

Environment Protection Licence

Licence - 1976

Licence Details	
Number:	1976
Anniversary Date:	01-April

Licensee
MOUNT THORLEY OPERATIONS PTY LIMITED
PO BOX 267
SINGLETON NSW 2330

Premises
MOUNT THORLEY OPERATIONS
MOUNT THORLEY ROAD
MOUNT THORLEY NSW 2330

Scheduled Activity
Coal works
Mining for coal

Fee Based Activity	Scale
Coal works	> 5000000 T annual handling capacity
Mining for coal	> 5000000 T annual production capacity

Region
Regional North - Newcastle
Ground Floor, NSW Govt Offices, 117 Bull Street
NEWCASTLE WEST NSW 2302
Phone: (02) 4908 6800
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PO Box 488G
NEWCASTLE NSW 2300

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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:

MOUNT THORLEY OPERATIONS PTY LIMITED
PO BOX 267
SINGLETON NSW 2330

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Coal works	Coal works	> 5000000 T annual handing capacity
Mining for coal	Mining for coal	> 5000000 T annual production capacity

Note: In relation to this licence, the licensee must comply with:

- a) the activity scale limits imposed by this licence;
- b) the activity scale limits which apply for the reporting period specified in this licence; and
- c) the activity scale limits imposed by other legal instruments, such as approvals currently in force under the *Environmental Planning and Assessment Act 1979*.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
MOUNT THORLEY OPERATIONS
MOUNT THORLEY ROAD
MOUNT THORLEY
NSW 2330
PREMISES DEFINED BY PLAN TITLED "MTO EPL 1976" DATED 29 MAY 2018 SHOWING PREMISES BOUNDARY EPA REF DOC18/346356. THE PLAN IS FIGURE 1 OF 3 SUBMITTED TO THE EPA ON 29 MAY 2018.

A3 Other activities

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

Ancillary Activity

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Sewage Treatment Systems

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:

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

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
10	Particulate Matter Monitoring		Monitor "Dragline Crossing" at coordinates 318679 6388113 (Easting Northing) identified as EPA 10 on Figure 2.
11	Particulate Matter Monitoring		Monitor "Heavy Vehicle Bridge" at coordinates 320800 6387890 (Easting Northing) identified as EPA 11 on Figure 2.
13	Particulate Matter Monitoring		Monitor "MTO Boundary" at coordinates 320781 6384921 (Easting Northing) identified as EPA 13 on Figure 2.
19	Particulate Matter Monitoring		Monitor "MTIE" at co-ordinates 321656, 6388797 (Easting, Northing) identified as EPA 12 on Figure 2.

- 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.

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Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
3	Water quality monitoring		Loders Creek, at CHPP access road bridge at co-ordinates 323505 6386553 (Easting Northing) identified as point 3 on Figure 2.
4	Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS) Discharge Quality Volume Monitoring	Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS) Discharge Quality Volume Monitoring	HRSTS discharge at the end of the discharge pipe from Dam 9 at co-ordinates 321960 6385380 (Easting Northing) identified as point 4 on Figure 2.
18	Effluent quality monitoring, Discharge to utilisation area	Effluent quality monitoring, Discharge to utilisation area	MTO receiving lagoon (Dam 1S) at co-ordinates 321751 6387626 (Easting Northing) identified as point 18 on Figure 3.

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
5	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor "Warkworth" at co-ordinates 314311 6394906 (Easting Northing) identified as point 5 on Figure 2.
6	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor "Wambo Road" at co-ordinates 313263 6388714 (Easting Northing) identified as point 6 on Figure 2.
7	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast Monitor "Bulga Village" at co-ordinates 314252 6385592 (Easting Northing) identified as point 7 on Figure 2.
8	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor "Wollemi Peak Road" at co-ordinates 315133 6384578 (Easting Northing) identified as point 8 on Figure 2.
9	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor "Putty Road - MTIE" at co-ordinates 322584 6389730 (Easting Northing) identified as point 9 on Figure 2.
14	Meteorological Station	Meteorological station at co-ordinates 318484 6387405 (Easting Northing) identified as point M4.1 on Figure 2.

P1.5 For the purpose of condition P1.1, P1.3 and P1.4, Figure 2 refers to Plan titled "MTO EPL 1976" dated 29 May 2018 representing air, blasting, water and meteorological monitoring points EPA Ref DOC18/346356.

P1.6 For the purpose of condition P1.3, Figure 3 refers to Plan titled "MTO EPL 1976" dated 29 May 2018 that shows sewage treatment plant infrastructure EPA Ref DOC18/346356.

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P1.7 The datum for grid references in this licence is the Geodetic Datum of Australia 1994 (GDA94), Zone 56.

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 4

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-9.0
TSS	milligrams per litre				120

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.

