

Licence Variation



Licence - 766

ENERGYAUSTRALIA NSW PTY LTD
ABN 75 163 935 635
350 BOULDER RD
PORTLAND NSW 2847

Attention: Mr Ben Eastwood

Notice Number 1556434
File Number EF14/8
Date 20-Dec-2017

NOTICE OF VARIATION OF LICENCE NO. 766

BACKGROUND

- A. ENERGYAUSTRALIA NSW PTY LTD ("the licensee") is the holder of Environment Protection Licence No. 766 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at 1 MAIN STREET, WALLERAWANG, NSW, 2845 ("the premises").
- B. On 05-Sep-2017 the Environment Protection Authority (EPA) received a Licence Variation Application to include a provision to receive general or specific exempted waste. This material is proposed to be used in rehabilitation works and capping material at the premises.
- C. The application also sought an update to the premises description for the licence.
- D. The EPA has added a condition allowing for receipt of 'virgin excavated natural material' and 'excavated natural material' from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.
- E. The EPA has updated the premises description to include Lot 2, DP1139982.
- F. This variation notice does not authorise a significant increase in environmental impact from the activity authorised or controlled by the licence.

VARIATION OF LICENCE NO. 766

1. By this notice the EPA varies licence No. 766. The attached licence document contains all variations that are made to the licence by this notice.
2. The following variations have been made to the licence:
 - Limit Conditions - condition L4.1 updated to permit receipt of 'virgin excavated natural material' and 'excavated natural material' at the premises for rehabilitation purposes.
 - Administration Conditions - condition A2.1 updated to include Lot 2, DP1139982.

Licence Variation



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Darryl Clift
Unit Head
Central West
(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 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.epa.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).



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<u>Licence Details</u>	
Number:	766
Anniversary Date:	01-January

<u>Licensee</u>
ENERGYAUSTRALIA NSW PTY LTD
350 BOULDER RD
PORTLAND NSW 2847

<u>Premises</u>
WALLERAWANG POWER STATION
1 MAIN STREET
WALLERAWANG NSW 2845

<u>Scheduled Activity</u>
Electricity generation

<u>Fee Based Activity</u>	<u>Scale</u>
Generation of electrical power from coal	0-250 GWh annual generating capacity

<u>Region</u>
Central West
Lvl 2, 203-209 Russell Street
BATHURST NSW 2795
Phone: (02) 6332 7600
Fax: (02) 6332 7630
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:

ENERGYAUSTRALIA NSW PTY LTD
350 BOULDER RD
PORTLAND NSW 2847

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
Electricity generation	Generation of electrical power from coal	0 - 250 GWh annual generating capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
WALLERAWANG POWER STATION
1 MAIN STREET
WALLERAWANG
NSW 2845
LOT 1 DP 213770, LOT 2 DP 213770, LOT E DP 394440, LOT C DP 394440, LOT D DP 394440, LOT 1 DP 443235, LOT 1 DP 568265, LOT 231 DP 622326, LOT 3 DP 717025, LOT 3 DP 778400, LOT 4 DP 778400, LOT 1 DP 790970, LOT 1 DP 790971, LOT 32 DP 827807, LOT 2 DP 829137, LOT 3 DP 829137, LOT 5 DP 829137, LOT 101 DP 829410, LOT 4 DP 1016725, LOT 5 DP 1016725, LOT 6 DP 1016725, LOT 7 DP 1016725, LOT 8 DP 1016725, LOT 1 DP 1018958, LOT 2 DP 1018958, LOT 3 DP 1018958, LOT 4 DP 1018958, LOT 100 DP 1043966, LOT 92 DP 1043967, LOT 1 DP 1087684, LOT 4 DP 1087684, LOT 5 DP 1087684, LOT 171 DP 1131952, LOT 228 DP 1131953, LOT 1 DP 1131955, LOT 2 DP 1131955, LOT 171 DP 1131959, LOT 11 DP 1139978, LOT 2 DP 1139982

A3 Other activities

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

Ancillary Activity
Chemical Storage Facilities
Coal Works

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Crushing, Grinding or Separating Works

Energy recovery

Waste storage

A4 Information supplied to the EPA

- A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

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

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

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

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
13	Air emission monitoring Discharge to air	Air emission monitoring Discharge to air	Wallerawang Power Station Boiler 7, identified as "EPA ID 13" on a map provided to the EPA in a letter dated 18 March 2005 .
14	Air emissions monitoring Discharge to air	Air emissions monitoring Discharge to air	Wallerawang Power Station Boiler 8, identified as "EPA ID 14" on a map provided to the EPA in a letter dated 18 March 2005 .
15	Ambient air monitoring		Blackmans Flat location, identified as "EPA ID 15" on a map provided to the EPA in a letter dated 18 March 2005 .
16	Ambient air monitoring		Off Brays Lane Wallerawang location, identified as "EPA ID 16" on a map provided to the EPA in a letter dated 18 March 2005 .
17	Ambient air monitoring		Newnes Plateau location, identified as "EPA ID 17" on a map provided to the EPA in a letter dated 18 March 2005 .

