

Environment Protection Licence



Licence - 6048

Licence Details

| | |
|-------------------|------------|
| Number: | 6048 |
| Anniversary Date: | 29-October |

Licensee

TOMAGO ALUMINIUM COMPANY PTY LTD
PO BOX 405
RAYMOND TERRACE NSW 2324

Licence Type

Premises

Premises

WALLAROO WASTE FACILITY
OLD SWAN BAY ROAD
SWAN BAY NSW 2324

Scheduled Activity

Waste disposal (application to land)

Fee Based Activity

Waste disposal (application to land)

Scale

0 - All

Region

Waste Operations (Newcastle)
59-61 Goulburn Street
SYDNEY NSW 2000
Phone: 02 9995 5000
Fax: 02 9995 5999

PO Box A290 SYDNEY SOUTH
NSW 1232

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Environment,
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& Water

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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); 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).

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

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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:

| |
|---|
| TOMAGO ALUMINIUM COMPANY PTY LTD |
| PO BOX 405 |
| RAYMOND TERRACE NSW 2324 |

subject to the conditions which follow.

1 Administrative conditions

A1 What the licence authorises and regulates

A1.1 Not applicable.

A1.2 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.

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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 |
|--------------------------------------|
| Waste disposal (application to land) |

| Fee Based Activity | Scale |
|--------------------------------------|---------|
| Waste disposal (application to land) | 0 - All |

A1.3 Not applicable.

A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

| Premises Details |
|--------------------------------------|
| WALLAROO WASTE FACILITY |
| OLD SWAN BAY ROAD |
| SWAN BAY |
| NSW |
| 2324 |
| LOT 60 DP753200 AND LOT 63 DP 753194 |
| |
| |
| |

A3 Other activities

A3.1 Not applicable.

A4 Information supplied to the EPA

- A4.1 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

P1 Location of monitoring/discharge points and areas

P1.1 Not applicable.

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.

P1.3 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.

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Water and land

| EPA identification no. | Type of monitoring point | Type of discharge point | Description of location |
|------------------------|--------------------------------|-------------------------|--|
| 1 | Groundwater quality monitoring | | Monitoring point labelled "A7 (901)" on "Map 8" provided on 6 August 2002. |
| 2 | Groundwater quality monitoring | | Monitoring point labelled "A9 (902)" on "Map 8" provided on 6 August 2002. |
| 3 | Groundwater quality monitoring | | Monitoring point labelled "C7 (903)" on "Map 8" provided on 6 August 2002. |
| 4 | Groundwater quality monitoring | | Monitoring point labelled "Z9 (904)" on "Map 8" provided on 6 August 2002. |
| 5 | Groundwater depth | | Monitoring point labelled "A8 (851)". |
| 6 | Groundwater depth | | Monitoring point labelled "A10 (852)". |
| 7 | Groundwater depth | | Monitoring point labelled "B7 (853)". |
| 8 | Groundwater depth | | Monitoring point labelled "Y7 (855)". |
| 9 | Groundwater depth | | Monitoring point labelled "Y10 (856)". |
| 10 | Surface water quality | | Monitoring point labelled "801 - site runoff dam" on "Map 8" provided on 6 August 2002. |
| 11 | Surface water quality | | Monitoring point labelled "802 - boundary dam" on "Map 9" provided on 6 August 2002. |
| 12 | Surface water quality | | Monitoring point labelled "803 - Pipeclay" on "Map 9" provided on 6 August 2002. |
| 13 | Surface water quality | | Monitoring point labelled "804 - 12 Mile Creek below crossing" on "Map 9" provided on 6 August 2002. |
| 14 | Surface water quality | | Monitoring point labelled "805 - 12 Mile Creek - 1km above crossing" on "Map 9" provided on 6 August 2002. |
| 16 | Surface water quality | | Monitoring point labelled "807 - Moffats Oyster Barn" on "Map 9" provided on 6 August 2002. |
| 17 | Groundwater depth | | Monitoring point labelled "B10 (854)". |

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 Load limits

- L2.1 Not applicable.
L2.2 Not applicable.

L3 Concentration limits

- L3.1 Not applicable.
L3.2 Not applicable.
L3.3 Not applicable.

L4 Volume and mass limits

- L4.1 Not applicable.

L5 Waste

- L5.1 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.

