



Environment Protection Licence

Licence - 726

Licence Details	
Number:	726
Anniversary Date:	01-January

Licensee	
CLARENCE COLLIERY PTY LTD	
LEVEL 20, BT TOWER, 1 MARKET STREET	
SYDNEY NSW 2000	

Premises	
CLARENCE COLLIERY	
OFF BELLS LINE OF ROAD	
NEWNES JUNCTION NSW 2790	

Scheduled Activity	
Coal works	
Mining for coal	

Fee Based Activity	Scale
Coal works	> 2000000-5000000 T annual handling capacity
Mining for coal	> 2000000-3500000 T annual production capacity

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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:

CLARENCE COLLIERY PTY LTD
LEVEL 20, BT TOWER, 1 MARKET STREET
SYDNEY NSW 2000

subject to the conditions which follow.



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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Coal works	Coal works	> 2000000 - 5000000 T annual handing capacity
Mining for coal	Mining for coal	> 2000000 - 3500000 T annual production capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
CLARENCE COLLIERY
OFF BELLS LINE OF ROAD
NEWNES JUNCTION
NSW 2790
CCL705, ML 1353, ML 1354, ML 1583, ML 1721, AUTH 307, AUTH 416, & EL 5072

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.

A3.2 Any other document and/or management plan is not to be taken as part of the documentation in condition A3.1, other than those documents and/or management plans specifically referenced in this licence.

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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
2	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Discharge and monitoring point identified as LDP2 on figure EPL 726 Monitoring Locations dated 18/12/2019 (DOC19893162-04)
3	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Discharge and monitoring point identified as LDP3 on figure EPL 726 Monitoring Locations dated 18/12/2019 (DOC19893162-04)
4	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Discharge and monitoring point identified as LDP4 on figure EPL 726 Monitoring Locations dated 18/12/2019 (DOC19893162-04)
9	Water Quality Monitoring Point		Monitoring point identified as monitoring point 9 on figure EPL 726 Monitoring Locations dated 18/12/2019 (DOC19893162-04)

- P1.3 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

Air

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
5	Dust monitoring		Dust Deposition Gauge identified as DG1 on figure EPL 726 Monitoring Locations dated 18/12/2019 (DOC19893162-04)
6	Dust monitoring		Dust Deposition Gauge identified as DG2 on figure EPL 726 Monitoring Locations dated 18/12/2019 (DOC19893162-04)
7	Dust monitoring		Dust Deposition Gauge identified as DG3 on figure EPL 726 Monitoring Locations dated 18/12/2019 (DOC19893162-04)



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8	Meteorological monitoring	Meteorological monitoring identified as Weather Station on drawing CL126 and titled "Clarence Colliery Pit Top Monitoring Locations" and dated 02/2012
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3 Limit Conditions

L1 Pollution of waters

- L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.
- L2 Concentration limits**
- L2.1 For each monitoring/discharge point or utilisation area specified in the table/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 2,3,4

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Arsenic (dissolved)	milligrams per litre				0.013
Boron	milligrams per litre				0.1
Cadmium (dissolved)	milligrams per litre				0.0002
Chloride	milligrams per litre				25
Chromium (dissolved)	milligrams per litre				0.001
Cobalt (dissolved)	milligrams per litre				0.0025

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Copper (dissolved)	milligrams per litre	0.0014
Filterable iron	milligrams per litre	0.3
Fluoride	milligrams per litre	1
Lead (dissolved)	milligrams per litre	0.0034
Lithium (dissolved)	milligrams per litre	0.100
Manganese (dissolved)	milligrams per litre	0.5
Mercury (dissolved)	milligrams per litre	0.00006
Nickel (dissolved)	milligrams per litre	0.011
Nitrogen (total)	milligrams per litre	0.25
Oil and Grease	milligrams per litre	10
pH	pH	6-8.5
Phosphorus (total)	milligrams per litre	0.02
Selenium (total)	milligrams per litre	0.005
Silver (dissolved)	milligrams per litre	0.00005
Sulfate	milligrams per litre	250
Total suspended solids	milligrams per litre	30
Zinc (dissolved)	milligrams per litre	0.008

- L2.5 The concentration limits stipulated by condition L2.1/L2.4 for EPA identification points 3 and 4 are deemed not to apply when the discharge from the stormwater control structures 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 event is defined by the EPA endorsed publication "Managing urban stormwater: soils and



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construction" (Landcom 2004) as the rainfall depth in millimetres for a 95th percentile 5 day rainfall event for Sydney/Blue Mountains which is also consistent with the storage capacity (recommended minimum design criteria) for Type D sediment basins for mines and quarries (see "Managing urban stormwater: soils and construction, Volume 2E, mines and quarries" (DECC, 2008)).