- P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes

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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
1	Volume monitoring Effluent quality monitoring Discharge to waters	Volume monitoring Effluent quality monitoring Discharge to waters	Discharge to Coxs River from Unit 7 cooling tower identified as "EPA ID 1" on a map provided to the EPA in a letter dated 18 March 2005 .
3	Volume monitoring Effluent quality monitoring Discharge to waters	Volume monitoring Effluent quality monitoring Discharge to waters	Caustic injection plant discharge to Coxs River, identified as "EPA ID 3" on a map provided to the EPA in a letter dated 18 March 2005 .
4	Volume monitoring Effluent quality monitoring Discharge to waters	Volume monitoring Effluent quality monitoring Discharge to waters	Discharge to Coxs River from Unit 7 & 8 cooling tower blowdown, identified as "EPA ID 4" on a map provided to the EPA in a letter dated 18 March 2005.
5	Discharge quality monitoring Discharge to waters	Discharge quality monitoring Discharge to waters	Overflow drain from southern retention basin to Coxs River, identified as "EPA ID 5" on a map provided to the EPA in a letter dated 18 March 2005 .
7	Ambient water monitoring.		Main Street Road Main Street Road Bridge upstream of all discharge points in the Wallerawang Power Station, identified as "EPA ID 7" on a map provided to the EPA in a letter dated 18 March 2005.
8	Ambient water monitoring.		Railway Bridge downstream of points 1, 3 and 5 at Wallerawang Power Station, identified as "EPA ID 8" on a map provided to the EPA in a letter dated 18 March 2005.
18	Volume monitoring Discharge quality monitoring Discharge to water	Volume monitoring Discharge quality monitoring Discharge to water	Combined overflow drains from the coal stockpile settling basins at Wallerawang Power Station to Coxs River, identified as "EPA ID 18" on a map provided to the EPA in a letter dated 18 March 2005 .
21	Emergency discharge point	Emergency discharge point	Emergency discharge point just north of railway bridge and just upstream of ambient monitoring point LDP8.

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22	Ambient water monitoring.	WX13 Coss River below Lake Wallace upstream of Rocky Waterhole Road Bridge, identified as "WX13" on the map provided to the EPA attached in a letter (DOC12/43881) dated 19 October 2012.
23	Ambient water monitoring.	COX4 Coss River approximately 100 metres downstream of the confluence of Licensed Discharge Point 4, identified as "Cox4" on a map provided to the EPA in a letter (DOC12/43881) dated 19 October 2012.

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 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 Air Concentration Limits

POINT 13

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	100	Dry, 273 K, 101.3 kPa, 7% O ₂		

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Hydrogen chloride	milligrams per cubic metre	100	Dry, 273 K, 101.3 kPa, 7% O ₂
Chlorine	milligrams per cubic metre	200	Dry, 273 K, 101.3 kPa, 7% O ₂
Mercury	milligrams per cubic metre	1.0	Dry, 273 K, 101.3 kPa, 7% O ₂
Nitrogen Oxides	milligrams per cubic metre	1500	Dry, 273 K, 101.3 kPa, 7% O ₂
Solid Particles	milligrams per cubic metre	250	Dry, 273 K, 101.3 kPa, 7% O ₂
Total Fluoride	milligrams per cubic metre	50	Dry, 273 K, 101.3 kPa, 7% O ₂
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	5.0	Dry, 273 K, 101.3 kPa, 7% O ₂
Cadmium	milligrams per cubic metre	1.0	Dry, 273 K, 101.3 kPa, 7% O ₂

POINT 14

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	100	Dry, 273 K, 101.3 kPa, 7% O ₂		
Cadmium	milligrams per cubic metre	1.0	Dry, 273 K, 101.3 kPa, 7% O ₂		
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	5.0	Dry, 273 K, 101.3 kPa, 7% O ₂		
Total Fluoride	milligrams per cubic metre	50	Dry, 273 K, 101.3 kPa, 7% O ₂		
Solid Particles	milligrams per cubic metre	250	Dry, 273 K, 101.3 kPa, 7% O ₂		
Chlorine	milligrams per cubic metre	200	Dry, 273 K, 101.3 kPa, 7% O ₂		

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Hydrogen chloride	milligrams per cubic metre	100	Dry, 273 K, 101.3 kPa, 7% O ₂
Nitrogen Oxides	milligrams per cubic metre	1500	Dry, 273 K, 101.3 kPa, 7% O ₂
Mercury	milligrams per cubic metre	1.0	Dry, 273 K, 101.3 kPa, 7% O ₂

L2.5 For the purpose of Clause 35 of the *Protection of the Environment Operations (Clean Air) Regulation 2010*:

- (a) the activity of electricity generation, and
- (b) the Wallerawang Power Station Boiler 7 and Boiler 8, as identified as "EPA ID 13" and "EPA ID 14" on a map provided to the EPA in a letter dated 18 March 2005,

are taken to belong to Group 2.

Note: This condition will expire on 30 June 2017 in accordance with licence conditions U1.1 and U2.1.

