

Environment Protection Licence

Licence - 528



Licence Details

Number:	528
Anniversary Date:	31-October

Licensee

CHARBON COAL PTY LIMITED
 LEVEL 18, BT TOWER, 1 MARKET STREET
 SYDNEY NSW 2000

Premises

CHARBON COAL PTY LIMITED
 CHARBON ROAD
 CHARBON NSW 2848

Scheduled Activity

Coal works
 Mining for coal

Fee Based Activity

Scale

Coal works	0-2000000 T annual handling capacity
Mining for coal	> 500000-2000000 T annual production capacity

Region

South - Bathurst
 Lvl 2, 203-209 Russell Street
 BATHURST NSW 2795
 Phone: (02) 6332 7600
 Fax: (02) 6332 7630
 PO Box 1388 BATHURST
 NSW 2795

Environment Protection Licence

Licence - 528



INFORMATION ABOUT THIS LICENCE	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
1 ADMINISTRATIVE CONDITIONS	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Information supplied to the EPA	6
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND	7
P1 Location of monitoring/discharge points and areas	7
3 LIMIT CONDITIONS	7
L1 Pollution of waters	7
L2 Concentration limits	8
L3 Volume and mass limits	9
L4 Waste	9
L5 Noise limits	10
L6 Blasting	10
L7 Hours of operation	11
4 OPERATING CONDITIONS	11
O1 Activities must be carried out in a competent manner	11
O2 Maintenance of plant and equipment	11
O3 Dust	12
O4 Effluent application to land	12
5 MONITORING AND RECORDING CONDITIONS	12
M1 Monitoring records	12
M2 Requirement to monitor concentration of pollutants discharged	13
M3 Testing methods - concentration limits	13
M4 Recording of pollution complaints	13
M5 Telephone complaints line	14

Environment Protection Licence



Licence - 528

M6	Requirement to monitor volume or mass	14
M7	Blasting	14
6	REPORTING CONDITIONS	15
R1	Annual return documents	15
R2	Notification of environmental harm	16
R3	Written report	16
7	GENERAL CONDITIONS	17
G1	Copy of licence kept at the premises or plant	17
8	POLLUTION STUDIES AND REDUCTION PROGRAMS	17
U1	Erosion and Sediment Control Short Term Action Plan	17
DICTIONARY		20
	General Dictionary	20

Environment Protection Licence

Licence - 528



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).

Environment Protection Licence

Licence - 528



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:

CHARBON COAL PTY LIMITED
LEVEL 18, BT TOWER, 1 MARKET STREET
SYDNEY NSW 2000

subject to the conditions which follow.

Environment Protection Licence

Licence - 528



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	0 - 2000000 T annual handing capacity
Mining for coal	Mining for coal	> 500000 - 2000000 T annual production capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
CHARBON COAL PTY LIMITED
CHARBON ROAD
CHARBON
NSW 2848
THE PREMISES IS DEFINED AS THE PROJECT SITE BOUNDARY AS INDICATED IN APPENDIX 1 SCHEDULE 1 OF LAND, PAGE 23, OF THE PROJECT APPROVAL OF 7 SEPTEMBER 2010 (DA 08_0211) AND LOT 8 DP259893.

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:

- 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.

Environment Protection Licence

Licence - 528



2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 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.

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

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge to utilisation area	Discharge to utilisation area	Licence discharge point 1 - shown as LDP1 Figure 4-3 of the Charbon Coal Pty Ltd Charbon Colliery Charbon Water Management Plan October 2012
2	Discharge to waters; Discharge quality monitoring; Volume monitoring	Discharge to waters; Discharge quality monitoring; Volume monitoring	Licence discharge point 2 - shown as LDP2 on Figure 4-3 of the Charbon Coal Pty Ltd Charbon Colliery Charbon Water Management Plan October 2012
3	Discharge to waters; Discharge quality monitoring; Volume monitoring.	Discharge to waters; Discharge quality monitoring; Volume monitoring.	Licence discharge point 3 - shown as LDP3 on Figure 4-3 of the Charbon Coal Pty Ltd Charbon Colliery Charbon Water Management Plan October 2012
4	Discharge to waters; discharge quality monitoring; volume monitoring	Discharge to waters; discharge quality monitoring; volume monitoring	Licence discharge point 4 - shown as LDP4 on Figure 4-3 of the Charbon Coal Pty Ltd Charbon Colliery Charbon Water Management Plan October 2012
5	Discharge to waters; discharge quality monitoring; volume monitoring	Discharge to waters; discharge quality monitoring; volume monitoring	Licence discharge point 5 - shown as LDP5 on Figure 4-3 of the Charbon Coal Pty Ltd Charbon Colliery Charbon Water Management Plan October 2012
6	Discharge to waters; discharge quality monitoring; volume monitoring	Discharge to waters; discharge quality monitoring; volume monitoring	Licensedischarge point 6 - shown as LDP6 in Figure 4-3 of the Charbon Coal Pty Ltd Charbon Colliery Charbon Water Management Plan

