

# Environment Protection Licence

Licence - 20221

<b>Licence Details</b>	
Number:	20221
Anniversary Date:	02-May

<b>Licensee</b>
MAULES CREEK COAL PTY LTD
PO BOX 56
BOGGABRI NSW 2382

<b>Premises</b>
MAULES CREEK COAL MINE
THERRIBRI ROAD
BOGGABRI NSW 2382

<b>Scheduled Activity</b>
Coal works
Crushing, grinding or separating
Mining for coal

<b>Fee Based Activity</b>	<b>Scale</b>
Coal works	> 5000000 T annual handling capacity
Crushing, grinding or separating	> 2000000 T annual processing capacity
Mining for coal	> 5000000 T annual production capacity

<b>Region</b>
North - Armidale
Ground Floor, NSW Govt Offices, 85 Faulkner Street
ARMIDALE NSW 2350
Phone: (02) 6773 7000
Fax: (02) 6772 2336
PO Box 494
ARMIDALE NSW 2350



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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>MAULES CREEK COAL PTY LTD</b>
<b>PO BOX 56</b>
<b>BOGGABRI NSW 2382</b>

subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

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

Construction of mine related infrastructure.

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
Coal works	Coal works	> 5000000 T annual handing capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 2000000 T annual processing capacity
Mining for coal	Mining for coal	> 5000000 T annual production capacity

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

A2.1 The licence applies to the following premises:

Premises Details
MAULES CREEK COAL MINE
THERRIBRI ROAD
BOGGABRI
NSW 2382
THE LAND BOUND WITHIN THE "MAULES CREEK PROJECT BOUNDARY" IDENTIFIED IN THE MAP ATTACHED TO THE NOTICE OF MODIFICATION FOR PROJECT APPROVAL (APPLICATION NUMBER 10_0138) DATED 10 MARCH 2014 (DOC14/325335).

Note: The Lot and DP details of the shared rail spur have been excluded from the licence as they are included on environment protection licence no. 12407.

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## A3 Other activities

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

Ancillary Activity
Chemical storage
Concrete works
Crushing, grinding and separating of rock for construction activities
Railway systems activities
Sewage treatment system

## 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
18	Ambient Air Monitoring		Location labelled EPL18(TEOM1) on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.

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19	Ambient Air Monitoring	Location labelled EPL19(HVAS1) on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
20	Ambient Air Monitoring	Location labelled EPL20(DDG1) on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
21	Ambient Air Monitoring	Location labelled EPL21(DDG2) on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
22	Ambient Air Monitoring	Location labelled EPL22(DDG3) on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
23	Ambient Air Monitoring	Location labelled EPL23(DDG4) on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.

P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

P1.3 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
3	Wet Weather Discharge Discharge water quality monitoring	Wet Weather Discharge Discharge water quality monitoring	Dam labelled EPL3(SD3) on aerial photo titled "Maules Creek Coal Project - MCC EPL20221 Monitoring Locations" (DOC19/986052) dated 15/08/2019.
7	Wet Weather Discharge Discharge water quality monitoring	Wet Weather Discharge Discharge water quality monitoring	Dam labelled EPL7(SD7) on aerial photo titled ""Maules Creek Coal Project - MCC EPL20221 Monitoring Locations" (DOC19/986052) dated 15/08/2019.



