

# Environment Protection Licence



Licence - 12314

## Licence Details

Number:	12314
Anniversary Date:	01-January

## Licensee

CRISTAL MINING AUSTRALIA LIMITED

PO BOX 444

BROKEN HILL NSW 2880

## Premises

BROKEN HILL MINERAL SEPARATION PLANT

PINNACLES ROAD

BROKEN HILL NSW 2880

## Scheduled Activity

Mineral Processing

## Fee Based Activity

## Scale

Mineral processing	> 500000-2000000 T processed
Mineral waste generation	> 100 T generated or stored

## Region

South West - Griffith

Suites 7-8, Level 1 Griffith City Plaza, 130-140 Banna Avenue

GRIFFITH NSW 2680

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NSW 2680

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## Information about this licence

### Dictionary

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

### Responsibilities of licensee

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

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

### Variation of licence conditions

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

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

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

### Duration of licence

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

### Licence review

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

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

For each licence fee period you must pay:

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

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

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

## Transfer of licence

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

## Public register and access to monitoring data

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

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

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

## This licence is issued to:

<b>CRISTAL MINING AUSTRALIA LIMITED</b>
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<b>PO BOX 444</b>
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<b>BROKEN HILL NSW 2880</b>
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subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled development work listed below at the premises listed in A2:

Staged construction of a mineral processing plant.

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.

Scheduled Activity	Fee Based Activity	Scale
Mineral Processing	Mineral processing	> 500000 - 2000000 T processed
Mineral Processing	Mineral waste generation	> 100 T generated or stored

A1.3 The licensee must not carry on any scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.

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

A2.1 The licence applies to the following premises:

Premises Details
BROKEN HILL MINERAL SEPARATION PLANT
PINNACLES ROAD
BROKEN HILL
NSW 2880
BROKEN HILL MINERAL SEPARATION PLANT

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

- 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

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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
1	Dust Monitoring		Dust deposit gauge marked as DBH3 in figure 6 of the Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 titled "MSP Locality, Nearby Receivers and Air Quality Monitoring Sites" received by EPA on 12/12/2014.
2	Dust Monitoring		Dust deposit gauge marked as DBH1 in figure 6 of the Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 titled "MSP Locality, Nearby Receivers and Air Quality Monitoring Sites" received by EPA on 12/12/2014.
4	Dust Monitoring		Dust deposit gauge marked as DBH4 in figure 6 of the Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 titled "MSP Locality, Nearby Receivers and Air Quality Monitoring Sites" received by EPA on 12/12/2014.
5	Dust Monitoring		High Volume Air Sampler marked as a star in figure 6 of the Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 titled "Locality, Nearby Receivers and Air Quality Monitoring Sites" received by the EPA on 12/12/14.
6	Discharge to Air & Monitoring	Discharge to Air & Monitoring	Bag house stack serving leucoxene circuit identified as "Leucoxene Hygiene Bag House Stack" in figure 3 of the Murray Darling Basin Operations Environmental Assessment dated November 2013 titled "MSP General Arrangement" received by EPA on 12/12/14.

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7	Discharge to Air & Monitoring	Discharge to Air & Monitoring	Bag house stack serving ilmenite circuit identified as 'Ilmenite Hygiene Bag House Stack' in figure 3 "MSP General Arrangement" of Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 received by EPA 12/12/14.
10	Discharge to Air & Monitoring	Discharge to Air & Monitoring	Bag house stack serving LPG/LNG fired leucoxene dryer identified as 'Leucoxene Dryer Stack' in figure 3 "MSP General Arrangement" of Murray Darling Basin Operations Modification dated November 2013 received by EPA 12/12/14.
11	Discharge to Air & Monitoring	Discharge to Air & Monitoring	Bag house stack serving LPG/LNG fired Ilmenite dryer identified as "Ilmenite Dryer Stack" in figure 3 "MSP General Arrangement" of Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 received by EPA 12/12/14.
12	Discharge & Monitoring	Discharge & Monitoring	Bag house stack serving rutile/zircon circuits identified as 'Rutile Zircon Hygiene Bag House Stack' in figure 3 "MSP General Arrangement" of Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 received by EPA 12/12/14.
13	Discharge & Monitoring	Discharge & Monitoring	Bag house stack serving LPG/LNG fired zircon dryer identified as 'Zircon Dryer Stack' in figure 3 "MSP General Arrangement" of Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 received by EPA 12/12/14.
14	Discharge & Monitoring	Discharge & Monitoring	Bag house stack serving LPG/LNG fired rutile dryer identified as 'Rutile Dryer Stack' in figure 3 "MSP General Arrangement" of Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 received by EPA 12/12/14.
15	Discharge & Monitoring	Discharge & Monitoring	Scrubber stack serving brown coal fired roasting kiln identified as 'Ilmenite Kiln Stack' in figure 3 "MSP General Arrangement" of Murray Darling Basin Operations Modification Environmental Assessment dated November 2013 received by EPA 12/12/14.