3 Limit Conditions

L1 Pollution of waters

Environment Protection Licence

Licence - 528



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 2,3,4,5,6

Pollutant	Units of Measure	-	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
Turbidity	nephelometric turbidity units				50

L2.5 The limits specified under Condition L2.4 for the sediment basins identified as EPA licence discharge points 2, 3, 4, 5 and 6 do not apply when the discharge occurs solely as a result of rainfall measured at the premises which exceeds;

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

Note: A 56mm rainfall depth is defined by the publication Managing urban stormwater: soils and construction (Landcom 2004) as the rainfall depth in millimetres for a 95th percentile 5 day rainfall event for Lithgow consistent with the storage capacity (recommended minimum design criteria) for Type D sediment basins for mines and quarries (Vol 2E of the Landcom 2004).

L2.6 The concentration limit for Total Suspended Solids (TSS) under Condition L2.4 is deemed not to have been breached where:

Environment Protection Licence

Licence - 528



- (a) the sample complies with the turbidity limit at the time of discharge; and
 (b) the EPA is advised within 3 working days of completion of the TSS testing, of any TSS results above the licence limit.

Note: The purpose of this condition is to expediate the assessment and subsequent discharge of the clarified water from the sediment basins.

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
2,3	megalitres per day	5
4,5,6	megalitres per day	10

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	Drilling mud and/or muddy waters from drilling operations	The characterisation of the waste must be consistent with that as provided in the licence variation application received by the EPA on 3 September 2013	Waste disposal (application to land)	Volume accepted must not exceed 6000 L/week

- Note: A single delivery of drilling waste to the premises, which exceeds the volume limit in the table above, is permitted to occur in the period 23 September - 4 October 2013.

Environment Protection Licence

Licence - 528



L5 Noise limits

L5.1 Noise from the premises must not exceed the limits specified in the following table:

Day (dBA LAeq(15 minute))	Evening (dBA LAeq (15 minute))	Night (dBA LAeq (15 minute))	Land Number
36	39	39	R1 - North West of Areas 3 & 4
36	35	35	R3 - South West of Areas 3 & 4
35	35	35	R6 - West of Southern Open Cut - Brogans Creek Road
35	35	35	All other land

Note: The land references (R1, R2, etc) used in the above table correspond to those used in map labelled as 'Figure 2' in the 'Charbon Coal Annual Environmental Management Report' dated November 2006.

L5.2 For the purpose of the table above:

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

L5.3 To determine compliance with condition(s) L4.1 noise must be measured at, or computed for, the locations listed in the above table. A modifying factor correction must be applied for tonal, impulsive or intermittent noise in accordance with the "Environmental Noise Management - NSW Industrial Noise Policy (January 2000)".

L5.4 The noise emission limits identified in this licence apply under all meteorological conditions except:

- a) during rain and wind speeds (at 10m height) greater than 3m/s; and
- b) under "non-significant weather conditions".

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

L6 Blasting

L6.1 The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L6.2 The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

Environment Protection Licence

Licence - 528



L6.3 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L6.4 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive location. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

Note: "Noise sensitive locations" includes buildings used as a residence, hospital, school, child care centre, places of worship and nursing homes. A noise sensitive location includes the land within 30 metres of the building.

L7 Hours of operation

L7.1 Activities at the premises may only be undertaken within the times as specified in the table below:

Activity	Day	Time
Open Cut Mining	Monday - Friday	7 am - 8 pm
	Saturday	7 am - 8 pm
	Sunday and Public Holidays	None
Underground mining, coal processing, run-of-mine coal management and maintenance	Any day	Any time
Blasting	Monday - Friday	9 am - 5 pm
Vegetation clearing	Monday - Saturday	7 am - 5 pm

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:

- the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- 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:

Environment Protection Licence

Licence - 528



- 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 Haulage rucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading. The tailgates of all haulage trucks leaving the premises must be securely fixed prior to loading or immediately after unloading to prevent loss of material.

O4 Effluent application to land

- O4.1 Effluent application must not occur in a manner that causes surface runoff.
- O4.2 Spray from effluent application must not drift beyond the boundary of the premises.
- O4.3 The quantity of effluent/solids applied to the utilisation area must not exceed the capacity of the area to effectively utilise the effluent/solids.

For the purpose of this condition, 'effectively utilise' includes the use of the effluent/solids for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
 - a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
 - a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and
 - d) the name of the person who collected the sample.

