

# 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 handled
Mining for coal	> 500000-2000000 T produced

## 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



<b>INFORMATION ABOUT THIS LICENCE</b>	4
Dictionary	4
Responsibilities of licensee	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
<b>1 ADMINISTRATIVE CONDITIONS</b>	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
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	7
P1 Location of monitoring/discharge points and areas	7
<b>3 LIMIT CONDITIONS</b>	7
L1 Pollution of waters	7
L2 Concentration limits	8
L3 Volume and mass limits	8
L4 Noise limits	9
L5 Blasting	10
L6 Hours of operation	10
<b>4 OPERATING CONDITIONS</b>	11
O1 Activities must be carried out in a competent manner	11
O2 Maintenance of plant and equipment	11
O3 Dust	11
O4 Effluent application to land	11
<b>5 MONITORING AND RECORDING CONDITIONS</b>	11
M1 Monitoring records	11
M2 Requirement to monitor concentration of pollutants discharged	12
M3 Testing methods - concentration limits	13
M4 Recording of pollution complaints	13
M5 Telephone complaints line	13
M6 Requirement to monitor volume or mass	13
M7 Blasting	14

# Environment Protection Licence

Licence - 528



<b>6</b>	<b>REPORTING CONDITIONS</b>	14
R1	Annual return documents	14
R2	Notification of environmental harm	15
R3	Written report	15
<b>7</b>	<b>GENERAL CONDITIONS</b>	16
G1	Copy of licence kept at the premises or plant	16
<b>8</b>	<b>POLLUTION STUDIES AND REDUCTION PROGRAMS</b>	16
U1	Particulate Matter Control Best Practice Implementation – Wheel Generated Dust	16
U2	Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions	17
U3	Particulate Matter Control Best Practice Implementation - Trial of Best Practice Measures for Disturbing and Handling Overburden	18
	<b>DICTIONARY</b>	19
	General Dictionary	19

# 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); and
- 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 handled
Mining for Coal	Mining for coal	> 500000 - 2000000 T produced

### 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
LOT 1 DP 46452, LOT 6 DP 259893, LOT 7 DP 259893, LOT 8 DP 259893, LOT 9 DP 259893, LOT 10 DP 259893, LOT 11 DP 259893, LOT 12 DP 259893, LOT 13 DP 259893, LOT 23 DP 259893, LOT 1 DP 593624, LOT 4 DP 593625, LOT 76 DP 755765, LOT 90 DP 755765, LOT 146 DP 755765
PORTION 7; PORTION 134; LOT 1 DP 626060; LOT 1 DP 593624; LOT 1 DP 46452, PARISH OF CLANDULLA, COUNTY OF ROXBURGH. LOT 6 DP 259893; LOT 4 DP 593625; LOT 2 DP 709449; LOTS 76 AND 146 DP 755765; PORTION 86; PORTION 146; MINING PURPOSES LEASES NO'S 1237, 1916, 1227 AND 160; MINING PURPOSES LEASE APPLICATION NO.'S 203 AND 231; MINERAL LEASE NO.'S. 509; AND 1384; PARISH OF CLANDULLA, COUNTY OF ROXBURGH. LOT 7, 8, 9, 10, 11, 12, 13 DP 259893; LOT 76, 90, 146 DP 755765; LOT 23 DP 259893, PARISH OF CLANDULLA, COUNTY OF ROXBURGH.

### A3 Information supplied to the EPA

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

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

a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998;

# Environment Protection Licence

Licence - 528



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 are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

P1.2 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.

#### *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	Utilisation area labelled as 'Sewer Irrigation Area' on Charbon Colliery Plan dated 26/06/01.
2	Discharge to waters; Discharge quality monitoring; Volume monitoring	Discharge to waters; Discharge quality monitoring; Volume monitoring	Discharge point (LDP2) from sedimentation dam to Reillys Creek as indicated in figure named "Charbon Colliery LDP2 and associated pollution control structures" received by the EPA 23/2/11
3	Discharge to waters; Discharge quality monitoring; Volume monitoring.	Discharge to waters; Discharge quality monitoring; Volume monitoring.	Discharge point from southern open cut sedimentation dam labelled as 'LD3' in 'Figure 2: Charbon Colliery Environmental Monitoring Locations' in the 'Charbon Coal Annual Environmental Management Report Jan-Dec 2007' dated January 2006.

## 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.

# Environment Protection Licence



Licence - 528

## L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table\&s 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\&s.
- L2.4 Water and/or Land Concentration Limits

### POINT 2

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

### POINT 3

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

## L3 Volume and mass limits

- L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
- liquids discharged to water; or;
  - solids or liquids applied to the area;



# Environment Protection Licence

Licence - 528



must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
2	kilolitres per day	5000
3	kilolitres per day	5000

## L4 Noise limits

L4.1 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	35	35	R1 - North West of Areas 3 & 4
36	35	35	R2 - Tannhausen
36	35	35	R3 - South West of Areas 3 & 4
35	35	35	R4 - Nioka
35	35	35	R5 - Mount View
35	35	35	R6 - West of Southern Open Cut - Brogans Creek Road
35	35	35	R7 - Eagleview
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.

