

Environment Protection Licence



Licence - 366

Licence Details

Number:	366
Anniversary Date:	01-January

Licensee

CENTENNIAL MYUNA PTY LIMITED
 LEVEL 18, BT TOWER, 1 MARKET ST
 SYDNEY NSW 2000

Premises

MYUNA COLLIERY
 14 SUMMERHILL DRIVE
 WANGI WANGI NSW 2267

Scheduled Activity

Coal Works
 Mining for Coal

Fee Based Activity

Scale

Coal works	> 2000000-5000000 T handled
Mining for coal	> 2000000-3500000 T produced

Region

North - Hunter
 Ground Floor, NSW Govt Offices, 117 Bull Street
 NEWCASTLE WEST NSW 2302
 Phone: (02) 4908 6800
 Fax: (02) 4908 6810
 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:

CENTENNIAL MYUNA PTY LIMITED
LEVEL 18, BT TOWER, 1 MARKET ST
SYDNEY NSW 2000

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	> 2000000 - 5000000 T handled
Mining for Coal	Mining for coal	> 2000000 - 3500000 T produced

A1.2 The licensee must not extract more than 3 million tonnes of Run of Mine (ROM) coal from the premises in any calendar year.

Note: This is in accordance with planning approval 10_0080 Mod 1 dated 27 February 2015.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
MYUNA COLLIERY
14 SUMMERHILL DRIVE
WANGI WANGI
NSW 2267
SURFACE PREMISES OF THE COLLIERY IDENTIFIED IN PLAN TITLED "MYUNA COLLIERY SURFACE LAYOUT" PLAN NUMBER MY11308 VERSION 2 (DOC15/403857-01) AND MY11301 DATED 4/9/14 DOC14/255398-03 AND -04 AND UNDERGROUND PREMISES (MINING FOR COAL) INCLUDES ONLY MINING FOR COAL IN THE WALLARAH SEAM, GREAT NORTHERN SEAM AND FASSIFERN SEAM AS IDENTIFIED IN PLAN TITLED "MYUNA COLLIERY SURFACE LAYOUT CURRENT EXTENT OF MINE WORKINGS" MY11300 DATED 4/9/14 DOC14/255398-02. EF13/2760

A3 Information supplied to the EPA

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

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

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- 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
3	Dust deposition gauge		Labelled 'DG1' on map titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01
4	Dust deposition gauge		Labelled 'DG2' on map titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01
5	Dust deposition gauge		Labelled 'DG3' on map titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01
6	Dust deposition gauge		Labelled 'DG4' on map titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01
7	Particulate matter - TSP - High Volume Air Sampler		Identified as HVAS TSP near weather station on plan titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01
8	Particulate matter - PM10 - High Volume Air Sampler		Identified as HVAS PM10 near weather station on plan titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01

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
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9	Discharge to waters, Discharge quality monitoring, Volume monitoring	Discharge to waters, Discharge quality monitoring, Volume monitoring	Discharge from Settling Ponds defined as LDP B on map titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01
10	Discharge to waters, Discharge quality monitoring	Discharge to waters, Discharge quality monitoring	Emergency Coal Stockpile Dam discharge point defined as LDP A on map titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01

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 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				50

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POINT 10

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				50

L2.5 Discharge to waters from Point 10 is only permitted when rainfall exceeds 140mm in any 24 hour period.

L3 Volume and mass limits

L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
 a) liquids discharged to water; or;
 b) solids or liquids applied to the area;
 must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
9	kilolitres per day	13000

L4 Waste

L4.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	Waste	Any other waste received on the premises for storage, treatment, processing, sorting or disposal and	-	

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		which receipt is not a scheduled activity under Schedule 1 of the POEO Act, as in force from time to time.		
NA	General or Specific exempted waste	Waste that meets all the exemptions under Clause 92 of the Protection of the Environment Operations (waste) Regulation 2014.	As specified in each particular resource recovery exemption	NA

- L4.2 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.
- L4.3 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence.

L5 Noise limits

- L5.1 The licensee must ensure that noise generated by the activities within the premises, including from emergency stockpiling do not exceed the following criteria measured in dB(A) at any of the following locations or on more than 25% of any privately-owned land.