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

P1.3 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

## ***Water and land***



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EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
8	Discharge to land & monitoring	Discharge to land & monitoring	Effluent utilisation area marked as "14A" and "14B" in Figure 2 'Location of Effluent Utilisation Area and Groundwater Monitoring Point' of the "MSP Effluent Management Environmental Management Plan" dated August 2013, kept on file EF13/2844.
9	Ground water quality monitoring		Groundwater monitoring bore marked as "15" in Figure 2 'Location of Effluent Utilisation Area and Groundwater Monitoring Point' of the "MSP Effluent Management Environmental Management Plan" dated August 2013, kept on file EF13/2844.

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

L2.3 Air Concentration Limits

#### POINT 6,7,10,11

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Total Solid Particles	milligrams per cubic metre	100			

#### POINT 7,11,13,14,15

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period

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Nitrogen Oxides	grams per cubic metre	0.35
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## POINT 12,13,14,15

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Total Solid Particles	milligrams per cubic metre	50			

L2.4 Reference Conditions: The reference conditions for limit concentrations in the above tables are:  
Dry, 273K, 101.3 Kpa, 3% O2

## 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
8	KL/month	300

## 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 "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	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005	As specified in each particular resource recovery exemption	NA
NA	Waste	Any waste received on site that is below licensing thresholds in	-	NA

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Schedule 1 of the  
POEO Act, as in force  
from time to time

- L4.2 The quantity of hazardous and/or restricted solid waste generated and/or stored at the premises must not exceed 300,000 tonnes per year.

## L5 Noise limits

- L5.1 Noise from the premises must not exceed:

- 35 dB(A)  $L_{Aeq(15 \text{ minute})}$  (excluding temperature inversions) or 39 dB(A)  $L_{Aeq(15 \text{ minute})}$  (with temperature inversion) during the day, evening or night; and
- 35 dB(A)  $L_{Aeq(15 \text{ minute})}$  all other residential premises during the day, evening or night except as expressly provided by this licence.
- All construction work at or associated with the development must only be conducted between the following hours:  
7:00am to 6:00pm Monday to Friday; and  
8:00am to 1:00pm Saturdays.

Where  $L_{Aeq}$  means the equivalent continuous noise level – the level of noise equivalent to the energy-average of noise levels occurring over a measurement period.

Location	dB (a) $L_{Aeq(15 \text{ min})}$ excluding temp inversions	dB(A) $L_{Aeq(15 \text{ Min})}$ with temp inversion
R3 - Smith	35	39
All others residential premises	35	35

- L5.2 To determine compliance with condition(s) L5.1 noise must be measured at, or computed for, at the dwelling identified as Landholder "receiver R3 - Smith in figure 7 of the Murray Darling Basin Operation Modification Environmental Assessment. 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)".

Note: Measurement locations can be:

- 1 metre from the facade of the residence for night time assessment;
- at the residential boundary; or,
- 30 metres from the residence (rural situations) where boundary is more than 30 metres from residence.

- L5.3 The noise emission limits identified in this licence apply to all meteorological conditions except:

- average wind speed at microphone height exceeds 5 m/s;
- during wind speeds (at 10m height) greater than 3m/s; and
- temperature inversion conditions greater than 3°C/100m.

Note: Field meteorological indicators for non-significant weather conditions are described in the NSW Industrial Noise Policy, Chapter 5 and Appendix E in relation to wind and temperature inversions.

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## **L6 Other limit conditions**

### **Mineral sands processing limit**

L6.1 The premise must not process more than 1 200 000 tonnes of mineral sands per annum.

## **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 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O3.2 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

### **O4 Emergency response**

O4.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.

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## **O5 Processes and management**

O5.1 The licensee must ensure that any waste generated or stored at the premises is assessed and classified in accordance with the EPA Waste Classification Guidelines as in force from time to time.

## **O6 Waste management**

Note: The Waste Process and Management Plan must be prepared and implemented to ensure compliance with the conditions of this Licence and relevant Environmental legislation.

O6.1 The licensee must prepare and implement a Waste Process and Management Plan for the Premises.

## **5 Monitoring and Recording Conditions**

### **M1 Monitoring records**

M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

M1.2 All records required to be kept by this licence must be:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

### **M2 Requirement to monitor concentration of pollutants discharged**

Note: The frequency of sampling at point 5 will be reviewed after the monitoring point has operated for 1 year.

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

M2.2 Air Monitoring Requirements

**POINT 1,2,4**

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Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	Australian Standard 3580.10.1-2003

**POINT 5**

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Every 6 days	AS/NZS 3580.9.6:2003

**POINT 6,10,12,15**

Pollutant	Units of measure	Frequency	Sampling Method
Moisture content	percent	Yearly	TM-22

**POINT 6,7,12,15**

Pollutant	Units of measure	Frequency	Sampling Method
Dry gas density	kilograms per cubic metre	Yearly	TM-23
Temperature	degrees Celsius	Yearly	TM-2
Total Solid Particles	milligrams per cubic metre	Yearly	TM-15
Velocity	metres per second	Yearly	TM-2
Volumetric flowrate	cubic metres per second	Yearly	TM-2