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	kilolitres per day	25000

Note: The total volume discharged from point 2 may exceed 25,000 kL/day on any day where greater than 10 mm of rainfall is recorded at the premises, for that day.

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	General or Specific exempted waste			NA

L5 Noise limits

- L5.1 Noise generated from the premises, excluding train loading and rail operations, must not exceed the noise limits specified in the table below.

Location	Day (LAeq 15 min)	Evening (LAeq 15 min)	Night (LAeq 15 min)
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Any residence on privately owned land not subject to an agreement with the licensee	38	36	35
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- Note: For the purposes of condition 5.1:
- a) Day is defined as:
 - i. the period from 7am to 6pm Monday to Saturday; and
 - ii. the period from 8am to 6pm Sundays and Public Holidays.
 - b) Evening is defined as: the period from 6pm to 10pm.
 - c) Night is defined as:
 - i. the period from 10pm to 7am Monday to Saturday; and
 - ii. the period from 10pm to 8am Sundays and Public Holidays.
 - d) The morning shoulder period is a subset of the night period between 6am to 7am Monday to Saturday.
- L5.2 To determine compliance with condition L5.1, noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the residence where the residence is more than 30 metres from the residential boundary to determine compliance with the noise levels in condition L5.1
- L5.3 To determine compliance with condition L5.1, the modification factors in Section 4 of the NSW Industrial Noise Policy (EPA, 2000/2001) must be applied, as appropriate, to the noise levels measured by any monitoring equipment.
- L5.4 The noise limits stipulated by condition L5.1 apply under all meteorological conditions except for the following:
- a) wind speeds greater than 3 metres per second at ground level; and
 - b) temperature inversions as outlined in Section 5 of the NSW Industrial Noise Policy (EPA, 2000/2001).

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.

Note: Plant is defined in the Dictionary. The type of plant and equipment that should be considered includes, but is

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not limited to, drainage systems; infrastructure and pollution control equipment such as (but not limited to) spill containment and clean-up equipment; dust screens and collectors; sediment collection systems, traps and sumps; waste collection, storage and disposal equipment.

O3 Dust

- O3.1 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.
- O3.2 All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.
- O3.3 Trucks transporting coal from the premises must be covered immediately after loading to prevent wind blown emissions and spillage. The covering must be maintained until immediately before unloading the trucks.

O4 Other operating conditions

- O4.1 The stormwater control structures identified at EPA identification points 3 and 4 must be drained or pumped out as necessary to maintain each structures design storage capacity within 5 days following rainfall.
- O4.2 The licensee must undertake maintenance as necessary to desilt any stormwater control structure identified at EPA identification points 3 and 4 in order to retain each structures design storage capacity.

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

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

M2.2 Air Monitoring Requirements

POINT 5,6,7

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	Australian Standard 3580.10.1-2003

M2.3 Water and/ or Land Monitoring Requirements

POINT 2,3,4

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample

POINT 2,9

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic (dissolved)	milligrams per litre	Monthly	Grab sample
Boron	milligrams per litre	Monthly	Grab sample
Cadmium (dissolved)	milligrams per litre	Monthly	Grab sample
Chloride	milligrams per litre	Monthly	Grab sample
Chromium (dissolved)	milligrams per litre	Monthly	Grab sample
Cobalt (dissolved)	milligrams per litre	Monthly	Grab sample
Copper (dissolved)	milligrams per litre	Monthly	Grab sample
Filterable iron	milligrams per litre	Monthly	Grab sample
Fluoride	milligrams per litre	Monthly	Grab sample
Lead (dissolved)	milligrams per litre	Monthly	Grab sample
Lithium (dissolved)	milligrams per litre	Monthly	Grab sample
Manganese (dissolved)	milligrams per litre	Monthly	Grab sample
Mercury (dissolved)	milligrams per litre	Monthly	Grab sample
Nickel (dissolved)	milligrams per litre	Monthly	Grab sample
Nitrogen (total)	milligrams per litre	Monthly	Grab sample