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9	Wet Weather Discharge Discharge water quality monitoring	Wet Weather Discharge Discharge water quality monitoring	Dam labelled EPL9(SD9) on aerial photo titled ""Maules Creek Coal Project - MCC EPL20221 Monitoring Locations" (DOC19/986052) dated 15/08/2019.
12	Surface Water Quality Monitoring		Mining void (variable location) from the main mining void on the premises.
15	Groundwater Quality Monitoring		Location labelled EPL15(BCM01) on aerial photo titled "Maules Creek Coal Project - MCC EPL20221 Monitoring Locations" (DOC19/986052) dated 15/08/2019.
16	Groundwater Quality Monitoring		Location labelled EPL16(BCM03) on aerial photo titled "Maules Creek Coal Project - MCC EPL20221 Monitoring Locations" (DOC19/986052) dated 15/08/2019.
17	Groundwater Quality Monitoring		Location labelled EPL17(REG10A) on aerial photo titled "Maules Creek Coal Project - MCC EPL20221 Monitoring Locations" (DOC19/986052) dated 15/08/2019.
24	Groundwater quality monitoring		Location labelled RB05A on aerial photo titled "Maules Creek Coal Project - MCC EPL20221 Monitoring Locations" (DOC19/986052) dated 15/08/2019.
36	Wet Weather Discharge Discharge water quality monitoring	Wet Weather Discharge Discharge water quality monitoring	Dam labelled EPL3(SD12) on aerial photo titled "Maules Creek Coal Project - MCC EPL20221 Monitoring Locations" (DOC19/986052) dated 15/08/2019.

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

### *Noise/Weather*

EPA identification no.	Type of monitoring point	Location description
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25	Noise monitoring	Location labelled EPL NM1 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
27	Noise monitoring	Location labelled EPL NM3 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
28	Noise monitoring	Location labelled EPL NM4 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
29	Noise monitoring	Location labelled EPL NM5 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
30	Noise monitoring	Location labelled EPL NM6 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
31	Air blast overpressure & ground vibration peak particle velocity monitoring	Location labelled BM1 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
32	Air blast overpressure & ground vibration peak particle velocity monitoring	Location labelled BM2 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
33	Air blast overpressure & ground vibration peak particle velocity monitoring	Location labelled BM3 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
34	Air blast overpressure & ground vibration peak particle velocity monitoring	Location labelled BM4 on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.

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35	Meteorological Station	Location labelled EPLW1(AWS) on aerial photo titled "Maules Creek Coal Mine Environmental Monitoring Locations" (DOC17/506745) submitted with the licence variation application form received by the EPA on 11 October 2017.
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## 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 Water and/or Land Concentration Limits

#### POINT 3,7,9

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	20	35		50

L2.5 The Total Suspended Solids concentration limits specified for Points 2, 3, 5, 7, and 9 may be exceeded

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for water discharged provided that:

- (a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and
- (b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 38.4 millimetre, 5 day rainfall event.

Note: 38.4 mm equates to the 5 day 90%ile rainfall depth for Gunnedah sourced from Table 6.3a Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.

## L3 Noise limits

L3.1 Noise generated at the premises must not exceed the noise limits in the table below.

Locality and location	Day-LAeq(15 minute)	Evening - LAeq(15 minute)	Night - LAeq (15 minute)	Night - LA1 (1 minute)
All privately owned residences	35	35	35	45

L3.2 The noise limits identified in the above table do not apply at privately owned residences that are:

- a) identified as residences subject to acquisition or noise mitigation on request within the Project Approval 10\_0138; or
- b) subject to a private agreement, relating to the noise levels, between the licensee and the land owner.

L3.3 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.

### POINT 25,27,28,29,30

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	Monthly	35
Evening	LAeq (15 minute)	Monthly	35
Night	LAeq (15 minute)	Monthly	35
Night	Night-LA1 (1 minute)	Monthly	45

Note: Attended noise monitoring locations identified in the table above are taken to be representative of privately owned residences and are to be used for the purposes of determining compliance with noise limits identified in this licence, unless otherwise required in writing by the EPA.

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L3.4 For the purpose of the table in condition L3.1 and L3.3:

- a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- b) Evening is defined as the period from 6pm to 10pm;
- c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

L3.5 The noise limits set out in condition L3.1 and L3.3 apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level.