Location	Day LAeq(15min)	Emergency Day LAeq(15min)	Evening LAeq(15min)	Night LAeq(15min) LAeq(1min)
R1: 2 Turrama St Wangi R2: 2 Moani St Wangi R3: 3 Sunset Cl Wangi	35	40	35	35 LAeq(15min) 45 LA(1min)
R4: 119 Donnelly Rd Arcadia Vale	35	44	40	38 LAeq(15min) 49 LA1(1min)
R5: 93 Donnelly Rd Arcadia Vale R6: 83 Donnelly Rd Arcadia Vale R7: 63 Donnelly Rd Arcadia Vale R8: 53 Donnelly Rd Arcadia Vale	37	44	42	39 LAeq(15min) 49 LA1(1min)
All other privately owned land	35	40	35	35 LAeq(15min) 45 LA1(1min)

Note: The locations 'R1 - R8' are shown on map titled "Myuna Colliery Surface Layout MY11301 Version 2" dated 4/09/2014 DOC15/403857-01 and in Table 1 "Nearest Sensitive Receivers" in the document titled "Centennial Coal Environmental Assessment Myuna Colliery Section 75W Modification to Project

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Approval PA 10_0080 November 2014".

The licensee may provide to the EPA written evidence of any agreement with a landholder which is subject to the above noise limits. The written evidence of any agreement may be submitted with a licence variation to remove the landholder from the above table.

L5.2 For the purpose of condition L5.1:

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

L5.3 The noise limits set out in condition L5.1 apply under all meteorological conditions except for any one of the following:

- a) wind speeds greater than 3 metres/second at 10 metres above ground level; or
- b) stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) stability category G temperature inversion conditions.

L5.4 For the purpose of condition L5.3:

- a) the meteorological data to be used for determining meteorological conditions is the data recorded by the Earning meteorological weather station or a weather station established at this site for the purposes of this Environment Protection Licence;
- b) stability category temperature inversion conditions are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the *NSW Industrial Noise Policy* (EPA 2000).

Note: The weather station must be designed, commissioned and operated in a manner to obtain the necessary parameters required under the above condition.

L5.5 For the purpose of determining the noise generated at the premises the licensee must use a Class 1 or 2 noise monitoring device as defined by AS IEC61672.1-2004 and AS IEC61672.2-2004, or other noise monitoring equipment accepted by the EPA in writing.

L5.6 To determine compliance:

1. With the $L_{Aeq(15\text{ min})}$ noise limits in condition L5.1, the licensee must locate noise monitoring equipment;
 - (a) within 30 metres of a dwelling facade (but not closer than 3 metres) where any dwelling on the property is situated more than 30 metres from the property boundary that is closest to the premises;
 - (b) approximately on the boundary where any dwelling is situated 30 metres or less from the property boundary that is closest to the premises, or, where applicable,
 - (c) within approximately 50 metres if the boundary of a national park or nature reserve.
2. With the $LA1(1\text{ minute})$ noise limits in condition L5.1, the noise monitoring equipment must be located within 1 metre of a dwelling facade.
3. With the noise limits in condition L5.1, the noise monitoring equipment must be located;
 - (a) at the most affected point at a location where there is no dwelling at the location, or
 - (b) at the most affected point within an area at a location prescribed by conditions L5.6 1(a) or L5.6 1(b).

L5.7 A non-compliance of condition L5.1 will still occur where noise generated from the premises in excess of

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the appropriate limit is measured;

- at a location other than an area prescribed by conditions L5.6 1(a) and L5.6 1(b), and /or
- at a point other than the most affected point at a location.

L5.8 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.

L6 Potentially offensive odour

L6.1 No condition of this licence identifies a potentially offensive odour for the purposes of Section 129 of the Protection of the Environment Operations Act 1997.

L6.2 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

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

4 Operating Conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

O3 Dust

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

O3.2 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.

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- 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.
- O3.4 Coal stockpiles must be maintained in a condition that will minimise the generation and emission of dust on the premises.