L2.6 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
Aluminium (dissolved)	milligrams per litre		0.055		
Arsenic (dissolved)	milligrams per litre		0.020		0.024
Boron	milligrams per litre		0.8		1.0
Copper (dissolved)	milligrams per litre		0.15		
Electrical conductivity	microsiemens per centimetre		2,500		2,900
Fluoride	milligrams per litre		2.5		3.0
Nickel (dissolved)	milligrams per litre		0.05		0.06

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pH	pH		6.5-9.0
Sulfate	milligrams per litre	1200	1600
Zinc (dissolved)	milligrams per litre	0.1	

POINT 3

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-8.5
Sulfate	milligrams per litre				1200
Total suspended solids	milligrams per litre				30

POINT 4

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Aluminium (dissolved)	milligrams per litre		0.055		
Arsenic (dissolved)	milligrams per litre		0.02		0.024
Boron	milligrams per litre		0.8		1.0
Copper (dissolved)	milligrams per litre		0.15		
Electrical conductivity	microsiemens per centimetre		2,500		2,900
Fluoride	milligrams per litre		2.5		3.0
Nickel (dissolved)	milligrams per litre		0.05		0.06
pH	pH				6.5-9.0
Sulfate	milligrams per litre		1200		1600

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Total suspended solids	milligrams per litre	30
Turbidity	nephelometric turbidity units	25
Zinc (dissolved)	milligrams per litre	0.10

POINT 5

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5

POINT 18

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				30

POINT 21

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Aluminium (dissolved)	milligrams per litre		0.055		
Arsenic (dissolved)	milligrams per litre		0.02		0.024
Boron	milligrams per litre		0.8		1.0
Copper (dissolved)	milligrams per litre		0.15		
Electrical conductivity	microsiemens per centimetre		2,500		2,900

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Fluoride	milligrams per litre	2.5	3.0
Nickel (dissolved)	milligrams per litre	0.05	0.06
pH	pH		6.5-9.0
Sulfate	milligrams per litre	1200	1600
Zinc (dissolved)	milligrams per litre	0.10	

L2.7 The concentration limits stipulated by condition L2.6 for EPA identification point 3 and 18 are deemed not to apply when the discharge from the stormwater control structures (sediment dams) occurs solely as a result of rainfall measured at the premises which exceeds:

a) a total of 56 millimetres of rainfall over any consecutive 5 day period.

Note: *A 56mm rainfall event is defined by the EPA endorsed publication "Managing urban stormwater: soils and construction" (Landcom 2004; 6-24) as the rainfall depth in millimetres for a 95th percentile 5 day rainfall event for "Lithgow" which is also consistent with the storage capacity (recommended minimum design criteria) for Type D sediment basins for mines and quarries (see "Managing urban stormwater: soils and construction, Volume 2E, mines and quarries" (DECC, 2008).*

L2.8 The concentration limit for total suspended solids stipulated by condition L2.6 for EPA identification point 3 and 18 is deemed not to have been breached where:

a) the water discharged is covered by condition L2.7; or

b) when not covered by condition L2.7, the water discharged (in accordance with licence conditions O5.7 and O5.8) is within the pH range 6.5-8.5 and has a turbidity of no more than 25 NTU at the time of the discharge; and

c) the EPA is advised within 3 working days of the completion of the sample testing and analysis as required by condition M2.3 of any results above the licence limit.

Note: *The purpose of condition L2.8 is to expediate the assessment and subsequent discharge of the clarified water from the stormwater control structures (sediment basins).*

L2.9 Results from monitoring carried out in accordance with conditions M2 and M3 can be used to determine compliance with the 90th and 100th percentile concentration limits specified in condition L2.

L2.10 Compliance with 90th percentile limits specified in condition L2.6 for Licensed Discharge Points (LDP) 1, 4 and 21, except for aluminium, copper and zinc (for which the 90th percentile limit applies at all times), is to be calculated using all monitoring data collected at these discharge points in accordance with condition M2.3 during each annual reporting period, with the exception of monitoring samples collected when the following events are occurring:

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- 1. The State Water Corporation has imposed a restriction level on extractions in accordance with clause 5.2 of the Water Management Licence number 10WM000004 issued for the Fish River Scheme under the Water Act 1912; and/or
- 2. Lake Wallace exceeds 750 microsiemens per centimetre Electrical Conductivity for more than 7 days in any one month.

L2.11 Compliance with the dissolved aluminium 90th percentile concentration limit for Licensed Discharge Points 1, 4 and 21, is to be determined using all monitoring data collected at these discharge points in accordance with condition M2.3 during each annual reporting period, with the exception of sample results that are collected when the dissolved aluminium concentrations of any of the cooling water sources/make-up supply exceeds 0.055 mg/L.

L2.12 The concentration of an impurity contained in the solid alternative fuel must not exceed the concentration specified for that impurity in the table below:

Impurity	Units of measure	100 percentile Concentration Limit
Type 1 and Type 2 substances in aggregate	milligrams per kilograms	350

L3 Volume and mass limits

- L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
- a) liquids discharged to water; or;
 - b) 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 week	210000
4	kilolitres per week	105000
21	kilolitres per week	105000

- L3.2 Notwithstanding the volume limits specified in condition L3.1, the combined volume discharged from point(s) \$Parameter1\$ shall not exceed \$Parameter2\$.
- L3.3 The volume/mass limits for point(s) \$Parameter1\$ specified in condition L3.1 apply for dry weather conditions only.