For the purposes of this condition:

- a) Data recorded by the meteorological station identified as EPA Identification Point(s) 35 must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L3.6 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L3.7 If required in writing by the EPA to determine compliance at an individual private residence referred to in condition L3.1:

a) to determine compliance with the Leq(15 minute) noise limits in condition L3.1, the noise measurement equipment must be located:

- i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
- ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
- iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve; or
- iv) at an alternative location approved in writing by the EPA.

b) to determine compliance with the LA1(1 minute) noise limits in condition L3.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.

c) to determine compliance with the noise limits in condition L3.1, the noise measurement equipment must be located:

- i) at the most affected point at a location where there is no dwelling at the location; or
- ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.

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## L4 Blasting

- L4.1 The airblast overpressure level from blasting operations in or on the premises must not exceed 120dB (Lin Peak) at any time at monitoring points 31, 32, 33, or 34 as defined in Condition P1.4 of this licence.
- L4.2 The airblast overpressure level from blasting operations in or on the premises must not exceed 115dB (Lin Peak) for more than five per cent of the total number of blasts over each reporting period at any time and at monitoring points 31, 32, 33, or 34 as defined in Condition P1.4 of this licence.
- L4.3 The ground vibration peak particle velocity from the blasting operations carried out in or on the premises must not exceed 10mm/sec at any time at monitoring points 31, 32, 33, or 34 as defined in Condition P1.4 of this licence.
- L4.4 The ground vibration peak particle velocity from the blasting operations carried out in or on the premises must not exceed 5mm/sec for more than five per cent of the total number of blasts over each reporting period at monitoring points 31, 32, 33, or 34 as defined in Condition P1.4 of this licence.
- L4.5 Blasting operations on the premises must only be carried out between the hours 9am to 5pm, Monday to Saturday, inclusive.
- L4.6 The hours of operation for blasting operations specified in condition L4.5 may be varied if the EPA, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.
- L4.7 Blasting at the premises is limited to 1 blast on each day on which blasting is permitted.

Note: Additional blasts are permitted where it is demonstrated to be necessary for safety reasons and the EPA and neighbours have been notified of the intended blast prior to the additional blast being fired.

Note: This condition does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately owned land.

Note: For the purpose of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.

- L4.8 Condition L4.7 does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately- owned land, or to blasts required to ensure the safety of the mine or its workers.

Note: For the purposes of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.

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## L5 Other limit conditions

L5.1 Noise from activities associated with the construction and/ or upgrade of the Maules Creek rail spur line must not exceed the noise limits in the table below.

Location	Construction Noise Criteria Day LAeq (15 minute)
256	50
259	45
All privately owned residences	40

Note: The noise limits identified in the above table do not apply at privately owned residences that are subject to a private agreement, relating to the noise levels, between the licensee and the land owner.

Note: Locations 256 and 259 are defined in Figure 2, Appendix 4 of Project Approval 10\_0138.

L5.2 Activities associated with the construction and/ or upgrade of the Maules Creek rail spur line may only be carried on between:

- a) 7:00am to 6:00pm Monday to Friday;
- b) 8:00am to 1:00pm Saturdays; and,
- c) At no time on Sundays or public holidays.

L5.3 The above hours of operation specified in condition L5.2 may be varied if the EPA, having regard to the effect that the proposed variation would have on the amenity of the residents in the locality, gives written consent to the variation.

## 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

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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.

## O4 Other operating conditions

### Blast Fume

O4.1 Offensive blast fume must not be emitted from the premises.

Definition: *Offensive blast fume* means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:

(i) are harmful to (or is likely to be harmful to) a person that is outside the premises from which it is emitted, or

(ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.

### Pollution Incident Response Management Plan

O4.2 The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions, 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.

O4.3 The licensee must keep the PIRMP on the premises at all times.

