

# Environment Protection Licence

Licence - 394



## Licence Details

Number:	394
Anniversary Date:	18-November

## Licensee

ULAN COAL MINES LTD

ULAN RD

ULAN NSW 2850

## Premises

ULAN COAL MINES LIMITED

4505 ULAN ROAD (PRIVATE MAIL BAG 3006)

MUDGEES NSW 2850

## Scheduled Activity

Coal Works

Crushing, Grinding or Separating

Mining for Coal

## Fee Based Activity

## Scale

Coal works	> 5000000 T handled
Crushing, grinding or separating	> 30000-100000 T processed
Mining for coal	> 5000000 T produced

## Region

South - Bathurst

Lvl 2, 203-209 Russell Street

BATHURST NSW 2795

Phone: (02) 6332 7600

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PO Box 1388 BATHURST

NSW 2795

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## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>ULAN COAL MINES LTD</b>
<b>ULAN RD</b>
<b>ULAN NSW 2850</b>

subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Coal Works	Coal works	> 5000000 T handled
Crushing, Grinding or Separating	Crushing, grinding or separating	> 30000 - 100000 T processed
Mining for Coal	Mining for coal	> 5000000 T produced

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
ULAN COAL MINES LIMITED
4505 ULAN ROAD (PRIVATE MAIL BAG 3006)
MUDGEE
NSW 2850
LAND APPROVED UNDER PROJECT APPROVAL 08_0184 - INDICATED IN APPENDIX 1 - SCHEDULE OF LANDS PROJECT APPROVAL 08_0184, ULAN CONTINUED OPERATIONS PROJECT, APPROVED NOVEMBER 2010

### 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.

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## 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.

#### Air

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
7	Dust monitoring		Dust deposition gauge DM 1 at Ulan School - indicated as depositional dust monitoring point EPA No. 7 on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
9	Dust monitoring		Dust deposition gauge DM4 at Miller's Dam - indicated as depositional dust monitoring point EPA No. 9 on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
10	Dust monitoring		Dust deposition gauge DM5 at Pleuger Rd - indicated as depositional dust monitoring point EPA No. 10 on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
11	Dust monitoring		Dust deposition gauge DM8 at Old Ulan - indicated as depositional dust monitoring point EPA No. 11 on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
12	Dust monitoring		Dust deposition gauge DM9 at Nancy's Farm - indicated as depositional dust monitoring point EPA No. 12 on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
13	Dust monitoring		Dust deposition gauge DM11 at 331 Cope Rd - indicated as depositional dust monitoring point EPA No. 13 on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
14	Dust monitoring		Dust deposition gauge DM12 at Goanna Road - indicated as depositional dust monitoring point EPA No. 14 on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
15	Dust monitoring		HV1 at Flannery's - indicated as high volume air sampler (HVAS) monitoring point HV1 (EPA No. 15) on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
27	Dust monitoring		Dust deposition gauge DM13 at Highetts Road - indicated as depositional dust monitoring point EPA No. 27 on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014

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28	Dust monitoring	HV2 - indicated as High Volume Air Sampler (HVAS) monitoring point HV2 (EPA No. 28) on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
29	Dust monitoring	HV3 at 331 Cope Road - indicated as high volume air sampler (HVAS) monitoring point HV3 (EPA No. 33) on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
30	Dust monitoring	PM10 TEOM at 331 Cope Road - indicated as PM10 TEOM monitoring point PM10 TEOM (EPA No. 30) on Figure 1 - Location of EPL Monitoring & Discharge Points 10 September 2014
32	Meteorological monitoring	Meteorological monitoring point (EPL No. 32) on Figure 1 - Location of Monitoring & Discharge Points 10 September 2014

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.

P1.3 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.

### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge to land & volume monitoring	Discharge to land & volume monitoring	Effluent storage dam - indicated as water discharge monitoring point 1 on Figure 1 of the licence variation application additional information received by the EPA on 16 August 2013
2	Discharge quality monitoring & discharge to waters	Discharge quality monitoring & discharge to waters	Miller's Dam - indicated as water discharge monitoring point 2 on Figure 1 of licence variation application additional information received by the EPA on 16 August 2013
3	Discharge quality monitoring & discharge to waters	Discharge quality monitoring & discharge to waters	Outlet from Rowans Dam to Ulan Creek - indicated as water discharge monitoring point 3 on Figure 1 of the licence variation application additional information received by the EPA on 8/12/11
4	Discharge quality monitoring & discharge to waters	Discharge quality monitoring & discharge to waters	Drain outlet from Truckfill dam to unnamed watercourse - indicated as water discharge monitoring point 4 on Figure 1 of the licence variation application additional information received by the EPA on 8/12/11



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6	Discharge quality monitoring & discharge to waters	Discharge quality monitoring & discharge to waters	Discharge to Ulan Creek from the Bobadeen Water Treatment Facility - indicated as water discharge monitoring point 6 on Figure 1 of the licence variation application additional information received by the EPA on 8/12/11
18	Water quality monitoring		Downstream Goulburn River gauging station water quality monitoring point - indicated as water discharge monitoring point 18 on Figure 1 of the licence variation application additional information received by the EPA on 8/12/11
19	Discharge quality monitoring & discharge to waters	Discharge quality monitoring & discharge to waters	Discharge to Ulan Creek from the Northwest Sediment Dam (NWSD) Water Treatment Facility - indicated as water discharge monitoring point 19 on Figure 1 of the licence variation application additional information received by the EPA on 8/12/11
23	Discharge quality monitoring & discharge to waters	Discharge quality monitoring & discharge to waters	Ulan West Box clean water diversion - indicated as water discharge monitoring point 23 on Figure 1 of the licence variation application additional information received by the EPA on 8/12/11
33	Water quality monitoring		Upstream Goulburn River Gauging Station water quality monitoring point - indicated as water discharge monitoring point 33 on Figure 1 of the licence variation application received by the EPA on 19 March 2012

P1.4 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or setting of limits for the emission of noise from the point.

### Noise

EPA identification no.	Type of monitoring point	Location description
24	Noise monitoring	
25	Noise monitoring	
26	Noise monitoring	

## 3 Limit Conditions

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## 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 Concentration limits

L2.1 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.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.

L2.4 Water and/or Land Concentration Limits

### POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Conductivity	microsiemens per centimetre				810
pH	pH				6.5-8.5

### POINT 2

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Conductivity	microsiemens per centimetre				900
Iron	milligrams per litre				5
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

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Zinc	milligrams per litre	5
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## POINT 3

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Conductivity	microsiemens per centimetre	800			900
Iron	milligrams per litre				5
Oil and Grease	micrograms per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50
Zinc	milligrams per litre				5

## POINT 4

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Conductivity	microsiemens per centimetre				900
Iron	milligrams per litre				5
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50
Zinc	milligrams per litre				5

## POINT 6

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
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Conductivity	microsiemens per centimetre	800	900
pH	pH		6.5-8.5
Total suspended solids	milligrams per litre		50

## POINT 19

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Conductivity	microsiemens per centimetre	800			900
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

## L3 Volume and mass limits

- L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
- liquids discharged to water; or;
  - solids or liquids applied to the area;
- must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
1	kilolitres per day	85
2	kilolitres per day	600
3	megalitres per day	10
4	megalitres per day	2
6	megalitres per day	15
19	megalitres per day	30

Note: The combined daily discharge from licence points 3, 6 and 19 must not exceed 30 megalitres per day.

## L4 Waste

- L4.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled

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“Description” in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled “Activity” in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled “Other Limits” in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Concrete	Concrete as defined in Schedule 1 of the POEO Act, as in force from time to time	Waste disposal (application to land)	400 tonnes per annum of waste generated on the premises
T140	Tyres			The total volume of tyres disposed of at the premises must not exceed 650 tonnes per annum

## L5 Noise limits

L5.1 Noise generated from the premises must not exceed the noise limits in the table below. The locations referred to in the table below are indicated on Project Approval 08\_0184 Ulan Continued Operations Project Appendix 3 Land Ownership Plans

Location	Day	Evening	Night	Night
	LAeq(15 min)	LAeq(15 min)	LAeq(15 min)	LA1(1 min)
Property #254 Lot 27 DP 750735	38	38	37	45
Property #57 Lot 1 DP 876943	37	37	36	45
All privately owned land	35	35	35	45
Ulan Public School	35 (internal) when in use	35 (internal) when in use		
Ulan Anglican and Catholic Churches	40 (internal) when in use	40 (internal) when in use		

Note: The above noise limits do not apply at properties where the licensee has a written agreement with the landowner regarding the applicable noise limit.