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	Excavated natural material	To be used for the rehabilitation of the Kerosene Vale Ash Repository, Sawyers Swamp Creek Ash Repository, associated infrastructure and progressive landforming of these sites.	Capping of Ash Dam	Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.
NA	Virgin excavated natural material	To be used for the rehabilitation of the Kerosene Vale Ash Repository, Sawyers Swamp Creek Ash Repository, associated infrastructure and progressive landforming of these sites.	Capping of Ash Dam	Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.

L4.2 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.

L4.3 Only the following types of waste may be disposed of at the premises:

- a) Ash
- b) Asbestos
- c) Mill pyrites
- d) Demineralisation and polisher plant effluents
- e) Chemical clean solutions
- f) Cooling tower sediments
- g) Ion exchange resins
- h) Fabric filter bags
- i) Brine conditioned fly ash

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- j) Biomass co-firing ash
- k) Settling pond sediments (including from the settling ponds of the Springvale Water Transfer Scheme)
- l) Oil and grit trap sediments.

L4.4 The wastes listed in condition L4.2 must only be disposed of to the Kerosene Vale Ash Repository and Sawyers Swamp Creek Ash Dam at Wallerawang Power Station except asbestos which may only be disposed of at the approved asbestos burial site.

L5 Noise limits

L5.1 Operational noise from the Kerosene Vale Ash Repository area must not exceed:

40dB(A) LAeq(15 minute) , at the nearest most affected noise sensitive location.

Note: LAeq means the equivalent continuous noise level – the level of noise equivalent to the energy-average of noise levels occurring over a measurement period.

L5.2 To determine compliance with condition(s) L5.1 noise must be measured at, or computed for, the nearest affected noise sensitive locations (such as a residence, school or hospital). A modifying factor correction must be applied for tonal, impulsive or intermittent noise in accordance with the "Environmental Noise Management - NSW Industrial Noise Policy (January 2000)".

L5.3 The noise emission limits identified in this licence apply under the following meteorological conditions:
a) wind speeds up to 3 m/s at 10 metres height above ground; and/or
b) temperature inversion conditions of up to 30C/100m and source to receiver gradient winds of up to 2 m/s at 10 metres height above ground.

Note: The noise emission limits identified in this licence do not apply at a noise sensitive location, where the licensee and the affected noise sensitive location have reached a negotiated agreement in regards to noise, and a copy of that agreement has been provided to the Environment Protection Authority.

L6 Hours of operation

L6.1 Operational activities associated with the Kerosene Vale Ash Repository must only be carried out between the hours of 0700 and 2200 Monday to Sunday.

L6.2 Operational activities at the Kerosene Vale Ash Repository outside the hours stipulated by condition L6.1 are only permitted in the following situations;

- a) for the delivery of material, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered.
- b) Where it is required to avoid the loss of lives, property and/or to prevent environmental harm,
- c) Where there is insufficient ash storage capacity at the Wallerawang Power Station outside the licence operating hours due to:

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- i) a breakdown of plant and/or equipment, including ash haulage trucks,
- ii) a direction given to the licensee from the National Electricity Market Management Company under the National Electricity Rules to maintain, increase, or be available to increase power generation for system security.
- d) In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible or within a reasonable period in the case of emergency.

L7 Potentially offensive odour

- L7.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

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

4 Operating Conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.
This includes:
- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
- a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

O3 Dust

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

O4 Waste management

- O4.1 The licensee may only dispose of asbestos that has been generated on-site, and disposal of asbestos

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must be undertaken in accordance with Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005. Any requirements relating to off site disposal specified under Clause 42, also apply to on site disposal.

Note: The requirement under section 4(a) of Clause 42 has been met in that Lithgow City Council has confirmed that disposal of asbestos within the licensed premises is permissible.

O4.2 The asbestos disposal area(s) must be clearly delineated on a map and reported to Lithgow City Council so as to prevent incompatible use of this land in future.

O5 Other operating conditions

O5.1 The licensee must use an average of 15 Megalitres per day (ML/day) in any 7 consecutive day period when both Units 7 and 8 are in operation, with a minimum of 12 ML to be used on any one day, of water from the Fish River Scheme in the cooling process to minimise the pollutant concentrations contained in blowdown wastewater discharged from Licensed Discharge Points (LDP)1, 4 and 21 except:

1. where the State Water Corporation has imposed a restriction level on extractions under the Water Management Licence number 10WM000004 issued for the Fish River Scheme under the Water Act 1912; or
2. when an outage occurs and electricity continues to be generated at the premises, in which case the licensee must use a minimum of 7.5 ML/day of water from the Fish River Scheme in the cooling process of the unit generating electricity.

O5.2 In the circumstances described by condition O5.1.2 the licensee must notify and provide the EPA with a statement specifying:

1. the maximum daily volume of water from the Fish River Scheme that is able to be used in the cooling process for the duration of the outage; and,
2. the reasons for this volume being the maximum daily volume that can practically be used in the cooling tower process for the duration of the outage.

O5.3 Notwithstanding condition O5.1, the licensee is not required to use water from the Fish River Scheme when one or both units are out of service and there is no discharge of cooling tower water from Licensed Discharge Points (LDP) 1, 4 and 21.