Environment Protection Licence



Licence - 528

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 Water and/ or Land Monitoring Requirements

POINT 2,3,4,5,6

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Daily during any discharge	Grab sample
Oil and Grease	milligrams per litre	Daily during any discharge	Grab sample
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample
Turbidity	nephelometric turbidity units	Daily during any discharge	Grab sample

M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M4.2 The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- 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.

Environment Protection Licence



Licence - 528

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

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

M5 Telephone complaints line

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

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

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

M6 Requirement to monitor volume or mass

M6.1 For each discharge point or utilisation area specified below, the licensee must monitor:

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

POINT 2,3

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	megalitres per day	In line instrumentation

POINT 4,5,6

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	megalitres per day	In line instrumentation

M7 Blasting

M7.1 To determine compliance with condition(s) L5.1 to L5.4

a) Airblast overpressure and ground vibration levels experienced at the following noise sensitive locations must be measured and electronically for all blasts carried out in or on the premises;

- i) Lot 16 DP259893 - "Mount View" Mount View Road Clandulla

b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.

Environment Protection Licence



Licence - 528

Note: A breach of the licence will still occur when airblast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limit specified in conditions L5.1 to L5.4 at any "noise sensitive locations" other than the locations identified in the above condition.

The airblast overpressure and ground vibration levels in conditions L5.1 to L5.4 do not apply at noise sensitive locations that are owned by the licensee of subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and land owner.

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
1. a Statement of Compliance,
 2. a Monitoring and Complaints Summary,
 3. a Statement of Compliance - Licence Conditions,
 4. a Statement of Compliance - Load based Fee,
 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
 7. a Statement of Compliance - Environmental Management Systems and Practices.

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

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and

Environment Protection Licence



Licence - 528

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.

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

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

R2 Notification of environmental harm

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

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

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

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

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

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

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

Environment Protection Licence



Licence - 528

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

7 General Conditions

G1 Copy of licence kept at the premises or plant

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

8 Pollution Studies and Reduction Programs

U1 Erosion and Sediment Control Short Term Action Plan

- U1.1 The licensee must undertake works in the Western Outlier, Southern Outlier, Southern Open Cut Extension and Stony Creek areas of the premises as listed in the table below by the associated completion date:

Completion Date	Description of Works
In accordance with Mining Operations Plan Charbon Colliery for Lot 8 DP593262 and Lot 1 DP1148717 October 2015 - October 2022	Rehabilitation works on privately owned land (Western Outlier, Southern Outlier, Southern Open Cut Extension)
4 November 2016	Install check dams and sediment traps at all surface water flow points located along the edge of the disturbance area of the Southern Outlier and Stony Creek mining areas.
4 November 2016	Install sediment barriers along the entire length of the edge of the disturbance area of the Southern Outlier and Stony Creek areas.
11 November 2016	Flocculation and dewatering of Southern Outlier Pollution Control Dams (8 dams as indicated on figure Inter Agency Meeting Site Tour dated 30/9/2016). Any water discharged must be compliant with water quality limits of condition L2.4 of the licence.
18 November 2016	Desilting of Southern Outlier Pollution Control Dams (8 dams as indicated on figure Inter Agency Meeting Site Tour dated 30/9/2016).
Ongoing	Inspect erosion and sediment control structures within 24 hours of the premises receiving in excess on 20mm of rainfall in any 24 hour period.

Environment Protection Licence

Licence - 528



Ongoing	Undertake any routine maintenance to erosion and sediment control structures identified as required during the inspections undertaken in accordance with the above, within 24 hours of the inspection being undertaken.
---------	---

U1.2 The licensee must undertake works in the Haul Road from Southern Open Cut to Western Outlier area of the premises as listed in the table below by the associated completion date:

Completion Date	Description of Works
21 October 2016	Inspect diversion drain below rock drop structures
21 October 2016	Determine whether all flows are directed to licensed discharge point
21 October 2016	Identify any repair works required, record location and description of works required
4 November 2016	Undertake repair works to diversion drain identified when undertaking the above to ensure all flows from this area are directed to a licensed discharge point

U1.3 The licensee must undertake works in the Southern Open Cut area of the premises as listed in the table below by the associated completion date:

Completion Date	Description of Works
14 October 2016	Installation of erosion and sediment control around previously removed sediment from the Southern Open Cut Pollution Control Dam (SOCPCD)
21 October 2016	Construction of rock drop structure 6 located near Easting: 217868.488, Northing: 63551378.53
21 October 2016	Repairs to drainage culvert and rock drop structure located near Easting: 217858.769, Northing: 6351374.751
23 December 2016	Relocation of a stockpile of sediment previously removed from the SOCPCD
23 December 2016	Desilting/improvements of sediment dam 1 located near Easting: 217778, Northing: 6351101
23 December 2016	Desilting of Roach Pad sediment dam located near Easting: 217793, Northing: 6351107
23 December 2016	Desilting of SOCPCD Dam

