



<u>Licence Details</u>			
Number:	6964		
Anniversary Date:	01-April		

Licensee
ORICA AUSTRALIA PTY LTD
GATE 1, 2 CHRISTINA ROAD
VILLAWOOD NSW 2163

# Licence Type Premises

Premises
ORICA AUSTRALIA
GATE 3, 2 CHRISTINA ROAD
VILLAWOOD NSW 2163

Chemical production	Scheduled Activity	
	Chemical production	

Fee Based Activity	<u>Scale</u>
Pharmaceutical & veterinary products production	0 - 2000 T produced
Chemical production waste generation	> 5 - 100 T generated and/or stored

<u>Region</u>
Waste Operations (Sydney)
59-61 Goulburn Street
SYDNEY NSW 2000
Phone: 02 9995 5000
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PO Box A290 SYDNEY SOUTH
NSW 1232





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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).

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:

ORICA AUSTRALIA PTY LTD GATE 1, 2 CHRISTINA ROAD VILLAWOOD NSW 2163

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, feebased 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	
Chemical production	

Fee Based Activity	Scale
Pharmaceutical & veterinary products production	0 - 2000 T produced
Chemical production waste generation	> 5 - 100 T generated and/or
	stored

### A1.3 Not applicable.

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### A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
ORICA AUSTRALIA
GATE 3, 2 CHRISTINA ROAD
VILLAWOOD
NSW
2163
LOT 1 DP634604

### 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.



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P1.2	Not applicable.
P1.3	Not applicable.
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.

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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.

Code	Waste	Description	Activity	Other Limits
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the <i>Protection of the Environment Operations</i> (Waste) Regulation 2005	As specified in each particular resource recovery exemption.	NA
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

### L6 Noise Limits

- L6.1 Noise from the premises must not exceed an LA10 (15 minute) noise emission criterion of 65 dB(A), except as expressly provided by this licence.
- L6.2 Noise from the premises is to be measured or computed at any point within one metre of the boundary of the premises to determine compliance with condition L6.1. 5dB(A) must be added if the noise is tonal or impulsive in character.

### 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

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(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 Emergency response

O3.1 The licensee must maintain, and implement as necessary, a current emergency response plan for the premises. The licensee must keep the emergency response plan on the premises at all times. The emergency response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. If a current emergency response plan does not exist at the date on which this condition is attached to the licence, the licensee must develop an emergency response plan within three months of that date.

### O4 Processes and management

- O4.1 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the DECC Waste Classification Guidelines as in force from time to time.
- O4.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

### O5 Clinical and related wastes

- O5.1 The licensee must ensure that the handling, labelling, containment, storage and disposal of clinical and sharps wastes are carried out in accordance with the "Waste Management Guidelines for Health Care Facilities", 1998, issued by the NSW Department of Health.
- O5.2 Without limiting to O5.1, the licensee must ensure that:
  - (a) clinical wastes are stored or contained in a weather proof secure location isolated from any other wastes, and that the storage area is maintained in a condition which presents no threat to the environment:
  - (b) the storage area for clinical wastes contains all necessary equipment required to clean and disinfect the area in case of spillage;
  - (c) no radioactive substance as defined by the Radiation Control Act, 1990 is mixed or stored with any of the clinical wastes;

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- (d) bagged clinical wastes are stored and transported in rigid containers which are leak proof, shatter proof, washable and have securely fitting lids to prevent spills at all times;
- (e) bags and containers used for storage and transport of clinical wastes are colour coded and clearly marked with the wording 'Clinical Wastes' along with the biological hazard symbol in accordance with the requirements of the Waste Management Guidelines for Health Care Facilities, 1998, issued by the NSW Department of Health;
- (f) containers used for clinical waste which are to be reused must be thoroughly cleansed and disinfected before being reused; and
- (g) where second hand containers are used, all other irrelevant markings shall be obliterated.

### O6 Sharps Waste

- O6.1 In addition to O5.1, the licensee must ensure that:
  - (a) sharps are segregated by the use of enclosed rigid impenetrable containers that comply with Australian Standards AS/NZS 4031-1992 (non-reusable containers) and 4261-1994 (reusable containers) before disposal in waste bags labelled 'Clinical Wastes' along with the appropriate biohazard symbol;
  - (b) sharps contaminated by any residual cytotoxic drug are segregated by the use of enclosed rigid impenetrable containers that comply with Australian Standards AS/NZS 4031-1992 (non-reusable containers) and 4261-1994 (reusable containers) before disposal in cytotoxic waste bags labelled 'Cytotoxic Wastes' along with the appropriate biohazard symbol; and
  - (c) sharps are transported in rigid impenetrable containers which are leakproof, shockproof and have securely fitting lids and that comply with Australian Standard AS/NZS 3816-1998, Management of Clinical and Related Wastes.

### 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.

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- 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 Not applicable.
- M3 Testing methods concentration limits
- M3.1 Not applicable.
- M3.2 Not applicable.

### 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





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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.

#### Reporting conditions 6

#### 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.

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# Pollution studies and reduction programs

U1.1 Not applicable.

# **Special conditions**

E1.1 Not applicable.

# **Dictionary**

### **General Dictionary**

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

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
Means the Protection of the Environment Operations Act 1997
Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
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.
Australian Map Grid
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.
Is defined in R1.1
Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
Means biochemical oxygen demand



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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 1998.

flow weighted composite sample Means a sample whose composites are sized in proportion to the flow at each composites time of

general solid waste (non-putrescible)

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

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

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

Noise Means "sound pressure levels" for the purposes of conditions under L6 of this licence

Noise sensitive locations

Means buildings used as residence, hospital, school, child care centre, places of public worship and

nursing homes. A noise sensitive location includes the land within 30 metres of the building

**NSW Industrial Noise Policy** 

Means the document titled "NSW Industrial Noise Policy" published by the Environment Protection

Authority in January 2000

O&G Means oil and grease

Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit percentile [in



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relation to a
concentration limit
of a sample]

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

premises

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

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 Approved Methods for the

Sampling and Analysis of Air Pollutants in New South Wales.

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

Ms Nadia Kanhoush

**Environment Protection Authority** 

(By Delegation)

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Date of this edition - 22-Dec-2010

End Notes		
1	Licence varied by notice 1021925, issued on 09-Dec-2002, which came into effect on 09-Dec-2002.	
2	Licence varied by correction to EPA Region, issued on 25-May-2006, which came into effect on 25-May-2006.	
3	Condition A1.3 Not applicable varied by notice issued on <issue date=""> which came into effect on <effective date=""></effective></issue>	
4	Licence varied by notice 1102817, issued on 13-Aug-2009, which came into effect on 13-Aug-2009.	
5	Licence varied by Correction to EPA Region data record., issued on 28-Jun-2010, which came into effect on 28-Jun-2010.	
6	Licence varied by correction to DECCW Region data record, issued on 07-Jul-2010, which came into effect on 07-Jul-2010.	
7	Licence varied by correction to scheduled activity name, issued on 22-Dec-2010, which came into effect on 22-Dec-2010.	