Note: No discharge from LDP4 includes an allowance for a minor discharge of less than 1ML/day to maintain the health of the watercourse leading to LDP4.

O5.4 When either Unit 7 and/or Unit 8 are in operation, the licensee must notify and provide documentary evidence to the EPA when any of the following events occur:

1. The State Water Corporation has imposed a restriction level on extractions in accordance with the

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Water Management Licence number 10WM000004 issued to the licensee for the Fish River Scheme under the Water Act 1912.

2. Outages and periods of peak load generation occur which require the licensee to use water from the Fish River Scheme within the ranges specified in conditions O5.1.2 and O5.2.2.
3. Lake Wallace exceeds 750 microsiemens per centimetre Electrical Conductivity for more than 7 days in any one month.
4. Conductivity of discharges from Licence Discharge Points (LDP) 1, 4 and 21 exceeds the 90th percentile for 2 consecutive weeks.
5. The dissolved aluminium concentration of cooling tower water sources exceed 0.055 mg/L.

O5.5 The licensee must undertake the following actions when any sample result for aluminium, copper, and zinc required by M2.3 exceeds the respective 90th percentile limits for these pollutants at Licensed Discharge Points (LDP) 1, 4 or 21:

1. investigate the cause of the sample result; and
2. within 7 days of receiving the sample result, advise the EPA in writing of (a) the cause of the sample result; and (b) practical measures that will be taken to prevent or minimise the potential for a recurrence of a discharge in exceedance of the respective 90th percentile limits for aluminium, copper and zinc.

O5.6 In circumstances where the State Water Corporation has imposed a restriction level on extractions under the Water Management Licence number 10WM000004 issued for the Fish River Scheme under the Water Act 1912, the licensee must take all practical measures, taking into account the requirements of the Springvale Transfer Agreement, to use source water that minimises water pollution.

O5.7 The stormwater control structures (sediment dams) identified at condition L2.7 EPA identification point 3 and 18 must be drained or pumped out as necessary to maintain each basins design storage capacity within 5 days following rainfall.

O5.8 Water discharged to comply with condition O5.7 may only be discharged to waters from those stormwater control structures (sediment dams) identified at EPA identification point 3 and 18 where the discharged water complies with the discharge limits stipulated at condition L2.6 (and taking into consideration condition L2.8).

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;

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- 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

M2.1 Air Monitoring Requirements

POINT 13

Pollutant	Units of measure	Frequency	Sampling Method
Cadmium	milligrams per cubic metre	Yearly during discharge	TM-12
Carbon dioxide	percent	Yearly during discharge	TM-24
Chlorine	milligrams per cubic metre	Yearly during discharge	TM-7 & TM-8
Copper	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14
Dry gas density	kilograms per cubic metre	Quarterly during discharge	TM-23
Hydrogen chloride	milligrams per cubic metre	Yearly during discharge	TM-7 & TM-8
Mercury	milligrams per cubic metre	Yearly during discharge	TM-12
Moisture content	percent	Quarterly during discharge	TM-22
Molecular weight of stack gases	grams per gram mole	Quarterly during discharge	TM-23
Nitrogen Oxides	grams per cubic metre	Quarterly during discharge	Special Method 2
Oxygen (O ₂)	percent	Quarterly during discharge	CEM-3
Solid Particles	milligrams per cubic metre	Quarterly during discharge	TM-15
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	Yearly during discharge	TM-3
Sulphur dioxide	milligrams per cubic metre	Quarterly during discharge	TM-4
Temperature	degrees Celsius	Quarterly during discharge	TM-2
Total Fluoride	milligrams per cubic metre	Yearly during discharge	TM-9

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Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14
Velocity	metres per second	Quarterly during discharge	TM-2
Volumetric flowrate	cubic metres per second	Quarterly during discharge	TM-2

POINT 14

Pollutant	Units of measure	Frequency	Sampling Method
Cadmium	milligrams per cubic metre	Yearly during discharge	TM-12
Carbon dioxide	percent	Yearly during discharge	TM-24
Chlorine	milligrams per cubic metre	Yearly during discharge	TM-7 & TM-8
Copper	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14
Dry gas density	kilograms per cubic metre	Quarterly during discharge	TM-23
Hydrogen chloride	milligrams per cubic metre	Yearly during discharge	TM-7 & TM-8
Mercury	milligrams per cubic metre	Yearly during discharge	TM-12
Moisture content	percent	Quarterly during discharge	TM-22
Molecular weight of stack gases	grams per gram mole	Quarterly during discharge	TM-23
Nitrogen Oxides	grams per cubic metre	Quarterly during discharge	Special Method 2
Oxygen (O ₂)	percent	Quarterly during discharge	CEM-3
Solid Particles	milligrams per cubic metre	Quarterly during discharge	TM-15
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	Yearly during discharge	TM-3
Sulphur dioxide	milligrams per cubic metre	Quarterly during discharge	TM-4
Temperature	degrees Celsius	Quarterly during discharge	TM-2
Total Fluoride	milligrams per cubic metre	Yearly during discharge	TM-9
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14
Velocity	metres per second	Quarterly during discharge	TM-2
Volumetric flowrate	cubic metres per second	Quarterly during discharge	TM-2