L5.2 For the purpose of Condition L5.1:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- Evening is defined as the period from 6pm to 10pm; and

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c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays

L5.3 The noise limits set out in condition L5.1 apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

L5.4 For the purpose of condition L5.3:

- a) Data recorded by the meteorological station identified as EPA Licence Point 32 must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L5.5 To determine compliance:

a) with the Leq(15 minute) noise limits in condition L5.1, the noise measurement equipment must be located:

- i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
- ii) within 30 metres of a dwelling façade, but not closer than 3 metres where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
- iii) within approximately 50 metres of the boundary of a National Park or Nature Reserve

b) with the LA1(1 minute) noise limits in condition L5.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.

c) with the noise limits in condition L5.1, the noise measurement equipment must be located:

- i) at the most affected point at a location where there is no dwelling at the location; or
- ii) at the most affected point within an area at a location prescribed by conditions L5.5(a) or L5.5(b).

L5.6 A non-compliance of L5.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- (a) at a location other than an area prescribed by condition L5.5(a) and L5.5(b); and/or
- (b) at a point other than the most affected point at a location.

L5.7 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

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## L6 Blasting

- L6.1 Operation blasting at the premises is limited to 1 blast per day, unless an additional blast is required following a blast misfire.
- L6.2 Operational blasting in or on the premises must only be carried out between 9 am and 5 pm, Monday to Saturday. Operational blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.
- L6.3 Construction blasting shall only be carried out at the premises between 7 am and 7 pm daily where the overpressure and ground vibration levels are designed and predicted to not exceed 95 dB(A) and 1 mm/sec respectively at all privately owned buildings.
- L6.4 Operational blasting is defined as *"a blast which is associated with mining activities such overburden and coal blasts and includes blasting which is associated with quarrying activities."*
- Construction blasting is defined as *"a blast associated with the construction of mining infrastructure"*.
- L6.5 The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L6.6 The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L6.7 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L6.8 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

- Note: 1. The airblast overpressure and ground vibration levels in conditions L6.3 to L6.6 do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and land owner.
2. "Noise sensitive locations" includes buildings used as a residence, hospitals, school, child care centres, places of public worship and nursing homes. A noise sensitive location includes the land within 30 metres of the building.

## 4 Operating Conditions

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## **O1 Activities must be carried out in a competent manner**

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

## **O2 Maintenance of plant and equipment**

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

## **O3 Dust**

O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

O3.2 All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.

# **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.

## **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 13,12,11,14,9,10,7,27

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-14

### POINT 15,29

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

### POINT 30

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

## M2.3 Water and/ or Land Monitoring Requirements

### POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Monthly during discharge	Grab sample
Electrical conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample
Nitrogen	milligrams per litre	Monthly during discharge	Grab sample
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Probe
Phosphorus (total)	milligrams per litre	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

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## POINT 2,3,4

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Daily during any discharge	Grab sample
Iron	milligrams per litre	Daily during any discharge	Grab sample
Oil and Grease	milligrams per litre	Daily during any discharge	Grab sample
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample
Zinc	milligrams per litre	Daily during any discharge	Grab sample

## POINT 6,19

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous during discharge	Continuously
pH	pH	Continuous during discharge	Continuously
Total suspended solids	micrograms per litre	Special Frequency 1	Grab sample
Turbidity	nephelometric turbidity units	Continuous during discharge	Probe

## POINT 18

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous during discharge	Continuously
pH	pH	Continuous during discharge	Continuously

## POINT 23

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Daily during any discharge	Grab sample
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample

## POINT 33

Pollutant	Units of measure	Frequency	Sampling Method
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Conductivity	microsiemens per centimetre	Continuous during discharge	Continuously
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Note: Special Frequency 1 means collection of a sample weekly when a discharge occurs on the scheduled sampling day.