Condition L5.1 does not limit any other conditions in this licence.

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| Code | Waste | Description | Activity | Other Limits |
|------|---|--|--------------------------------------|--|
| D110 | Inorganic fluorine compounds excluding calcium fluoride | Fluoridated smelter wastes immobilised with gypsum to reduce leachable fluoride to less than 150 mg/litre | Waste Disposal (application to land) | Only wastes generated at the Tomago Aluminium Company Pty Ltd may be disposed of at the Wallaroo landfill facility |
| NA | | Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time | | NA |

Note 1: For the purposes of determining leachable fluoride in approved wastes to be deposited in the landfill, distilled water is the approved leachant.

Note 2: The licence conditions apply only to nominated accumulations of aluminium smelter wastes which have been analysed in accordance with the procedures outlined in the State Pollution Control Commission document "*Procedures for the Sampling and Analysis of Aluminium Smelter Wastes for the Determination of Leachable Fluoride and/or Leachable Cyanide*", dated 19 December 1986 and which, on consideration of the analytical results and any other relevant information, the DECC has endorsed as approved for disposal. Such wastes are hereafter referred to as approved smelter wastes.

L6 Noise Limits

L6.1 Noise from the premises must not exceed:

- (a) an $L_{A10(15 \text{ minute})}$ noise emission criterion of 45 dB(A) (7am to 6pm) Monday to Friday and 7am to 1pm Saturday; and
- (b) an $L_{A10(15 \text{ minute})}$ noise emission criterion of 35 dB(A) during the evening (6pm to 10pm) Monday to Friday; and
- (c) at all other times, an $L_{A10(15 \text{ minutes})}$ noise emission criterion of 35 dB(A), except as expressly provided by this licence.

L6.2 Noise from the premises is to be measured at the boundary to determine compliance with this condition.

L7 Potentially offensive odour

L7.1 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 Site operating conditions

Management of surface waters

- O3.1 The landfill surface must be contoured to minimise the run - on of surface waters onto areas where waste has been landfilled except during a storm event of not less than 1 in 10 year recurrence interval of one day duration.
- O3.2 The stormwater sedimentation basin must be operated and maintained so as to collect and impound without discharge to surface waters all surface water runoff from or generated by a storm event of not less than a 1 in 10 year recurrence interval of one day duration.

Burning of green waste

O3.3 There must be no incineration or burning of any waste at the facility.

Screening of waste

O3.4 The licensee must have in place and implement procedures to screen and remove any waste not permitted to be disposed of at the waste facility

Filling plan

- O3.5 The licensee must operate the facility in accordance with the progressive filling plan detailed in the LEMP.
- O3.6 The licensee must maintain a filling plan that identifies areas to be used in the future for the disposal of waste. The filling plan must be updated at intervals of no greater than 24 months determining the remaining volume of the landfill.

Completion of landfill cells

- O3.7 The licensee must ensure that the landfill cells are capped progressively and effectively during operations and specifically at times when the level of waste reaches final heights as detailed in the LEMP.
- O3.8 Final capping must comprise two layers in the order of installation: sealing layer and the revegetation layer as specified in the LEMP

Unauthorised entry

- O3.9 The licensee must take all practicable steps to prevent unauthorised access to the waste facility.

Tracking of mud and waste

- O3.10 The licensee must control the tracking of waste and mud by vehicles before departing the waste facility to minimise the tracking of waste and mud from these vehicles once they are outside the waste facility.

Dust control

- O3.11 The licensee must control generation of dust from the facility.

Without limiting the above condition, the following measures must be followed:

- (a) Sealed or gravel roads must be constructed from the public roadway to the gateshouse / waste reception section of the landfill.
- (b) Dust suppression methods must be used as frequently as necessary for any unsealed or unvegetated areas of the landfill including the use of water sprays or water carts.

Control of pests, vermin and weeds

O3.12 The licensee must control pests, vermin and weeds at the waste facility.

Fire extinguishment

O3.13 The licensee must extinguish fires at the waste facility as soon as possible.

Fire fighting capability

O3.14 The licensee must have adequate fire prevention measures in place, and ensure that facility personnel are able to access fire fighting equipment and are able to manage fire outbreaks at any part of the facility.