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POINT 15,16

Pollutant	Units of measure	Frequency	Sampling Method
Nitrogen dioxide	parts per hundred million	Continuous	AM-12
Sulphur dioxide	parts per hundred million	Continuous	AM-20

POINT 17

Pollutant	Units of measure	Frequency	Sampling Method
Nitrogen dioxide	parts per hundred million	Monthly	Special Method 1
Sulphur dioxide	parts per hundred million	Monthly	Special Method 1

Note: For condition M2.2, the frequency of monitoring "quarterly or yearly during discharge" means that when quarterly monitoring is scheduled for Point 13 (Unit 7) and/or Point 14 (Unit 8), monitoring of either Point 7 or 8 is not required if the generating unit associated with that Point is not operating and not discharging at that time.

M2.2 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:

M2.3 Water and/ or Land Monitoring Requirements**POINT 1**

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Arsenic (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Boron	milligrams per litre	Monthly during discharge	Representative sample
Copper (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Electrical conductivity	microsiemens per centimetre	Weekly during any discharge	Representative sample
Fluoride	milligrams per litre	Monthly during discharge	Representative sample
Nickel (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
pH	pH	Weekly during any discharge	Representative sample

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Selenium	milligrams per litre	Monthly during discharge	Representative sample
Sulfate	milligrams per litre	Weekly during any discharge	Representative sample
Zinc (dissolved)	milligrams per litre	Monthly during discharge	Representative sample

POINT 3

Pollutant	Units of measure	Frequency	Sampling Method
Boron	milligrams per litre	Monthly during discharge	Representative sample
Electrical conductivity	microsiemens per centimetre	Weekly during any discharge	Representative sample
Filterable iron	milligrams per litre	Monthly during discharge	Representative sample
Filterable manganese	milligrams per litre	Monthly during discharge	Representative sample
Fluoride	milligrams per litre	Weekly during any discharge	Representative sample
pH	pH	Weekly during any discharge	Representative sample
Selenium	milligrams per litre	Monthly during discharge	Representative sample
Sulfate	milligrams per litre	Weekly during any discharge	Representative sample
Total suspended solids	milligrams per litre	Weekly during any discharge	Representative sample

POINT 4

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Arsenic (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Boron	milligrams per litre	Monthly during discharge	Representative sample
Copper (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Electrical conductivity	microsiemens per centimetre	Weekly during any discharge	Representative sample
Fluoride	milligrams per litre	Monthly during discharge	Representative sample
Nickel (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
pH	pH	Weekly during any discharge	Representative sample
Selenium	milligrams per litre	Monthly during discharge	Representative sample

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Sulfate	milligrams per litre	Weekly during any discharge	Representative sample
Total suspended solids	milligrams per litre	Monthly during discharge	Representative sample
Turbidity	nephelometric turbidity units	Monthly during discharge	Representative sample
Zinc (dissolved)	milligrams per litre	Monthly during discharge	Representative sample

POINT 5

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Monthly during discharge	Representative sample
Oil and Grease	milligrams per litre	Monthly during discharge	Representative sample
pH	pH	Monthly during discharge	Representative sample
Total suspended solids	milligrams per litre	Monthly during discharge	Representative sample

POINT 7,8,22,23

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	milligrams per litre	Monthly	Representative sample
Aluminium (total)	milligrams per litre	Monthly	Representative sample
Arsenic (total)	milligrams per litre	Monthly	Representative sample
Boron	milligrams per litre	Monthly	Representative sample
Copper (dissolved)	milligrams per litre	Monthly	Representative sample
Copper (total)	milligrams per litre	Monthly	Representative sample
Electrical conductivity	microsiemens per centimetre	Weekly	Representative sample
Fluoride	milligrams per litre	Monthly	Representative sample
Nickel (dissolved)	milligrams per litre	Monthly	Representative sample
Nickel (total)	milligrams per litre	Monthly	Representative sample
pH	pH	Weekly	Representative sample
Selenium	milligrams per litre	Monthly	Representative sample
Sulfate	milligrams per litre	Weekly	Representative sample
Zinc (dissolved)	milligrams per litre	Monthly	Representative sample
Zinc (total)	milligrams per litre	Monthly	Representative sample

POINT 18

Pollutant	Units of measure	Frequency	Sampling Method
Electrical conductivity	microsiemens per centimetre	Monthly during discharge	Representative sample

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Oil and Grease	milligrams per litre	Monthly during discharge	Representative sample
pH	pH	Monthly during discharge	Representative sample
Total suspended solids	milligrams per litre	Monthly during discharge	Representative sample

POINT 21

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Arsenic (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Boron	milligrams per litre	Monthly during discharge	Representative sample
Copper (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
Electrical conductivity	microsiemens per centimetre	Weekly during any discharge	Representative sample
Fluoride	milligrams per litre	Monthly during discharge	Representative sample
Nickel (dissolved)	milligrams per litre	Monthly during discharge	Representative sample
pH	pH	Weekly during any discharge	Representative sample
Sulfate	milligrams per litre	Weekly during any discharge	Representative sample
Total suspended solids	milligrams per litre	Monthly during discharge	Representative sample
Zinc (dissolved)	milligrams per litre	Monthly during discharge	Representative sample

M2.4 For the purposes of the tables above;

Special Method 1 means the CSIRO diffusion tube method.

