



Licence Details		
Number:	4443	
Anniversary Date:	11-January	

<u>Licensee</u>
ORICA AUSTRALIA PTY LTD

PO BOX 196

KURRI KURRI NSW 2327

<u>Premises</u>

ORICA EXPLOSIVES - ULAN MINE SITE

ULAN ROAD

ULAN NSW 2850

Scheduled Activity

Chemical production

Fee Based Activity	Scale
Explosives production	> 2000-10000 T annual production
	capacity

Region
Central West
L102, 346 PANORAMA AVENUE
BATHURST NSW 2795
Phone: (02) 6333 3800
Fax: (02) 6333 3809
PO Box 1388
BATHURST NSW 2795



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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:

ORICA AUSTRALIA PTY LTD
PO BOX 196
KURRI KURRI NSW 2327

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
Chemical production	Explosives production	> 2000 - 10000 T annual
		production capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
ORICA EXPLOSIVES - ULAN MINE SITE
ULAN ROAD
ULAN
NSW 2850
LOT 5 DP 258998, LOT 6 DP 258998

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; 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

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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 Identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Effluent quality monitoring; Effluent discharge point	Effluent quality monitoring; Effluent discharge point	Effluent application area noted as "Northern application area" in document titled "Ulan ENV001 - Waste Water Management - Safe Operating Procedure" provided to the EPA on 2 August 2018 (DOC18/547384).
2	Effluent quality monitoring		Irrigation Holding Tank as described in document titled "Ulan ENV001 - Waste Water Management - Safe Operating Procedure" provided to the EPA on 2 August 2018 (DOC18/547384).

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 Volume and mass limits

- L2.1 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
1	kilolitres per day	20

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L3 Potentially offensive odour

- L3.1 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.
- 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.

O4 Effluent application to land

O4.1 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.

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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.

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 1

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per kilogram	Yearly	Representative sample
Nitrate	milligrams per kilogram	Yearly	Representative sample
Nitrogen (total)	milligrams per kilogram	Yearly	Representative sample
Organic matter	milligrams per kilogram	Yearly	Representative sample
pH	pH	Yearly	Representative sample

POINT 2

Pollutant	Units of measure	Frequency	Sampling Method
Nitrate	parts per million	Daily during any discharge	Probe
Nitrogen (ammonia)	milligrams per litre	Every 6 months	Grab sample
Nitrogen (nitrate)	milligrams per litre	Every 6 months	Grab sample
Nitrogen (nitrite)	milligrams per litre	Every 6 months	Grab sample

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Nitrogen (total)	milligrams per litre	Every 6 months	Grab sample
pH	pH	Every 6 months	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.
- 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

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- 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 1

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

6 Reporting Conditions

R1 Annual return documents

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

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

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
 - a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

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

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
 - a) in relation to the surrender of a licence the date when notice in writing of approval of the surrender is

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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 Complaints Summary must be signed by:
 - a) the licence holder; or
 - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
 - a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
 - and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
 - a) the cause, time and duration of the event;
 - b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;

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- 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 Annual system performance report

- R4.1 The licensee must prepare and submit to the EPA, not later than 60 days after the end of each reporting period, an annual wastewater management report for the premises which contains an assessment of:
 - a) All monitoring data required in accordance with condition M2 of this licence. This information is to be presented both graphically and as tabulated data sets. The graphics shall also show the 50 percentile, 90 percentile and 100 percentile of monitoring data.
 - b) Total volume of wastewater applied;
 - c) Total quantity of nitrogen applied;
 - d) All soil monitoring data collected since the application of effluent to licensed discharge point 1 commenced until the end of the current monitoring period, together with any background data, shall be presented both as tabulated data sets and graphically;
 - e) Observed condition of the licensed discharge point 1;
 - f) Analysis of the monitoring data with a view to assessing the impacts and demonstrating the long-term sustainability of the effluent to the licensed discharge point 1;
 - g) Consideration of the need for the development or maintenance of eucalypt plantation in the northern application area; and
 - h) Provide recommendations to optimise the irrigation process considering the review of data (Items a to
 - f), operational performance, and third-party feedback or complaints.

The report shall provide details of the outcomes of any work carried out to decommission and remediate the previous utilisation area Land application system, marked "rehabilitation area" on map (Dwg No. 2197) submitted with Licence Information Form dated 8/5/2000, and any details of any further work required.

- R4.2 The annual wastewater management report must be presented in a format approved in writing by the EPA.
- R4.3 The requirements of condition R4.1 apply to the reporting period commencing 11 January 2018.

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.

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

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Dictionary

General Dictionary

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	
АМ	Together with a number, means an ambient air monitoring method of that number prescribed by the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.	
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 Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.	
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.	

Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act

general solid waste (non-putrescible)

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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 Environmen t 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

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

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 Approved Methods for the

Sampling and Analysis of Air Pollutants in New South Wales.

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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.

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 Nadia Kanhoush

Environment Protection Authority

(By Delegation)

Date of this edition: 22-September-2000

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End Notes

- 1 Licence varied by notice 1021656, issued on 23-Jan-2003, which came into effect on 17-Feb-2003.
- 2 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 3 Licence varied by notice 1114509, issued on 01-Jun-2010, which came into effect on 01-Jun-2010.
- 4 Licence varied by correction to scheduled activity name, issued on 21-Dec-2010, which came into effect on 21-Dec-2010.
- 5 Licence varied by notice 1506369 issued on 07-Jun-2012
- 6 Licence varied by notice 1541123 issued on 10-Jun-2016
- 7 Licence varied by notice 1551477 issued on 10-May-2017
- 8 Licence varied by notice 1556137 issued on 13-Oct-2017
- 9 Licence varied by notice 1559065 issued on 20-Dec-2017
- 10 Licence varied by notice 1568052 issued on 07-Aug-2018