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Point	Unit of Measure	Volume/Mass Limit
4	megalitres per day	100

L4 Waste

L4.1 The licensee must not cause, permit or allow any waste to be received at the premises unless specified in this licence.

L5 Blasting

L5.1 Blasting in or on the premises must only be carried out between 0700 hours and 1800 hours, Monday to Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.

L5.2 The airblast overpressure level from blasting operations in or on the premises must not exceed: 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 5, 6, 7, 8 or 9 in Condition P1.4.

L5.3 The airblast overpressure level from blasting operations in or on the premises must not exceed: 120 dB (Lin Peak) at any time; at either monitoring point 5, 6, 7, 8 or 9 in Condition P1.4.

L5.4 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:
5 mm/second for more than 5% of the total number of blasts during each reporting period;
at either monitoring point 5, 6, 7, 8 or 9 in Condition P1.4.

L5.5 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:
10 mm/second at any time;
at either monitoring point 5, 6, 7, 8 or 9 in Condition P1.4.

L5.6 Offensive blast fume must not be emitted from the premises.

Definition:

Offensive blast fume means post-blast gases 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:

- 1. are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or*
- 2. 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.*

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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.

O2.2 The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.

O2.3 The licensee must record each inspection and any actions required or recommended by the technician including all results of tests performed on the sewage treatment system by the technician as required in Condition O2.2.

O2.4 The licensee must prepare a sewage treatment system maintenance program. The program must include:

- a) Certification from a technician that the sewage treatment system is operating within its capacity;
- b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and
- c) Provide written records of each quarterly inspection.

O3 Dust

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

O3.2 Guide posts or other control measures must be maintained to define trafficable areas, restricting vehicle movements to these areas and identifying areas to be watered down.

O3.3 All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.

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O4 Effluent application to land

- O4.1 Application of wastewaters must only be applied at a rate that can be assimilated by the effluent discharge utilisation area and its evapotranspiration capacity.
- O4.2 The licensee must ensure that the effluent discharge utilisation area perimeter is fenced and signposted "Effluent Re-Use Area Keep Out" and controlled in a manner to ensure exclusion of persons from that area.

O5 Emergency response

- O5.1 The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident 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. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.

O6 Other operating conditions

- O6.1 There must be no incineration or open burning of any material(s) on the premises, except as specifically authorised by the EPA.
- O6.2 All above-ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.

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

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d) 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 10,11,13,19

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	Special Method 1

Note: Special Method 1 requires the Licensee to undertake the monitoring of PM10 concentration in strict accordance with the manufacturer's operating manual supplied with the continuous monitoring equipment and titled "**Model 8530/8531/8532 DustTrak™ II Aerosol Monitor Operation and Service Manual (P/N 6001893, Revision A, September 2008**", or any updated version as published by the manufacturer.

M2.3 Water and/ or Land Monitoring Requirements

POINT 3

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	Grab sample
pH	pH	Once a month (min. of 4 weeks)	Grab sample
Total suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample

POINT 4

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous during discharge	A probe designed to measure the range 0 to 10,000 uS/cm
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample

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POINT 18

Pollutant	Units of measure	Frequency	Sampling Method
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly	Grab sample
pH	pH	Quarterly	Grab 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.

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.
- M3.3 Sampling, storage and analysis of electrical conductivity by grab sample is permitted to be undertaken in accordance with AECOM Australia Method: Conductivity by classical using APHA 2510 B (EPA approval DOC18/17513-08).
- M3.4 Sampling, storage and analysis of pH by grab sample is permitted to be undertaken in accordance with AECOM Australia Method: pH by classical using APHA 4500 H+B (EPA Approval DOC18/17513-08).

M4 Weather monitoring

- M4.1 The licensee must collect and analyse meteorological data on the premises for each weather parameter 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:

Meteorological Monitoring

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Parameter	Units of measure	Frequency	Sampling method
Air temperature	0C	Continuous	Thermometer
Wind direction		Continuous	AM-2 & AM-4 (see note 1)
Wind velocity	m/sec	Continuous	AM-2 & AM-4 (see note 1)
Rainfall	mm	Daily	Rain gauge

Note: 1: Methods AM-2 & AM-4 are specified in the *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales* and all monitoring must be conducted strictly in accordance with the requirements outlined in this document.

M5 Recording of pollution complaints

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

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

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

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

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

M6 Telephone complaints line

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

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

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

M7 Requirement to monitor volume or mass

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

- the volume of liquids discharged to water or applied to the area;
- the mass of solids applied to the area;
- the mass of pollutants emitted to the air;

at the frequency and using the method and units of measure, specified below.