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Oil and Grease	milligrams per litre	Monthly	Grab sample
Phosphorus (total)	milligrams per litre	Monthly	Grab sample
Selenium (total)	milligrams per litre	Monthly	Grab sample
Silver (dissolved)	milligrams per litre	Monthly	Grab sample
Sulfate	milligrams per litre	Monthly	Grab sample
Total suspended solids	milligrams per litre	Monthly	Grab sample
Zinc (dissolved)	milligrams per litre	Monthly	Grab sample

POINT 3,4

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Boron	milligrams per litre	Monthly during discharge	Grab sample
Cadmium (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Chloride	milligrams per litre	Monthly during discharge	Grab sample
Chromium (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Cobalt (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Copper (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Filterable iron	milligrams per litre	Monthly during discharge	Grab sample
Fluoride	milligrams per litre	Monthly during discharge	Grab sample
Lead (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Lithium (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Manganese (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Mercury (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Nickel (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Nitrogen (total)	milligrams per litre	Monthly during discharge	Grab sample
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample
Phosphorus (total)	milligrams per litre	Monthly during discharge	Grab sample
Selenium (total)	milligrams per litre	Monthly during discharge	Grab sample
Silver (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Sulfate	milligrams per litre	Monthly during discharge	Grab sample



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Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample
Zinc (dissolved)	milligrams per litre	Monthly during discharge	Grab sample

POINT 9

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous	Probe
pH	pH	Continuous	Probe

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.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2022* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M3.2 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

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

M4 Environmental monitoring

M4.1 The licensee must undertake yearly (in-line with the reporting period) noise monitoring as outlined below, to determine compliance with the noise limits stipulated by condition L5.1:

- a) 1 day attended noise monitoring covering the day, evening and night time periods; and
- b) 5 days unattended noise monitoring (monitor and logger) covering each days day, evening and night time periods.

M4.2 The results of the noise monitoring required by condition M4.1, and an interpretation of these results, must be provided as an attachment to each corresponding years Annual Return.

M4.3 The licensee, following the receipt of a noise related complaint and if required by the EPA, must undertaken noise monitoring as required by the EPA to determine compliance with the noise limits stipulated by condition L5.1.

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- M4.4 The results of the noise monitoring required by condition M4.3, and an interpretation of these results, must be provided to the EPA within 21 days of the completion of the noise monitoring.

M5 Weather monitoring

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

Point 8

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	°	Continuous	15 minute	AM-2 & AM-4
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4
Sigma theta	°	Continuous	15 minute	AM-2 & AM-4
Rainfall	mm	Continuous	15 minute	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

M6 Recording of pollution complaints

- M6.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M6.2 The record must include details of the following:
- the date and time of the complaint;
 - the method by which the complaint was made;
 - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - the nature of the complaint;
 - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - if no action was taken by the licensee, the reasons why no action was taken.
- M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M7 Telephone complaints line

- M7.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle



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or mobile plant, unless otherwise specified in the licence.

M7.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

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

M8 Requirement to monitor volume or mass

M8.1 For each discharge point or utilisation area specified below, the licensee must monitor:
a) the volume of liquids discharged to water or applied to the area;
b) the mass of solids applied to the area;
c) the mass of pollutants emitted to the air;
at the frequency and using the method and units of measure, specified below.

POINT 2

Frequency	Unit of Measure	Sampling Method
Daily	kilolitres	Special Method 1

POINT 3

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

POINT 4

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

Note: "Special Method 1" means: inline bubble metre instrumentation.

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.

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At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

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

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

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

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

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 they became aware of the incident.

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

R4 Other reporting conditions

- R4.1 With each Annual Return, the licensee must submit to the EPA a report regarding licence point 9 which:
- (a) summarises the monitoring data collected during the reporting period;
 - (b) provides a graphical representation of any trends in the data for each pollutant;
 - (c) provides an interpretation of the main points of the monitoring data summary; and
 - (d) includes a comparison of the monitoring data for the reporting period against data collected previously.