## M3 Testing methods - concentration limits

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

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

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

## M4 Weather monitoring

M4.1 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in condition M5.2.

M4.2 For each monitoring point specified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Point 32

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Wind direction	Degrees	Continuous	15 minute	AM-2 & AM-4
Wind speed	Metres per second	Continuous	15 minute	AM-2 & AM-4
Sigma theta	Degrees	Continuous	15 minute	AM-2 & AM-4
Rainfall	Millimetres	Continuous	15 minute	AM-4

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Air Temperature	Degrees celcius	Continuous	1 hour	AM-4
Relative humidity	Percent	Continuous	1 hour	AM-4

## M5 Recording of pollution complaints

M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M5.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M6 Telephone complaints line

M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M6.3 The preceding two conditions do not apply until 3 months after:

- a) the date of the issue of this licence or
- b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

## M7 Requirement to monitor volume or mass

M7.1 For each discharge point or utilisation area specified below, the licensee must monitor:

- a) the volume of liquids discharged to water or applied to the area;
  - b) the mass of solids applied to the area;
  - c) the mass of pollutants emitted to the air;
- at the frequency and using the method and units of measure, specified below.

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## POINT 1

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	By Calculation (volume flow rate or pump capacity multiplied by operating time)

## POINT 2

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	By Calculation (volume flow rate or pump capacity multiplied by operating time)

## POINT 3

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	Weir structure and level sensor

## POINT 4

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	By Calculation (volume flow rate or pump capacity multiplied by operating time)

## POINT 6

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	Flow meter and continuous logger

## POINT 19

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	kilolitres per day	Flow meter and continuous logger

## M8 Blasting

M8.1 To determine compliance with condition(s) L6.3 to L6.6:

a) Airblast overpressure and ground vibration levels experienced at the following noise sensitive locations must be measured and recorded for all surface blasts carried out on the premises;

i) Ulan Public School, Ulan

b) Instrumentation used to measure and record the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.

Note: A breach of the licence will still occur when airblast overpressure or ground vibration levels from the blasting operations at the premises in excess of the limit specified in condition L6.3 to L6.6 are detected at any "noise sensitive locations" other than the locations identified in the above condition.

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## **M9 Other monitoring and recording conditions**

M9.1 To assess compliance with the noise limits in condition L5.1, attended noise monitoring must be undertaken in accordance with condition L5.5 and the Noise Management Plan approved by the Department of Planning and Environment.

## **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:
- a) a Statement of Compliance; and
  - b) a Monitoring and Complaints Summary.
- At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.
- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- 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.
- 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 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 Statement 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.

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.

Note: An application to transfer a licence must be made in the approved form for this purpose.

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## **R2 Notification of environmental harm**

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

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

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

## **R3 Written report**

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

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the 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.

## 8 Pollution Studies and Reduction Programs

### U1 Water Management System Upgrade

- U1.1 The licensee must undertake the following upgrades to the water management system at the premises within the specified timeframe.
  1. Finalise the management method(s) for waste material produced as a result of the reverse osmosis treatment process. Completion date: 30 December 2015
  2. Stabilisation of clean water diversion dams in rehabilitation areas. Completion date: 30 December 2016

### U2 Particulate Matter Control Best Practice Implementation -Trial of Best Practice Measures for Disturbing and Handling Overburden

- U2.1 The Licensee must submit a report documenting an investigation and trial of best practice measures for the control of particulate matter from the use of equipment on overburden and the loading and dumping of overburden. Best practice measures may include, but should not be limited to, the following:
  - the use of foggers
  - the use of water sprays; and
  - reduction of drop heights.

The report must document the investigation and trial of each best practice measure. It must quantify the particulate matter control effectiveness and discuss the practicability of each best practice measure.