Special Method 2 means sampling in accordance with TM-11 and include recording of the respective boiler MW Load at time of sampling, to enable reporting under condition R1.10.

For Point 1 and 4 above, where the licensee is utilising Metaflex EP in the cooling water system, the licensee must undertake the additional monitoring specified under Special Condition E2 of this licence.

M2.5 For the purposes of the tables above, a requirement to monitor for arsenic (points 1, 4 and 21) means a requirement to monitor for, and report, arsenic as the total and only differentiate the species of arsenic if the total exceeds 0.024 mg/L.

M2.6 For the purposes of the tables above;

For ambient air monitoring of pollutants, the recording of results and reporting for Annual Return purposes shall include “averaging periods” as stipulated in the National Environmental Protection (Ambient Air

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Quality) Measure (eg: Nitrogen Dioxide averaging periods of one hour and one year, and Sulphur Dioxide averaging periods of one hour, one day and one year).

- M2.7 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.

The Load Calculation Protocol is the Protocol referred to in clause 15 of the Protection of the Environment Operations (General) Regulation 2009. 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>.

- M2.8 Monitoring at points 13 and 14 must be reported using the references bases set out in the tables in condition L3.4 in the column headed "Reference conditions".

M3 Testing methods - concentration limits

- M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
 - b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
 - c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 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 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;

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- 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 must be produced to any authorised officer of the EPA who asks to see them.

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

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 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.

POINT 1

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

POINT 3

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

POINT 4

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

POINT 5

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

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POINT 21

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

M7 Other monitoring and recording conditions

M7.1 The licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1 contained in any solid alternative fuel, and the Calorific Value (Mj/kg) of the fuel. The licensee must use the units of measure, and sample at the frequency specified opposite in the other columns:

Parameter	Unit of measure	Frequency
Antimony (Sb)	mg/kg	Per batch, as processed
Arsenic (As)	mg/kg	Per batch, as processed
Beryllium (Be)	mg/kg	Per batch, as processed
Cadmium (Cd)	mg/kg	Per batch, as processed
Chlorine (Cl)	%	Per batch, as processed
Chromium (Cr) total	mg/kg	Per batch, as processed
Cobalt (Co)	mg/kg	Per batch, as processed
Copper (Cu)	mg/kg	Per batch, as processed
Flourine (F)	%	Per batch, as processed
Lead (Pb)	mg/kg	Per batch, as processed
Manganese (Mn)	mg/kg	Per batch, as processed
Mercury (Hg)	mg/kg	Per batch, as processed
Nickel (Ni)	mg/kg	Per batch, as processed
Selenium (Se)	mg/kg	Per batch, as processed
Sulfur (S)	%	Per batch, as processed
Tin (Sn)	mg/kg	Per batch, as processed
Vanadium (V)	mg/kg	Per batch, as processed

M7.2 To determine compliance with condition L6.1, monitoring of noise from the Kerosene Vale Ash Repository must be carried out at locations identified by and in accordance with, the Kerosene Vale Stage 2 Ash Repository Operational Environmental Management Plan 2008.

6 Reporting Conditions

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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 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.

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.

R1.8 The Annual Return must include the following information:

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a) To validate the SSEF-PEMS for Nitrogen oxides approved by the EPA on 27 February 2008, the licensee must provide a report that plots the quarterly Nitrogen oxide concentration sampling results required by condition M2.1, against the historical Nitrogen oxide CEMS data curves for boiler units 7 and 8 at Wallerawang Power Station.

b) The licensee must report any exceedance of any discharge limit, standard, or concentration set by a condition of this licence. The report must include the sample results of the exceedance and indicate the name of the testing laboratory, parameter(s) monitored, the limit, standard, or concentration exceeded, the date of any exceedance and the result of any analysis.

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 the incident occurred.

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

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g) any other relevant matters.

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

R4 Other reporting conditions

- R4.1 In the event where circumstances outlined in O5.1.2 occur, in addition to the provision of monitoring data required by the licence, the licensee must report the results of the monitoring of discharges from Licensed Discharge Points (LDP) 1, 4 and 21 as a separate dataset.

7 General Conditions

G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G2 Signage

- G2.1 The location of EPA point number(s) 1 to 19 must be clearly marked by signs that indicate the point identification number used in this licence and be located as close as practical to the point.

8 Special Conditions

E1 Solid alternative fuel

- E1.1 For the purposes of this Licence, solid alternative fuel means timber products that are either:-
- a) Biomass that is sustainably harvested as defined in "Greenhouse Gas Emissions from Electricity Supplied in NSW: Emissions Workbook, October 2000, Ministry of Energy and Utilities"; or
 - b) Recycled timber products obtained from manufacturing, construction and demolition sources that comply with the alternate fuel air impurity specification for hazardous substances under condition L3.10; or
 - c) In accordance with Regulation 8 (Special requirements – wood wastes) of Division 2.2 (Eligible renewable energy sources) in Part 2 of the Renewable Energy (Electricity) Regulations 2001 and Renewable Energy (Electricity) Act 2000.