POINT 4

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	megalitres per day	Ultrasonic flow meter

M8 Blasting

M8.1 To determine compliance with conditions L4.2, L4.3, L4.4 and L4.5:

- Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 5, 6, 7, 8 and 9 for the parameters specified in Column 1 of the table below; and
- 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

M9 Other monitoring and recording conditions

HRSTS Monitoring

M9.1 The licensee must continuously operate and maintain communication equipment which makes the conductivity and flow measurements, taken at Point 4 available to the "Service Coordinator" within one hour of those measurements being taken and makes them available in the format specified in the "Hunter River Salinity Trading Scheme Discharge Point Telemetry Specification - Rev V1.0 released 4 October 2018" as published by Water NSW.

M9.2 The licensee must ensure that all monitoring data is within a margin of error of 5% for conductivity measurements and 10% for discharge flow measurement.

M9.3 The licensee must mark monitoring point(s) 4, with a sign which clearly indicates the name of the licensee, whether the monitoring point is up or down stream of the discharge point(s) and that it is a monitoring point for the Hunter River Salinity Trading Scheme.

Requirement to Monitor Particulate Matter

M9.4 The Licensee must record the average PM10 concentration at Monitoring Points 10, 11, 12 and 13 at

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intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA who asks to see them.

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 notification that the Annual Return is due.

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.

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- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- the licence holder; or
 - 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.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

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

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
 - 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:
- the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - 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;
 - 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;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - 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.

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R4 Other reporting conditions

Reporting of Exceedance of Blasting Limits

- R4.1 The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.

Reporting of Blast Monitoring

- R4.2 The results of the blast monitoring required by condition M8.1 must be submitted to the EPA at the end of each reporting period.

HRSTS Reporting

- R4.3 The licensee must compile a written report of the activities under the Scheme for each scheme year. The scheme year shall run from 1 July to 30 June each year. The written report must be submitted to the EPA's regional office within 60 days after the end of each scheme year and be in a form and manner approved by the EPA. The information will be used by the EPA to compile an annual scheme report.

Sewage Treatment Plant Maintenance

- R4.4 The sewage treatment system maintenance program required by Condition O2.4 must be submitted annually to the EPA with the Annual Return.
- R4.5 The licensee must retain a copy of each report required by Condition O2.3 for 3 years from the date each record is made.

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 Other general conditions

G2.1 Completed Programs

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Program	Description	Completed Date
The licensee must supply an audit of blast complai	The licensee must supply an audit of blast complaints received after 12 months of the extension of blasting hours from 1700 to 1800.. Trial will ensure that the extension of blasting hours to 6pm has no impact to surrounding environment.	21-December-2005
Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions	30-July-2012
Particulate Matter Control Best Practice Implementation – Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014
Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.	15-August-2014
Particulate Matter Control Best Practice Implementation - Trial of Best Practice Measures for Disturbing and Handling Overburden	Investigation to establish best practice measures for the handling of overburden.	31-March-2015
Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed lands	31-March-2015

8 Pollution Studies and Reduction Programs

U1 Premises Noise Limits

U1.1 The licensee must conduct a noise assessment in accordance with the document, '*NSW Industrial Noise Policy*', (EPA, 2000) for the operations and activities carried out at the licensed premises and submit a report to the Manager, Hunter Region, by no later than 20 September 2012.

U1.2 The report referred to in condition U1.1 must include, but is not limited to the following:

1. Project Specific Noise Levels for the nearest noise sensitive receiver location(s). The project specific noise levels may be sourced from recent documentation submitted in support of a project approval application, or determined specifically in response to this condition, provided that:
 - (a) the source of the project specific noise levels are stated;
 - (b) the project specific noise levels have been derived in accordance with the NSW Industrial Noise Policy, (EPA 2000) ("INP");

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- (c) Details are provided of how the project specific noise levels have been derived; and
- (d) The nearest noise sensitive receiver locations chosen are representative of those potentially most affected by noise from the premises.

2. Predicted or measured noise level contributions for the noise sensitive receiver locations identified in U1.2-1 above as a result of all activities and operations carried out at the premises. These may be sourced from recent documentation submitted in support of a project approval or determined specifically in response to this condition provided that:

- (a) The source of the predicted or measured noise level(s) are stated;
- (b) Noise levels have been predicted or measured in accordance with the INP; and
- (c) Details of how the noise levels have been predicted are provided.

3. Noise Limits proposed for the location(s) identified in U1.2-1 above, derived with regard to the project specific noise levels and predicted noise level contributions from U1.2-1 and U1.2-2 above, that can be placed on the licence, for all activities and operations carried out at the premises.

4. Details of methods to be used to determine compliance with the limits in U1.2-3 above.

- Note: (a) A reference to the INP includes a reference to the INP Application Notes; and
- (b) Noise sensitive receiver locations do not include any locations owned by the licensee or another coal mine or where a negotiated agreement (as outlined in the INP) is in place between the landowner and any licence holder.