## 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



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this licence:

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

## M2 Requirement to monitor concentration of pollutants discharged

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 18

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

#### POINT 19

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Every 6 days	AM-18

#### POINT 20,21,22,23

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19

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

#### POINT 3,7,9,36

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Special Frequency 1	Grab sample
Oil and Grease	milligrams per litre	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	Grab sample

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Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample
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## POINT 12

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Every 2 months	Representative sample
Oil and Grease	milligrams per litre	Every 2 months	Representative sample
pH	pH	Every 2 months	Representative sample
Total suspended solids	milligrams per litre	Every 2 months	Representative sample

## POINT 15,16,17,24

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Quarterly	Representative sample
pH	pH	Quarterly	Representative sample
Total dissolved solids	milligrams per litre	Quarterly	Representative sample

M2.4 For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after a discharge from points 3, 7, 9 and 36 commences and in any case not more than 12 hours after a discharge commences.

Note: The frequency of monitoring and the parameters to be monitored may be varied by the EPA.

## M3 Testing methods - concentration limits

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

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

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

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

## M4 Weather monitoring

- M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

### POINT 35

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Rainfall	AM-4	millimetres	1 hour	Continuous
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous
Temperature at 2 metres	AM-4	degrees Celsius	15 minutes	Continuous
Temperature at 10 metres	AM-4	degrees Celsius	15 minutes	Continuous
Total Solar Radiation	AM-4	Watts per square metre	15 minutes	Continuous
Siting	AM-1	-	-	-

- M4.2 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in this section.

## M5 Recording of pollution complaints

- M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M5.2 The record must include details of the following:
- 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 were provided, a note to that effect;
  - the nature of the complaint;
  - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and

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

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

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

## M6 Telephone complaints line

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

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

M6.3 The preceding two conditions do not apply until 60 days after the date of the issue of this licence.

## M7 Blasting

M7.1 To determine compliance with conditions L4.1 to L4.4 inclusive:

- a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 31, 32, 33 and 34 for the parameters specified in Column 1 of the table below and
- b) The licensee must use the units of measure, sampling method and sample at the frequency specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Sampling Method
Airblast overpressure	Decibels (Linear Peak)	All blasts	Australian Standard AS 2187.2-2006
Ground vibration peak particle velocity	millimetres/second	All blasts	Australian Standard AS 2187.2-2006

## M8 Other monitoring and recording conditions

### Noise Monitoring

M8.1 To assess compliance with the noise limits specified in condition L3.3, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below during a period of time representative of typical operating conditions and not undertaken during a shutdown period.

POINTS 25, 27, 28, 29, 30

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Assessment period	Minimum frequency in a Reporting Period	Minimum duration within an assessment period
Night	Monthly	15 minutes

## 6 Reporting Conditions

### R1 Annual return documents

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

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee 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').

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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.

## R2 Notification of environmental harm

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

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.

R2.2 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
- 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

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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 A noise compliance assessment report must be submitted to the EPA within thirty (30) calendar days of the completion of the monthly noise monitoring. The assessment must be prepared by a suitably qualified and experienced person and include:
- a) an assessment of compliance with noise limits detailed in the limit conditions of this licence; and
  - b) an outline of any management actions taken within the monitoring period to address any exceedences of the noise limits detailed in condition L3.3 of this licence.
- R4.2 The Licensee must report any exceedence of the licence noise limits to the regional office of the EPA as soon as practicable after the exceedence becomes known to the licensee or to one of the licensee's employees or agents.
- R4.3 The Licensee must report any exceedence of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedence becomes known to the licensee or to one of the licensee's employees or agents.

## **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.

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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 Robert O'Hern

Environment Protection Authority

(By Delegation)

Date of this edition: 02-May-2013

## End Notes

2	Licence varied by notice	1518351 issued on 05-Feb-2014
3	Licence varied by notice	1524455 issued on 23-Dec-2014
4	Licence varied by notice	1528403 issued on 13-Feb-2015
5	Licence varied by notice	1529408 issued on 21-Sep-2015
6	Licence varied by notice	1534873 issued on 25-Feb-2016
7	Licence varied by notice	1557609 issued on 01-Mar-2018
8	Licence varied by notice	1562604 issued on 07-Mar-2018
9	Licence varied by notice	1585322 issued on 27-Nov-2019