

Licence Variation



Licence - 10860

THIESS PTY LTD,
ABN 87 010 221 486,
PO BOX 175,
SINGLETON NSW 2330

Attention: Mr. GEOFF MARSCHKE

Notice Number 1071924
File Number 272726
Date 06-Jun-2007

NOTICE OF VARIATION OF LICENCE NO. 10860

BACKGROUND

- A. THIESS PTY LTD ("the licensee") is the holder of Environment Protection Licence No. 10860 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of Scheduled Activity - Premises Based at HEBDEN ROAD, RAVENSWORTH, NSW.
- B. On 14-Mar-2007 the EPA received an application for the variation of the licence.
- C. This notice makes the licence consistent with the Development Consent for Ravensworth East Coal Mine, as well as the Environment Protection Licence for Mt Owen Mine (EPL 4460).
- D. This notice updates the premises' scheduled activities as requested.
- E. This notice introduces Condition L7 concerning blasting hours. This licence also alters Condition L6, as this Condition is not applicable to the licence.
- F. This notice adopts a new approach to the description of ambient air quality monitoring sites. The licence now gives principles by which the monitoring network should be designed rather than referring to a map of the individual sites. This approach aims to avoid frequent modifications to the licence while still ensuring that ambient air quality monitoring is carried out in a comprehensive manner.
- G. This notice varies the requirement for monitoring ambient water quality at Point 4. The licence now gives a general description of the monitoring location, but the licensee will be required to monitor for specified pollutants.

Licence Variation



Licence - 10860

VARIATION OF LICENCE NO. 10860

1. By this notice the EPA varies licence No. 10860 as set out in the Appendix. The Appendix contains a copy of the provisions of the licence marked with the variations that are made to it by this notice.
2. The variations to the licence are indicated in the following way:
 - if a strike through mark appears through any word or other text (eg. ~~Solids or~~) this indicates that the word or other text is deleted from the licence by this notice; and
 - if a double underline appears under any word or other text (eg. must be treated) this indicates that the word or other text is added to the licence by this notice.

.....

Mr Mitchell Bennett
Head Regional Operations Unit
North East - Hunter
 (by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.environment.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

Appeals against this decision

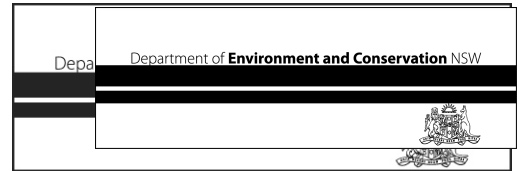
- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

When this notice begins to operate

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

Environment Protection Licence

Licence - 10860



Licence Details	
Number:	10860
Anniversary Date:	05-June
Review Due Date:	21-Jun-2009

Licensee	
THIESS PTY LTD	
PO BOX 175	
SINGLETON NSW 2330	

Licence Type	
Premises	

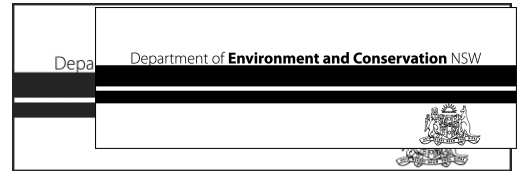
Premises	
RAVENSWORTH EAST MINE	
HEBDEN ROAD	
RAVENSWORTH NSW 2330	

Scheduled Activity	
Coal Mines	
Coal Works	

Fee Based Activity	Scale
Coal Mining (26)	> 2000000 - 3500000 T produced

Region	
North East - Hunter	
Ground Floor, NSW Govt Offices, 117 Bull Street	
NEWCASTLE WEST NSW 2302	
Phone: 02 49086800	
Fax: 02 49086810	
PO Box 488G NEWCASTLE	
NSW 2300	

Environment Protection Licence

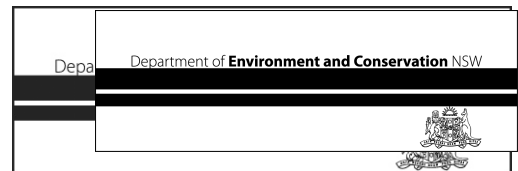


Licence - 10860

Responsibilities of licensee	3
Public register and access to monitoring data.....	3
A1 What the licence authorises and regulates	3
P1 Location of monitoring/discharge points and areas.....	4
L6 Noise Limits	6
L7 Blasting limits	6
M2 Requirement to monitor concentration of pollutants discharged.....	6
M3 Testing methods - concentration limits	7
R1 Annual return documents	8
R3 Written report	8

Environment Protection Licence

Licence - 10860



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) **and**
- **Report** incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

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:

**THIESS PTY LTD
PO BOX 175
SINGLETON NSW 2330**

subject to the conditions which follow:

A1 What the licence authorises and regulates

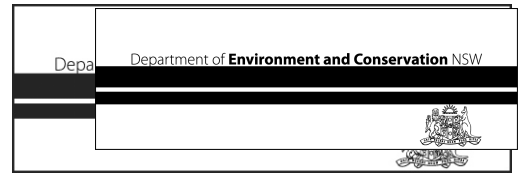
A1.1 Not applicable.

A1.2 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.

Environment Protection Licence

Licence - 10860



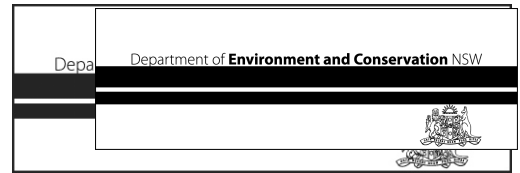
Scheduled Activity
Coal Mines
Coal Works

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.