**POINT 7,11,13,14**

Pollutant	Units of measure	Frequency	Sampling Method
Carbon dioxide	percent	Yearly	TM-24
Dry gas density	kilograms per cubic metre	Yearly	TM-23
Temperature	degrees Celsius	Yearly	TM-2
Total Solid Particles	milligrams per cubic metre	Yearly	TM-15
Velocity	metres per second	Yearly	TM-2
Volumetric flowrate	cubic metres per second	Yearly	TM-2

**POINT 10,11,13,14**

Pollutant	Units of measure	Frequency	Sampling Method
Moisture content	percent	Yearly	TM-22
Molecular weight of stack gases	grams per gram mole	Yearly	TM-23
Nitrogen Oxides	grams per cubic metre	Yearly	TM-11

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Oxygen (O2)	percent	Yearly	TM-25
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## M2.3 Water and/ or Land Monitoring Requirements

### POINT 9

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH	Quarterly	Representative sample
Standing Water Level	metres	Quarterly	Representative sample
Total dissolved solids	milligrams per litre	Quarterly	Representative sample

## M3 Testing methods - concentration limits

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

- 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.

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".

## 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:
- the date and time of the complaint;
  - the method by which the complaint was made;
  - any personal details of the complainant which were provided by the complainant or, if no such details

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were provided, a note to that effect;

d) the nature of the complaint;

e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and

f) if no action was taken by the licensee, the reasons why no action was taken.

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

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

## M5 Telephone complaints line

M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

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

## M6 Requirement to monitor volume or mass

M6.1 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 8

Frequency	Unit of Measure	Sampling Method
Monthly	KL/month	Magnetic flow meter

## 6 Reporting Conditions

### R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

a) a Statement of Compliance; and

b) a Monitoring and Complaints Summary.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.



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- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- a) the licence holder; or
  - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

## R1.8 **Monitoring report**

The licensee must supply with the Annual Return a report, which provides:

- a) an analysis and interpretation of monitoring results; and
- b) actions to correct identified adverse trends.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

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

## **R2 Notification of environmental harm**

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

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

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## **R3 Written report**

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
  - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
  - b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
  - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## **7 General Conditions**

### **G1 Copy of licence kept at the premises or plant**

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

## **8 Special Conditions**

# Environment Protection Licence

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## **E1 Alarms & Measures**

E1.1 The licensee must install devices, measures or alarms that are acceptable to the EPA that will warn operators that a malfunction has occurred in baghouses connected to discharge points 6, 7, 10 & 11.

## **E2 Further information required for coal firing**

E2.1 Prior to installing any coal fired equipment the proponent must have applied for and been granted a licence variation by the EPA to permit the use of the fuel.

E2.2 An application for licence variation to install and discharge coal fired fuel must include a review of the July 2005 air quality report for the Mineral Separation Plant prepared by Pacific Air and Environment. The review must include the following;

a) demonstration of compliance with relevant air quality limits for solid particulates, type1 & type2 substances, nitrogen dioxide, sulphur dioxide and sulphuric acid mist in the Protection of the Environment Operations (Clean Air) Regulation 2002;

b) identification of the sulphur content of the proposed coal;

c) an assessment of the impact of nitrogen dioxide, sulphur dioxide and particulates at the nearest sensitive receptors;

d) a detailed discussion of the methodology used to calculate expected emission rates of nitrogen oxides, sulphur dioxide and sulphuric acid mist from the stacks, and

e) identification of changes required to air quality controls.

## **E3 Requirement to have an effluent management plan**

E3.1 Prior to operating the effluent to land system develop a 15-year forward management plan that shows how proposed annual nutrient application rates compares with the annual amounts to be taken up by the biological or physical processes of the crop-soil system. Nutrient application rates must be based on the sustainable assimilation of nutrients over a rolling 15-year period.

E3.2 Review the effluent management plan every three years to ensure that the future planned application rates will continue to achieve sustainable assimilation over a rolling 15-year period.

E3.3 Prepare annual nutrient balances showing nutrient application rates and the result of soil monitoring as set out in the management plan, and how these outcomes compare with those anticipated in the management plan. Documentation of plan and annual balances must be kept for at least four years.

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## Dictionary

### General Dictionary

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

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

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

Mr Craig Bretherton

Environment Protection Authority

(By Delegation)

Date of this edition: 02-May-2005

## End Notes

- 1 Licence varied by notice 1055995, issued on 09-Feb-2006, which came into effect on 09-Feb-2006.
- 2 Licence varied by notice 1064468, issued on 11-Oct-2006, which came into effect on 11-Oct-2006.
- 3 Licence varied by notice 1080950, issued on 20-Dec-2007, which came into effect on 20-Dec-2007.
- 4 Licence varied by notice 1104983, issued on 24-Aug-2009, which came into effect on 24-Aug-2009.
- 5 Licence varied by notice 1111173, issued on 20-Apr-2010, which came into effect on 20-Apr-2010.
- 6 Licence fee period changed by notice 1504051 on 02-May-2012
- 7 Licence varied by notice 1510598 issued on 14-Dec-2012
- 8 Licence varied by notice 1516810 issued on 19-Sep-2013
- 9 Licence varied by notice 1527974 issued on 24-Feb-2015