.environment.nsw.gov.au>.

M7 Other monitoring and recording conditions

Sampling depths for groundwater monitoring

- M7.1 When samples are taken for the purposes of carrying out monitoring required by condition M2.1, for each of the groundwater monitoring points listed in condition P1.3, samples must be collected from one depth. The sampling depth should be 5.0 m from the top of the borehole casing. Where the groundwater table is below 5 m from the top of the borehole casing, then the sampling depth should be at least 2 m below the groundwater table.
- M7.2 When samples are taken for the purposes of carrying out monitoring required by condition M2.1, for each of the pond water monitoring points listed in condition P1.3, samples must be collected at three depths of 1.0 m, 4.0 m and 7.0 m where sufficient water depth is available. Where sufficient water depth is not available, the sampling depths must be adjusted in order to collect three equally spaced samples down the water column.

Monitoring of receiving waters

Note: Based on information supplied to the EPA by PKC on 27 September 2000 in accordance with Parts 2 and 3 of PRP3, the EPA agreed to PKC's recommendation to discontinue sediment sampling and analysis. The EPA will require that sediment sampling and analysis recommence if either surface or groundwater monitoring indicate migration of pollutants from the site once slag emplacement begins.

The previous condition "M8.1 Monitoring of receiving waters" condition that will be reinstated to this licence if either surface or groundwater monitoring indicate migration of contaminants from the dredge pond once slag emplacement begins read;

"M8.1 Analyses for zinc, copper, lead and cadmium content in the surface sediments of Lake Illawarra must be carried out annually.

M8.1.1 The samples must be taken from a number of points at five metre intervals from the discharge of the Nicole Street drain into the lake along each of three radii spaced 45 degrees apart.

M8.1.2 The number of samples taken must not be less than five on each radius and at least one must be from a point beyond the influence of water flowing into the lake from the drain. These points must operate as control points.

Note1: The frequency of this sampling needs to be reviewed as part of the review of monitoring to be undertaken to comply with PRP3.

Note2: Condition M8.1 continues the monitoring program which was required under previous Pollution Control Licence for the premises."

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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 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

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R2 Notification of environmental harm

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

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which 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 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.

7 General Conditions

G1 Copy of licence kept at the premises or plant

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- 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
PRP 1 Copper Slag Monitoring	Develop and implement an effective program to ensure that the copper slag will achieve the requirements of Condition L5.3 before it is disposed of at the premises.	31-December-1999
PRP 2 Waste Minimisation	Develop and assess a strategy to minimise the amount of copper slag waste which requires disposal at the Korrungulla premises.	28-June-2001
PRP 3 Review and Documentation of Monitoring	Ensure the premises is effectively monitoring so that any groundwater and/or surface water pollution emanating from the premises is rapidly detected. The licensee must prepare and submit a report covering: <ol style="list-style-type: none"> 1. Protocol for ongoing review of monitoring data 2. Review of existing monitoring data 3. Variation of monitoring program 	27-September-2000
PRP 4 Installation of permeable reactive limestone	To prevent or retard migration of contaminants into groundwater off-site in the event of mobilisation of pollutants	30-June-2002
PRP 5 Closure Plan and Post Closure Maintenance Plan	Prepare a report containing the details of post-closure remediation and management of the site including details of stabilisation, rehabilitation and ongoing monitoring of any pollution control measures including the Permeable Reactive Barrier (PRP 4).	07-December-2000
PRP 6 Reduction and Control of Dust Emissions	Ensure effective measures are in place to prevent the emission of dust from the premises and ensure compliance with licence conditions at all times	31-October-2003

8 Special Conditions

E1 Community Liaison

- E1.1 The licensee must liaise with the community in the immediate vicinity of Korrungulla and relevant stakeholders including the EPA, Wollongong City Council, and the waste transporter. Liaison must be undertaken at a frequency of not less than twice per year for the duration of the emplacement operations.



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The purpose of the committee is to provide a means of sharing information on the management of environmental issues at the premises with representative stakeholders.

The liaison may be conducted through inclusion with other community liaison carried out by Port Kembla Copper, such as in conjunction with the activities of the smelter site Monitoring Committee.

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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
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Craig Lamberton

Environment Protection Authority

(By Delegation)

Date of this edition: 30-December-1999

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End Notes

- 1 Licence varied by notice 1002200, issued on 01-May-2001, which came into effect on 10-May-2001.
- 2 Licence varied by 010630 (ALaN) s.58 notice, issued on 29-Jun-2000, which came into effect on 24-Jul-2000.
- 3 Licence varied by notice 1011424, issued on 14-Sep-2001, which came into effect on 14-Sep-2001.
- 4 Licence varied by notice 1025223, issued on 28-Feb-2003, which came into effect on 25-Mar-2003.
- 5 Licence varied by notice 1033161, issued on 05-Feb-2004, which came into effect on 01-Mar-2004.
- 6 Licence varied by change to DEC Region allocation, issued on 16-Mar-2006, which came into effect on 16-Mar-2006.
- 7 Licence varied by notice 1061249, issued on 11-Jul-2006, which came into effect on 11-Jul-2006.
- 8 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 9 Licence varied by notice 1504358 issued on 20-Feb-2012
- 10 Licence varied by notice 1577499 issued on 03-Apr-2019
- 11 Licence varied by notice 1588177 issued on 03-Dec-2019
- 12 Licence transferred through application 1623089 approved on 25-Nov-2022 , which came into effect on 25-Nov-2022