The report must be submitted by the Licensee to the Environment Protection Authority Regional Manager Bathurst, at PO Box 1388 BATHURST NSW 2795 by 14 April 2014.

## 9 Special Conditions

### E1 Salinity Offset Program

- E1.1 a) The licensee must implement the approved Salinity Offset Program as specified by the following documents:
  - i) UCML Environmental Management System (2 December 2002),
  - ii) Ulan Mine Area – Impacts of Proposed Landuse and Management Changes on Catchment Water and Salt Yields, NSW Department of Land and Water Conservation (February 2003),



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iii) Ulan Mine Area – Impacts on Proposed Landuse and Management Changes on Catchment Water and Salt Yields – Supplementary Report, NSW Department of Land and Water Conservation (May 2009),  
iv) Ulan Coal Mines Salinity Offset Monitoring and Reporting Program (April 2005), and  
v) the salinity offset area defined in the figure "Salinity Offset Scheme Area" received by the EPA 6 September 2013.

b) The Salinity Offset Program must offset the residual salinity loads generated by the Bobadeen Irrigation Area over the life of the Bobadeen Irrigation Program, and its associated salinity load impacts, and when fully implemented, must achieve an offset ratio of 1:1.5.

c) To achieve an offset ratio of 1:1.5 and/or make changes to improve the Salinity Offset Program, the licensee may vary any aspect of the approved Program provided the proposed variation is submitted to and approved in writing by the EPA.

d) Reporting on the Salinity Offset Program will be included in the Annual Review report prepared in accordance with Project Approval 08\_0184.

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## Dictionary

### General Dictionary

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

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

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

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 17-January-2001

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## End Notes

- 1 Licence varied by notice 1021999, issued on 11-Mar-2003, which came into effect on 27-Mar-2003.
- 2 Licence varied by notice 1026153, issued on 28-Mar-2003, which came into effect on 22-Apr-2003.
- 3 Licence varied by notice 1036604, issued on 28-Apr-2004, which came into effect on 23-May-2004.
- 4 Licence varied by notice 1041569, issued on 02-Feb-2005, which came into effect on 27-Feb-2005.
- 5 Licence varied by notice 1049622, issued on 16-Aug-2005, which came into effect on 16-Aug-2005.
- 6 Licence varied by notice 1054658, issued on 19-Dec-2005, which came into effect on 13-Jan-2006.
- 7 Licence varied by notice 1060870, issued on 13-Jun-2006, which came into effect on 13-Jun-2006.
- 8 Licence varied by notice 1074527, issued on 20-Jun-2007, which came into effect on 20-Jun-2007.
- 9 Licence varied by notice 1080137, issued on 06-Mar-2008, which came into effect on 06-Mar-2008.
- 10 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 11 Licence varied by notice 1098936, issued on 05-Jun-2009, which came into effect on 05-Jun-2009.
- 12 Licence varied by notice 1102885, issued on 14-Oct-2009, which came into effect on 14-Oct-2009.
- 13 Licence varied by notice 1111565, issued on 16-Feb-2010, which came into effect on 16-Feb-2010.
- 14 Licence varied by notice 1122829, issued on 17-Dec-2010, which came into effect on 17-Dec-2010.
- 15 Licence varied by notice 1125659, issued on 08-Mar-2011, which came into effect on 08-Mar-2011.
- 16 Licence varied by notice 1127001, issued on 13-Jul-2011, which came into effect on 13-Jul-2011.
- 17 Licence varied by notice 1502219 issued on 08-Dec-2011
- 18 Licence varied by notice 1503258 issued on 22-Dec-2011
- 19 Licence varied by notice 1505816 issued on 10-May-2012

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20	Licence varied by notice	1511166 issued on 22-Mar-2013
21	Licence varied by notice	1515518 issued on 16-Aug-2013
22	Licence varied by notice	1516816 issued on 09-Oct-2013
23	Licence varied by notice	1520906 issued on 17-Mar-2014
24	Licence varied by notice	1524598 issued on 18-Sep-2014
25	Licence varied by notice	1527455 issued on 22-Dec-2014
26	Licence varied by notice	1527786 issued on 28-Jan-2015