U1.4 The licensee must undertake works in the 8 Trunk Open Cut area of the premises as listed in the table below by the associated due date:

Completion Date	Description of Works
21 October 2016	Repairs to culvert under the haul road near Easting: 217450.1, Northing: 6352984.4
21 October 2016	Construction of rock drop structure 7 located near Easting: 217823.427, Northing: 6351518.654
21 October 2016	Construction of rock drop structure 8 located near Easting: 217601.486, Northing: 6352458.343

Environment Protection Licence

Licence - 528



21 October 2016	Construction of rock drop structure 9 located near Easting: 217487.039, Northing: 6352662.333
21 October 2016	Construction of rock drop structure 10 located near Easting: 217421.031, Northing: 6352825.652
21 October 2016	Construction of rock drop structure 13 located near Easting: 217775.9, Northing: 6352151.4
21 October 2016	Earthworks to remove sediment at diversion drain at the start of 8 Trunk O/C to Haul Road Sediment Dam
2 December 2016	Flocculation and dewatering of Haul Road Sediment Dam. Discharges from the dam to LDP3
9 December 2016	Desilting of Haul Road Sediment Dam

U1.5 The licensee must undertake works in the Haystack Open Cut area of the premises as listed in the table below by the associated completion date:

Completion Date	Description of Works
4 November 2016	Flocculation and dewatering of Haystack Pollution Control Dams (4 dams as indicated on figure Inter Agency Meeting Site Tour dated 30/9/2016). Discharges from dams to LDP2.
18 November 2016	Desilting of Haystack Pollution Control Dams (4 dams as indicated on figure Inter Agency Meeting Site Tour dated 30/9/2016)

U1.6 The licensee must undertake works in the 2/3 Trunk areas of the premises as listed in the table below by the associated completion date:

Completion Date	Description of Works
Ongoing	Inspect erosion and sediment control structures within 24 hours of the premises receiving in excess on 20mm of rainfall in any 24 hour period
Ongoing	Undertake any routine maintenance to erosion and sediment control structures identified as required during the inspections undertaken in accordance with the requirements above, within 24 hours of the inspection being undertaken.
16 December 2016	Flocculation and dewatering of sediment dam upstream of LDP005. Discharges from the dam to LDP005
23 December 2016	Desilting of sediment dam upstream of LDP005

Environment Protection Licence



Licence - 528

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

Environment Protection Licence



Licence - 528

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> .

Environment Protection Licence



Licence - 528

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 Grahame Clarke

Environment Protection Authority

(By Delegation)

Date of this edition: 26-June-2000

Environment Protection Licence

Licence - 528



End Notes

- 1 Licence varied by notice V/M upgrade, issued on 08-Jul-2000, which came into effect on 08-Jul-2000.
- 2 Licence varied by notice 1009727, issued on 30-Aug-2001, which came into effect on 30-Aug-2001.
- 3 Licence varied by notice 1021727, issued on 05-Nov-2002, which came into effect on 30-Nov-2002.
- 4 Licence varied by notice 1026418, issued on 16-May-2003, which came into effect on 10-Jun-2003.
- 5 Licence varied by notice 1037993, issued on 01-Jul-2004, which came into effect on 01-Jul-2004.
- 6 Licence varied by change to record due to LGA amalgamation, issued on 26-Nov-2004, which came into effect on 26-Nov-2004.
- 7 Licence varied by notice 1063300, issued on 24-Jul-2006, which came into effect on 24-Jul-2006.
- 8 Licence varied by notice 1070461, issued on 02-Mar-2007, which came into effect on 02-Mar-2007.
- 9 Licence varied by notice 1070973, issued on 15-Mar-2007, which came into effect on 15-Mar-2007.
- 10 Licence varied by notice 1074668, issued on 20-Jun-2007, which came into effect on 20-Jun-2007.
- 11 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 12 Licence varied by notice 1103020, issued on 09-Sep-2009, which came into effect on 09-Sep-2009.
- 13 Licence varied by notice 1124911, issued on 03-Mar-2011, which came into effect on 03-Mar-2011.
- 14 Licence varied by notice 1127005, issued on 10-Jun-2011, which came into effect on 10-Jun-2011.
- 15 Licence varied by notice 1500634 issued on 08-Aug-2011
- 16 Licence varied by notice 1511181 issued on 22-Mar-2013
- 17 Licence varied by notice 1517263 issued on 30-Oct-2014
- 18 Licence varied by notice 1545679 issued on 20-Oct-2016