O4 Emergency response

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

O5 Other operating conditions

- O5.1 The licensee must ensure that activities are conducted in an environmentally satisfactory manner. So as to minimise and prevent the pollution of air and water the licensee must:
 - (a) Ensure that vehicles or containers prior to leaving the premises are clean and sealed in a manner that will not cause materials or wastes used in conducting the activities at the premises to be tracked, thrown from, blown, fall, or cast from any vehicle or container onto a public road.
 - (b) The licensee must have in place and implement procedures to ensure that vehicles and containers exiting the premises are in a condition to ensure that materials are not tracked, thrown, blown, fall or cast onto a public road.
- O5.2 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.
- O5.3 The Licensee must transport all coal from the premises via the enclosed overland coal conveyor to Eraring Power Station.

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.

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

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

M2 Requirement to monitor concentration of pollutants discharged

M2.1 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 3,4,5,6

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

POINT 7

Pollutant	Units of measure	Frequency	Sampling Method
Total suspended particles	micrograms per cubic metre	Every 6 days	AM-15

POINT 8

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

M2.3 Water and/ or Land Monitoring Requirements

POINT 9,10

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	milligrams per litre	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

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M2.4 For Special Frequency 1 the licensee must monitor daily during discharge.

M3 Testing methods - concentration limits

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

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

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

M4 Environmental monitoring

Requirement to monitor noise

- M4.1 To determine compliance with condition L5.1, attended noise monitoring must be undertaken in accordance with conditions L5.5 and L5.6, and
- (a) at each one of the locations listed in condition L5.1;
 - (b) occur quarterly within the reporting period of the Environmental Protection Licence with a least 2 months between monitoring periods;
 - (c) occur during each day, evening and night period as defined in the NSW Industrial Noise Policy (EPA 2000) for a minimum of 15 minutes for three of the quarters;
 - (d) the night time 15 minute attended monitoring in accordance with (c) must be undertaken between the hours of 1am and 4am;
 - (e) one quarterly monitoring must occur during each day, evening and night period as defined in the in the NSW Industrial Noise Policy (EPA 2000) for a minimum of 1.5 hours during the day; 30 minutes during the evening; and 1 hours during the night;
 - (f) each quarterly monitoring must be undertaken on a different day of the week not including Saturdays, Sundays and Public Holidays; and
 - (g) these monitoring conditions take effect in the 2015 Environment Protection Licence Period.

Note: For the Annual Reporting Period 2014 the EPA will accept all monitoring required by the current

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Department of Planning and Environment consent (usually quarterly monitoring for noise as dB(A) Leq15minutes) for compliance with noise monitoring requirements in this Licence, as a single report, and that the process in the consent and noise management plan, if it addresses monitoring, is followed.

M5 Weather monitoring

M5.1 For each monitoring point specified in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Point W1

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Rainfall	mm	Continuous	24 hour	AM-4
Wind direction	degrees	Continuous	1 hour	AM-2 and AM-4
Wind speed	metres per second	Continuous	1 hour	AM-2 and AM-4
Air temperature	degrees celcius	Continuous	1 hour	AM-4
Sigma-theta	degrees	Continuous	15 minute	AM-2 and AM-4
Relative humidity	percentage	Continuous	1 hour	AM-4

M5.2 For the purpose of condition M5.1, Point W1 refers to a meteorological station established on the premises.

M5.3 The licensee may use the meteorological station established at Eraring Power Station provided the licensee has authority from Eraring Energy to access data from the Eraring Power Station at all times. However, if this station is not available at any time then condition M5.2 applies.

M6 Recording of pollution complaints

M6.1 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.

M6.2 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.

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M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M7 Telephone complaints line

M7.1 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.

M7.2 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.

M7.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M7.4 The licensee must nominate a representative of the company that is available all all times and is capable of providing immediate assistance or response during emergencies or any other incidents at the premises. The name of the nominated representative and their contact details, including a telephone number, must be current at all times.

Note: This condition does not apply until two (2) weeks after the date of issue of this licence.

M8 Requirement to monitor volume or mass

M8.1 For each discharge point or utilisation area specified below, the licensee must monitor:

- a) the volume of liquids discharged to water or applied to the area;
 - b) the mass of solids applied to the area;
 - c) the mass of pollutants emitted to the air;
- at the frequency and using the method and units of measure, specified below.

POINT 9

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	Continuously

6 Reporting Conditions

R1 Annual return documents

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

- a) a Statement of Compliance; and
- b) a Monitoring and Complaints Summary.