Environment Protection Licence

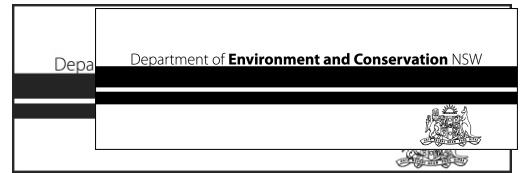
Licence - 10860



Air

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location
1	Ambient air quality – dust deposition		Dust Deposition Monitor sites shown on map titled "Figure 1 – Ravensworth East Mine Environmental Monitoring Locations" dated 12/3/03 in file 272726A4. At locations where dust deposition levels are representative of the levels experienced at residential properties, or other sensitive receivers, resulting from the operation of the mine
2	Ambient air quality – suspended particulate matter		High Volume Air Sampler (TSP Series) sites shown on map "Figure 1 – Ravensworth East Mine Environmental Monitoring Locations", dated 12/3/03 on file 272726A4. At locations where the level of particulate matter being sampled is representative of emissions from the operation of the mine taking into account prevailing wind direction and the location of residential properties or other sensitive receivers
3	Ambient air quality – PM10 particulate matter		High Volume Air Sampler (PM10 series) sites shown on map "Figure 1 – Ravensworth East Mine Environmental Monitoring Locations", dated 12/3/03 on file 272726A4. At locations where the level of particulate matter being sampled is representative of emissions from the operation of the mine taking into account prevailing wind direction and the location of residential properties or other sensitive receivers
	Ambient air monitoring		At locations where the level of particulate matter being sampled is representative of emissions from the operation of the mine taking into account prevailing wind direction and the location of residential properties or other sensitive receivers

Environment Protection Licence



Licence - 10860

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	Description of location
4	Ambient water quality		Surface Water Monitoring sites shown on Figure 1 (dated 12.3.2003) titled RAVENSWORTH EAST MINE ENVIRONMENTAL MONITORING LOCATIONS, JUNE 2003" attached to NEF 11963 on file 272726A4. At locations where water being sampled is representative of sites potentially impacted by mining.

L6 Noise Limits

L6.1 ~~Blasting in or on the premises must only be carried out between 0900 hours and 1700 hours, Monday to Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.~~ Not applicable.

L6L7 Blasting limits

L7.1 ~~Blasting in or on the premises must only be carried out between 0900 hours and 1700 hours (EST) and 0900 hours and 1600 hours (DST), Monday to Saturday. Blasting in or on the premises must not take place on Sundays, Public Holidays, or at any other time without the prior approval of the EPA.~~

L7.2 The overpressure level from blasting operations carried out in or on the premises must not:

- (a) exceed 115 dB(L) for more than 5% of the total number of blasts carried out on the premises within the 12 months annual reporting period; and
- (b) exceed 120 dB(L) at any time

at any residence or noise sensitive location (such as a school or hospital) that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative overpressure level.

L6L7.3 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not:

- (a) exceed 5mm/second for more than 5% of the total number of blasts carried out on the premises within the 12 months annual reporting period; and
- (b) exceed 10mm/second at any time

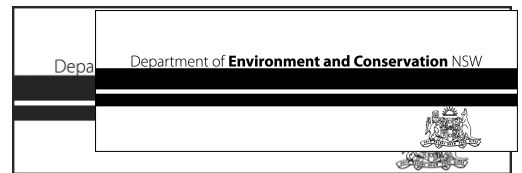
at any residence or noise sensitive location (such as a school or hospital) that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative ground vibration level.

M2 Requirement to monitor concentration of pollutants discharged

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

Environment Protection Licence

Licence - 10860



Air

POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	g/m ² /month	Monthly	AM-19

POINT 2

Pollutant	Units of measure	Frequency	Sampling Method
Total suspended particles	ug/m ³	Every 6 days	AM-15

POINT 3

Pollutant	Units of measure	Frequency	Sampling Method
PM10	ug/m ³	Every 6 days	AM-18

POINT 4

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	uS/cm	Monthly	Representative sample
pH	pH	Monthly	Representative sample

POINT 5

Pollutant	Units of measure	Frequency	Sampling Method
PM10	ug/m ³	Continuous	Australian Standard 3580.9.5 - 2001

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:

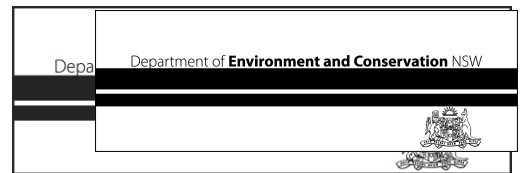
- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- if no such requirement is 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 2002 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 Not applicable.~~

Environment Protection Licence

Licence - 10860



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.

R1 Annual return documents

What documents must an Annual Return contain?

- 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.
- A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before 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.

Period covered by Annual Return

- 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.

Certifying of Statement of Compliance and Signingsigning of Monitoring and Complaints Summary

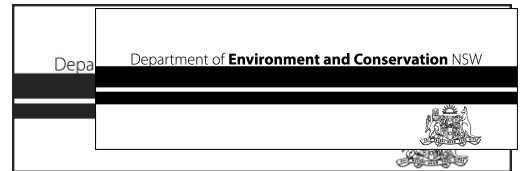
- R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- (a) the licence holder; or
 - (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

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

Environment Protection Licence

Licence - 10860



(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; **and**
- (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.