L4.2 For the purpose of the table above:

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

L4.3 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)".

L4.4 The noise emission limits identified in this licence apply under all meteorological conditions except:

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

# Environment Protection Licence

Licence - 528



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.

## L5 Blasting

- L5.1 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.
- L5.2 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.
- L5.3 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.
- L5.4 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.

## L6 Hours of operation

- L6.1 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

# Environment Protection Licence

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Licence - 528

## 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 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

# Environment Protection Licence

Licence - 528



be recorded and retained as set out in this condition.

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

- in a legible form, or in a form that can readily be reduced to a legible form;
- kept for at least 4 years after the monitoring or event to which they relate took place; and
- 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:

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

## M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Water and/ or Land Monitoring Requirements

### POINT 2

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

### POINT 3

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

# Environment Protection Licence

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Licence - 528



## **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.

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:

- a) the date of the issue of this licence or
- b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

## **M6 Requirement to monitor volume or mass**

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

# Environment Protection Licence

Licence - 528



- 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

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

## POINT 3

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres 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.

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:

- 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.

# Environment Protection Licence



Licence - 528

- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- a) the licence holder; or
  - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.
- R1.8 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

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

# Environment Protection Licence

Licence - 528



- 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.

## 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 Particulate Matter Control Best Practice Implementation – Wheel Generated Dust

- U1.1 The Licensee must achieve and maintain a dust control efficiency of 80% or more on all active haul roads



# Environment Protection Licence

Licence - 528



by 30 August 2013.

Control efficiency is calculated as:

$$CE = \frac{E \text{ (uncontrolled)} - E \text{ (controlled)}}{E \text{ (uncontrolled)}} \times 100$$

Where E = the emission rate of the activity

U1.2 The Licensee must prepare a Monitoring Program to assess its compliance with Condition U1.1 under varying meteorological conditions. The Monitoring Program must detail the following:

- parameters to be monitored;
- methods to be used to monitor each parameter;
- locations where each parameter will be monitored;
- frequency at which each parameter will be monitored;
- Key Performance Indicators that will be used to determine compliance with Condition U1.1; and
- detailed justification for each parameter and Key Performance Indicator selected.

As a guide, the EPA anticipates that the following parameters will be monitored:

- moisture and silt contents of haul roads;
- frequency, duration, rate and quantity of water applied to haul roads;
- frequency, duration, rate and quantity of suppressant applied to haul roads in comparison to manufacturer's specifications;
- vehicle kilometres travelled;
- haul truck weight;
- haul truck speed;
- number of vehicle movements;
- meteorological conditions; and
- dust levels on haul roads.

The Monitoring Program must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388, BATHURST NSW 2795 by 31 May 2013.

The EPA intends to require the licensee to implement the Monitoring Program once it is approved by the EPA.

U1.3 The Licensee must submit a written report to the EPA providing the results of the Monitoring Program. The report must include an assessment of the dust control effectiveness, dust levels and the Licensee's compliance with Condition U1.1. The report must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388 BATHURST NSW 2795 by 15 August 2014.

## U2 Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions

U2.1 The licensee must alter or cease the use of equipment on overburden and the loading and dumping of overburden during adverse weather conditions to minimise the generation of particulate matter from 22 March 2013.

U2.2 The Licensee must prepare a Monitoring Program to assess its compliance with Condition U2.1. The Monitoring Program must detail the following:

- parameters to be monitored;

# Environment Protection Licence

Licence - 528



- methods to be used to monitor each parameter;
- locations where each parameter will be monitored;
- frequency at which each parameter will be monitored;
- way in which changes to operational activities will be documented; and
- Key Performance Indicators that will be used to determine compliance with Condition U2.1.

As a guide, the EPA anticipates that the following parameters will be monitored:

- wind speed and direction;
- temperature;
- rainfall/humidity;
- evaporation rate;
- solar radiation;
- operational activities; and
- dust levels.

The Monitoring Program must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388, BATHURST NSW 2795 by 31 May 2013.

The EPA intends to require the licensee to implement the Monitoring Program once it is approved by the EPA.

U2.3 The Licensee must submit a written report to the EPA providing the results of the Monitoring Program. The report must detail the following:

- weather conditions during which activities were ceased or altered;
- changes made to operational activities as a result of adverse weather; and
- resultant dust levels when activities were altered or ceased.

The report must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388 BATHURST NSW 2795 by 15 August 2014.

## **U3 Particulate Matter Control Best Practice Implementation - Trial of Best Practice Measures for Disturbing and Handling Overburden**

U3.1 The Licensee must submit a report documenting an investigation and trial of best practice measures for the control of particulate matter from the use of equipment on overburden and the loading and dumping of overburden. Best practice measures may include, but should not be limited to, the following:

- the use of foggers;
- the use of water sprays; and
- reduction of drop heights.

The report must document the investigation and trial of each best practice measure. It must quantify the particulate matter control effectiveness and discuss the practicability of each best practice measure.

The report must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388 BATHURST NSW 2795 by 14 April 2014.

# Environment Protection Licence



Licence - 528

## Dictionary

### General Dictionary

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

# Environment Protection Licence



Licence - 528

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

# Environment Protection Licence



Licence - 528

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

Mr 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