7 General Conditions

G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

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- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G2 Signage

- G2.1 The location of EPA identification points 2 to 8 must be clearly marked by a sign that indicates the EPA identification points used in this licence and be located as close as practical to these points.

8 Pollution Studies and Reduction Programs

U1 Discharges into the Wollangambe River

- U1.1 By 31 March 2023, the licensee must submit to the EPA a completed feasibility study and scoping report for the alternate project being the 'Clarence to Wallerawang Pipeline Project' (the Project), that will result in the cessation of groundwater being discharged from LDP002 into the Wollangambe River.
- U1.2 If the Project is approved under Division 5.1 of the Environmental Planning and Assessment Act 1979, the licensee will undertake the Project to cease groundwater discharges from LDP002 to the Wollangambe River by December 31, 2025.

Note: The licensee is entitled on application to vary the due date in condition U1.2:

- In the event the project is delayed by circumstances beyond the control of the licensee, this includes:
 - Delays caused by the Lithgow City Council.
 - Issues relating to the approval pathway.
 - Contractors engaged to perform the works required for the Project.
- In the event that there is an objection, appeal or review against the determination or commencement of the project prior, during or after commencement of the construction works for the project, (once all objections, appeals or reviews against the determination or commencement of the Project have been determined, the licensee is required to complete the project within 18 months).
- In the event the construction of the Project is delayed due to climatic conditions impacting site access due to unsafe conditions.



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Dictionary

General Dictionary

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

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



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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 06-September-2000

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End Notes

- 1 Licence varied by change to Contact details, issued on 23-May-2001, which came into effect on 23-May-2001.
- 2 Licence varied by notice 1008022, issued on 24-May-2001, which came into effect on 18-Jun-2001.
- 3 Licence varied by notice 1016572, issued on 17-Apr-2002, which came into effect on 12-May-2002.
- 4 Licence varied by notice 1032803, issued on 16-Dec-2003, which came into effect on 30-Dec-2003.
- 5 Licence varied by notice 1033920, issued on 16-Jan-2004, which came into effect on 10-Feb-2004.
- 6 Licence varied by notice 1037161, issued on 23-Jun-2004, which came into effect on 18-Jul-2004.
- 7 Licence varied by notice 1052141, issued on 18-Oct-2005, which came into effect on 12-Nov-2005.
- 8 Licence varied by notice 1053964, issued on 06-Dec-2005, which came into effect on 31-Dec-2005.
- 9 Licence varied by notice 1055391, issued on 18-Jan-2006, which came into effect on 20-Jan-2006.
- 10 Licence varied by notice 1057157, issued on 09-Mar-2006, which came into effect on 17-Mar-2006.
- 11 Licence varied by notice 1079419, issued on 30-Oct-2007, which came into effect on 30-Oct-2007.
- 12 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 13 Licence varied by notice 1102926, issued on 09-Sep-2009, which came into effect on 09-Sep-2009.
- 14 Licence varied by notice 1115584, issued on 05-Jul-2010, which came into effect on 05-Jul-2010.
- 15 Licence varied by notice 1122407, issued on 10-Dec-2010, which came into effect on 10-Dec-2010.
- 16 Licence varied by notice 1502867 issued on 19-Dec-2011
- 17 Licence varied by notice 1514358 issued on 02-Jul-2013
- 18 Licence varied by notice 1521882 issued on 12-Jun-2014
- 19 Licence varied by notice 1542564 issued on 02-Aug-2016
- 20 Licence varied by notice 1543427 issued on 12-Aug-2016



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21	Licence varied by notice	1544461 issued on 01-Mar-2017
22	Licence varied by notice	1552801 issued on 05-Jun-2017
23	Licence varied by notice	1561554 issued on 20-Sep-2018
24	Licence varied by notice	1572992 issued on 28-Nov-2018
25	Licence varied by notice	1586943 issued on 09-Jan-2020
26	Licence varied by notice	1590599 issued on 15-Jan-2020
27	Licence varied by notice	1623720 issued on 20-Mar-2023