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- E1.2 Solid alternative fuel may only be fed to the boiler during coal firing.
- E1.3 Solid alternative fuel may only be fed to the boiler at a feed rate of less than or equal to 5 % weight of the coal feed rate.

E2 Use of Metaflex EP Corrosion Inhibitor

- E2.1 At all times when the licensee is adding Metaflex EP corrosion inhibitor product to the power station cooling water system;
 - 1. the utilisation of Metaflex EP must be undertaken in the prescribed manner that facilitates the removal of excess Metaflex EP product (as total dithiocarbamates) in accordance with the procedures specified by the manufacturer.
 - 2. for licensed discharge/monitoring point 1 and 4 , the concentration of the pollutant discharged at the point must not exceed the concentration limits specified for that pollutant in the table below:

Pollutant	Unit of Measure	100 percentile concentration limit
Metaflex EP total dithiocarbamates ingredients and derivatives	milligrams per litre	0.02

- E2.2 For licensed discharge/monitoring points 1 and 4, the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1 of the table below. The licensee must use the sampling method, unit of measure, and sample at the frequency specified in the other columns of the table:

Pollutant	Unit of Measure	Frequency	Sampling Method
Metaflex EP total dithiocarbamates ingredients	mg/L	Weekly during discharge	Representative sample

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Dictionary

General Dictionary

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

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



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

Mr Jim Clarence

Environment Protection Authority

(By Delegation)

Date of this edition: 29-September-2000

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End Notes

- 1 Licence varied by notice 1002514, issued on 15-Mar-2001, which came into effect on 30-Mar-2001.
- 2 Licence varied by notice 1006913, issued on 25-May-2001, which came into effect on 19-Jun-2001.
- 3 Licence varied by notice 1011875, issued on 12-Nov-2001, which came into effect on 12-Nov-2001.
- 4 Licence varied by notice 1014355, issued on 20-Mar-2002, which came into effect on 22-Mar-2002.
- 5 Licence varied by notice 1033370, issued on 13-May-2005, which came into effect on 07-Jun-2005.
- 6 Licence varied by notice 1053427, issued on 12-Dec-2005, which came into effect on 06-Jan-2006.
- 7 Licence varied by notice 1056197, issued on 04-Apr-2006, which came into effect on 04-Apr-2006.
- 8 Licence varied by notice 1060314, issued on 21-Jul-2006, which came into effect on 21-Jul-2006.
- 9 Licence varied by notice 1067372, issued on 22-Dec-2006, which came into effect on 22-Dec-2006.
- 10 Licence varied by notice 1077138, issued on 28-Sep-2007, which came into effect on 28-Sep-2007.
- 11 Licence varied by notice 1080218, issued on 16-Nov-2007, which came into effect on 16-Nov-2007.
- 12 Licence varied by notice 1083863, issued on 30-Jul-2008, which came into effect on 30-Jul-2008.
- 13 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 14 Licence varied by notice 1095281, issued on 01-Jan-2009, which came into effect on 01-Jan-2009.
- 15 Licence varied by notice 1099554, issued on 24-Apr-2009, which came into effect on 24-Apr-2009.
- 16 Licence varied by notice 1102924, issued on 27-Jul-2009, which came into effect on 27-Jul-2009.
- 17 Licence varied by notice 1104582, issued on 01-Feb-2010, which came into effect on 01-Feb-2010.

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| 18 | Licence varied by notice 1112729, issued on 20-Apr-2010, which came into effect on 20-Apr-2010. |
| 19 | Licence varied by notice 1113579, issued on 05-May-2010, which came into effect on 05-May-2010. |
| 20 | Licence varied by notice 1114466, issued on 18-Jun-2010, which came into effect on 18-Jun-2010. |
| 21 | Licence varied by notice 1119263, issued on 16-Sep-2010, which came into effect on 16-Sep-2010. |
| 22 | Licence varied by notice 1125896, issued on 23-Jun-2011, which came into effect on 23-Jun-2011. |
| 23 | Licence varied by notice 1501292 issued on 14-Nov-2011 |
| 24 | Licence varied by notice 1502871 issued on 22-Nov-2011 |
| 25 | Licence varied by notice 1505157 issued on 02-Aug-2012 |
| 26 | Licence varied by notice 1508429 issued on 30-Nov-2012 |
| 27 | Licence varied by notice 1510807 issued on 28-Dec-2012 |
| 28 | Licence varied by notice 1512499 issued on 23-Apr-2013 |
| 29 | Licence transferred through application 1516747 approved on 29-Aug-2013 , which came into effect on 02-Sep-2013 |
| 30 | Licence varied by notice 1518490 issued on 10-Jan-2014 |
| 31 | Licence format updated on 09-Jan-2015 |
| 32 | Licence varied by notice 1529425 issued on 19-Jun-2015 |
| 33 | Licence varied by notice 1535746 issued on 04-Jan-2016 |
| 34 | Licence format updated on 11-Jan-2016 |
| 35 | Licence varied by notice 1543079 issued on 20-Dec-2016 |