9 Special Conditions

E1 Hunter River Salinity Trading Scheme (HRSTS)

- E1.1 This licence authorises the discharge of saline water into the Hunter River Catchment from an authorised discharge point (or points), in accordance with the *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002*.
- E1.2 For the purposes of Clauses 23 and 29 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002 the licensee must apply the conversion factor of 0.6.
- E1.3 The licensee must not exceed the hourly volume discharge limit calculated using the following formula, at all discharge point(s) on this licence titled "Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS)":

$$H = V / RRT$$

Where:

H is the hourly volume discharge limit (in megalitres per hour);

V is the licence holder's volume discharge limit for the block (in megalitres) calculated in accordance with clause 23 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme)

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Regulation (2002); and

RRT is the difference between the discharge stop and start times shown on the river register for that block (in hours)

Note 1: The intent of this condition is to prevent spikes of saline water in the Hunter River as a result of discharges of less than the duration permitted by the river register.

Note 2: A river register is issued by the Service Co-ordinator and allows participants of the Hunter River Salinity Trading Scheme (HRSTS) to discharge saline to the Hunter River during a discharge period.

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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 Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 28-September-2000

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End Notes

- 1 Licence varied by notice 1003030, issued on 06-Dec-2000, which came into effect on 31-Dec-2000.
- 2 Licence varied by notice 1007312, issued on 30-Aug-2001, which came into effect on 24-Sep-2001.
- 3 Licence varied by Change to contact name, issued on 16-Oct-2001, which came into effect on 16-Oct-2001.
- 4 Condition HRSTS Non Dis Note - Credit Holder in "the Scheme" varied by notice issued on <issue date> which came into effect on <effective date>
- 5 Licence varied by notice 1013304, issued on 07-Dec-2001, which came into effect on 01-Jan-2002.
- 6 Licence varied by notice 1015364, issued on 14-May-2002, which came into effect on 08-Jun-2002.
- 7 Licence varied by notice 1025553, issued on 25-Mar-2003, which came into effect on 19-Apr-2003.
- 8 Licence varied by notice 1033323, issued on 22-Jan-2004, which came into effect on 23-Jan-2004.
- 9 Licence transferred through application 142541, approved on 05-Apr-2004, which came into effect on 01-Apr-2004.
- 10 Licence varied by notice 1040688, issued on 13-Oct-2004, which came into effect on 27-Oct-2004.
- 11 Licence varied by notice 1048636, issued on 10-Jun-2005, which came into effect on 04-Jul-2005.
- 12 Licence varied by notice 1054666, issued on 21-Dec-2005, which came into effect on 15-Jan-2006.
- 13 Licence varied by notice 1079604, issued on 31-Oct-2007, which came into effect on 31-Oct-2007.
- 14 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 15 Licence varied by notice 1104193, issued on 26-Nov-2009, which came into effect on 26-Nov-2009.
- 16 Licence varied by notice 1110516, issued on 08-Jan-2010, which came into effect on 08-Jan-2010.
- 17 Licence varied by notice 1501465 issued on 21-Nov-2011
- 18 Licence varied by notice 1506448 issued on 27-Jul-2012

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19	Licence varied by notice	1510442 issued on 21-Mar-2013
20	Licence varied by notice	1516205 issued on 05-Sep-2013
21	Licence varied by notice	1517676 issued on 29-Oct-2013
22	Licence varied by notice	1522187 issued on 16-Oct-2014
23	Licence varied by notice	1527056 issued on 08-Jan-2015
24	Licence varied by notice	1530034 issued on 23-Apr-2015
25	Licence varied by notice	1530847 issued on 19-Jun-2015
26	Licence transferred through application 1537197 approved on 15-Jan-2016 , which came into effect on 15-Jan-2016	
27	Licence varied by notice	1538228 issued on 24-Feb-2016
28	Licence varied by notice	1539628 issued on 08-Apr-2016
29	Licence varied by notice	1541250 issued on 07-Jun-2016
30	Licence varied by notice	1542728 issued on 22-Aug-2016
31	Licence varied by notice	1544522 issued on 09-Sep-2016
32	Licence varied by notice	1545183 issued on 22-Sep-2016
33	Licence varied by notice	1552942 issued on 16-Aug-2017
34	Licence varied by notice	1555618 issued on 19-Sep-2017
35	Licence varied by notice	1562568 issued on 17-Sep-2018
36	Licence varied by notice	1571245 issued on 18-Oct-2018
37	Licence varied by notice	1577647 issued on 26-Apr-2019
38	Licence varied by notice	1600699 issued on 23-Sep-2020