Staff training

O3.15 The licensee must ensure that all staff are aware of the manner in which the waste facility is to be managed in order to comply with the conditions of its licence and that appropriate staff are available that can competently carry out all duties required to meet the specified activities and outcomes identified in the waste facility's LEMP.

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:

Water and Land

POINT 1

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

POINT 2

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

POINT 3

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

POINT 4

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

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POINT 5

| Pollutant | Units of measure | Frequency | Sampling Method |
|-----------|------------------|-----------|-----------------|
| Depth | metres | Quarterly | Grab sample |

POINT 6

| Pollutant | Units of measure | Frequency | Sampling Method |
|-----------|------------------|-----------|-----------------|
| Depth | metres | Quarterly | Grab sample |

POINT 7

| Pollutant | Units of measure | Frequency | Sampling Method |
|-----------|------------------|-----------|-----------------|
| Depth | metres | Quarterly | Grab sample |

POINT 8

| Pollutant | Units of measure | Frequency | Sampling Method |
|-----------|------------------|-----------|-----------------|
| Depth | metres | Quarterly | Grab sample |

POINT 9

| Pollutant | Units of measure | Frequency | Sampling Method |
|-----------|------------------|-----------|-----------------|
| Depth | metres | Quarterly | Grab sample |

POINT 10

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

POINT 11

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

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POINT 12

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

POINT 13

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

POINT 14

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

POINT 16

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | Grab sample |
| Cyanide | milligrams per litre | Quarterly | Grab sample |
| Fluoride | milligrams per litre | Quarterly | Grab sample |
| pH | pH | Quarterly | Grab sample |

POINT 17

| Pollutant | Units of measure | Frequency | Sampling Method |
|-----------|------------------|-----------|-----------------|
| Depth | metres | Quarterly | Grab sample |

M2.2 The licensee must install and maintain all monitoring bores in a manner that ensures that samples taken from the bores are representative of the groundwater at the screened depths as defined in the LEMP at that location.

M2.3 The licensee must report to the EPA if the results for any parameter monitored in the groundwater detection monitoring program indicates a significant change to the concentration of any contaminants or any indication of actual or incipient environmental harm at any of the sampling locations.

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M2.4 The licensee must report to the EPA if the results for surface water monitoring indicate that a significant change to the concentrations of any contaminants or any indication of actual or incipient environmental harm at any of the sampling locations.

M2.5 Rainfall, in millimetres must be recorded on a daily average basis.

M3 Testing methods - concentration limits

M3.1 Not applicable.

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

M3.3 Where monitoring is required for the following chemicals or properties then the following practical quantification limits must be able to be achieved:

| Chemical or property | Required practical quantification limit in mg/L unless otherwise specified |
|--------------------------------|--|
| Alkalinity | 4 mg/L as CaCO ₃ (Total alkalinity) |
| Ammonia | 0.03 |
| Calcium | 0.2 *** |
| Chloride | 0.02 |
| Fluoride | 0.3 |
| Iron | 0.5 *** |
| Magnesium | 0.2 *** |
| Manganese | 0.2 *** |
| Nitrate | 0.01 |
| pH | 0.1 pH units |
| Total phenolics | 0.15 * |
| Potassium | 0.2 *** |
| Sodium | 0.2 *** |
| Sulphate | 0.1 |
| Total organic carbon (TOC) | 0.2 ** |
| Electrical conductivity | 2uS/cm |
| Total Dissolved Solids | 5 |
| Total Suspended Solids | 5 |
| Biological oxygen demand (BOD) | 2 |
| Phosphate | 0.005 |
| Arsenic | 0.5 *** |
| Aluminium | 0.2 *** |
| Barium | 0.2 *** |
| Cadmium | 0.2 *** |
| Calcium | 0.2 *** |
| Cobalt | 0.2 *** |
| Copper | 0.2 *** |
| Chromium (Hexavalent) | 0.25 *** |
| Chromium (Total) | 0.2 *** |
| Lead | 0.5 *** |
| Mercury | 0.002 **** |

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|--------------------------------------|----------|
| Zinc | 0.2 *** |
| Total Hydrocarbons | 10 ***** |
| Benzene | 0.005 |
| Toluene | 0.005 |
| Xylene | 0.005 |
| Ethylbenzene | 0.005 |
| Chlorinated Volatile Compounds (CVC) | 0.005 |
| Organochlorine Pesticides (OCPs) | 0.00005 |
| Polychlorinated Biphenyls (PCBs) | 0.0001 |
| Polyaromatic Hydrocarbons (PAHs) | 0.01 |
| Organophosphate Pesticides | 0.0005 |

* Total phenolics or summation of 17 individual phenol containing compounds identified by USEPA Method 8040.