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

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

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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 by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

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:

- 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

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carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

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

R4 Other reporting conditions

Noise monitoring report

R4.1 The licensee must submit to the EPA a noise compliance assessment report at the end of each reporting period. The report must be submitted with the Environment Protection Licence Annual Return. The report must be prepared by a suitably qualified and experienced acoustical consultant which:

- (a) details the noise monitoring undertaken in accordance with condition M4;
- (b) assess compliance with noise limits presented in condition L5.1, and
- (c) outlines any management actions taken within the monitoring period to address any exceedences of limits contained in condition L5.1.

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.

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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 Pollution Studies and Reduction Programs (PRPs)

PRP	Description	Completed Date
Assess the impacts of discharges of saline water a	Assess the impacts of discharges of saline water and manganese on receiving waters.. Investigate, with the view of controlling any possible environmental impacts, the effect of discharging saline water and manganese to the receiving waters.	29-November-2002
PRP 2 - Investigate Further the Impacts of Dischar	Investigate further, the impacts of discharges of manganese on receiving waters of Lake Macquarie. (extension of PRP 1, focussing on manganese). Investigate, with the view of controlling any possible environmental impacts, the effect of discharging manganese to the receiving waters of Lake Macquarie. Improve water quality in Lake Macquarie.	18-June-2004
PRP 1 - Assessment of Potential Impacts of Metals	The licensee must conduct an assessment of metals detected in wastewater discharges from the mine in accordance with ANZECC water quality guidelines.. To obtain a greater understanding of the type and concentration of metals discharged in mine water and entering the receiving waters. To limit the concentration of metals discharged in mine water within ANZECC guidelines.(@)	04-August-2015
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	28-September-2012

8 Special Conditions

E1 Additional Monitoring

E1.1 The licensee must undertake a surface -water monitoring program in Wangi Bay as detailed in Table A.

Pollutant/unit of measure	Filtration	Sample location	No.of samples	Frequency
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Manganese (filterable)/mg/L	0.45um	At T2-5m and T2-10m as defined in Hydrobiology Pty Ltd, 2004*	Two (2) samples collected each at T2-5m and at T2-10m	Quarterly
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Note: *as described in Appendix E of the report titled '*Manganese Discharge from the Myuna Colliery ANZECC/ARMCANZ Study*' prepared by Hydrobiology Pty Ltd, dated March 2004.

E1.2 The licensee must submit a quarterly report to the Regional Manager, Hunter, detailing the results collected during the surface-water monitoring program detailed in condition E1.1

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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

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 06-April-2000

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End Notes

- 1 Licence varied by notice V/M upgrade, issued on 10-Jul-2000, which came into effect on 10-Jul-2000.
- 2 Licence varied by notice 1003596, issued on 11-Jan-2001, which came into effect on 05-Feb-2001.
- 3 Licence varied by notice 1005009, issued on 09-Aug-2001, which came into effect on 03-Sep-2001.
- 4 Licence varied by notice 1011235, issued on 09-Oct-2001, which came into effect on 12-Oct-2001.
- 5 Licence varied by Change of contact details, issued on 16-Apr-2002, which came into effect on 16-Apr-2002.
- 6 Licence varied by notice 1017493, issued on 12-Jul-2002, which came into effect on 06-Aug-2002.
- 7 Licence varied by notice 1021261, issued on 10-Oct-2002, which came into effect on 11-Oct-2002.
- 8 Licence transferred through application 141585, approved on 21-Nov-2002, which came into effect on 07-Aug-2002.
- 9 Licence varied by notice 1022819, issued on 29-Nov-2002, which came into effect on 24-Dec-2002.
- 10 Licence varied by notice 1024904, issued on 17-Apr-2003, which came into effect on 12-May-2003.
- 11 Licence varied by notice 1034892, issued on 28-Jun-2004, which came into effect on 13-Jul-2004.
- 12 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 13 Licence varied by notice 1105235, issued on 22-Feb-2011, which came into effect on 22-Feb-2011.
- 14 Licence varied by notice 1502517 issued on 30-Jan-2012
- 15 Licence varied by notice 1510148 issued on 21-Feb-2013
- 16 Licence varied by notice 1524277 issued on 05-Nov-2014
- 17 Licence varied by notice 1527732 issued on 13-May-2015
- 18 Licence varied by notice 1533862 issued on 13-Nov-2015