** For groundwater analyse filtrate from a 0.45 micron pore diameter filter, for surface water analyse TOC on an unfiltered water sample.

*** Determined by ICPAES

**** Determined by cold vapour AAS

***** By USEPA method 1664 empirical gravimetric test

M4 Recording of pollution complaints

M4.1 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.2 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.

M4.3 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.

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

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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 Conditions M5.1 and M5.2 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 Not applicable.

6 Reporting conditions

R1 Annual return documents

What documents must an Annual Return contain?

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.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before 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.

Period covered by Annual Return

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.

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- 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.

Deadline for Annual Return

- 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').

Notification where actual load can not be calculated

- R1.6 Not applicable.

Licensee must retain copy of Annual Return

- R1.7 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.

Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

- R1.8 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.
- R1.9 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.

R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

- 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.

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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.

General conditions

G1 Copy of licence kept at the premises

- 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.

G2 Waste disposal

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- G2.1 The LEMP must address all areas of the waste facility where waste will be disposed of.
- G2.2 The Company shall supervise the waste disposal operations to ensure that procedures to prevent any spillage of wastes and any environmental damage outside the disposal area are effective.
- G2.3 The approved smelter wastes shall not be kept, sold, distributed, conveyed or used on these premises except as provided in this licence.
- G2.4 The licensee is permitted to keep approved smelter wastes subject to the conditions of this licence.
- G2.5 The approved smelter wastes must be kept on site in a secure manner such that all leachate from the waste is collected and no wind borne material can escape from the site.
- G2.6 The site storage for the approved smelter wastes must be maintained in good order and good condition.
- G2.7 The Premises must be provided with physical security to prevent unauthorised access to the approved smelter wastes.
- G2.8 The licensee is permitted to dispose of approved smelter wastes at the Premises subject to the conditions of this licence.

Pollution studies and reduction programs

- U1 Not applicable.

Special conditions

- E1 Not applicable.

Dictionary

Special dictionary

Landfill Environment Is the plan submitted to the EPA for the waste facility Wallaroo Landfill Management Plan, August 2006.

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| Management (LEMP) Leachate | Plan |
|----------------------------------|------|
| Monitoring bore | |

Means the polluted liquid that is released by or has percolated through waste. Pollutants contained in leachate include dissolved and suspended solids, organic chemicals, and dissolved gases.

Means a bore excavated into the ground for the purposes of intercepting and collecting groundwater

General Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

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| 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 1998 |
| 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 1998 |
| assessable pollutants | Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998 |
| 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 | Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations |

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| classification | (General) Regulation 1998. |
| 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 (non-putrescible) | Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997 |
| 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 1998 |
| 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 |

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

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition - 28-Jun-2010

End Notes

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|---|---|
| 1 | Licence varied by notice 1015242, issued on 20-Feb-2002, which came into effect on 17-Mar-2002. |
| 2 | Licence varied by notice 1032931, issued on 19-Dec-2003, which came into effect on 13-Jan-2004. |
| 3 | Licence varied by notice 1044388, issued on 08-Mar-2005, which came into effect on 02-Apr-2005. |
| 4 | Licence varied by correction to DEC Region, issued on 18-Jan-2007, which came into effect on 18-Jan-2007. |
| 5 | Licence varied by notice 1077026, issued on 08-Oct-2007, which came into effect on 08-Oct-2007. |
| 6 | Licence varied by notice 1081354, issued on 17-Jan-2008, which came into effect on 17-Jan-2008. |

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End Notes

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| 7 | Licence varied by notice 1093226, issued on 11-Nov-2008, which came into effect on 11-Nov-2008. |
| 8 | Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date> |
| 9 | Licence varied by notice 1095613, issued on 04-Dec-2008, which came into effect on 04-Dec-2008. |
| 10 | Licence varied by Correction to EPA Region data record., issued on 28-Jun-2010, which came into effect on 28-Jun-2010. |