

# Environment Protection Licence

Licence - 7675



Environment,  
Climate Change  
& Water

**Licence Details**

Number:	7675
Anniversary Date:	30-June

**Licensee**

PORT WARATAH COAL SERVICES LTD  
PO BOX 57  
CARRINGTON NSW 2294

**Licence Type**

Premises

**Premises**

KOORAGANG ISLAND WASTE FACILITY  
CORMORANT ROAD  
KOORAGANG NSW 2304

**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  
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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); 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.

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:

<b>PORT WARATAH COAL SERVICES LTD</b>
<b>PO BOX 57</b>
<b>CARRINGTON NSW 2294</b>

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.

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
KOORAGANG ISLAND WASTE FACILITY
CORMORANT ROAD
KOORAGANG
NSW
2304
LOT 121 DP 874949

## A3 Other activities

A3.1 Not applicable.

## A4 Information supplied to the EPA

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- 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.

- A4.2 The document titled "AMCL EMP Plant - Kooragang Island Emplacement Facility Revised 5 Year and End of Life Plan 1997" (LEMP) reference 611/364555/00 document 1023, prepared by Gutteridge, Haskins and Davey Pty Ltd, 1997 is not to be taken as part of the documentation in A4.1, other than those parts specifically referenced in this licence.

- A4.3 The following documents have been provided to the EPA for the purposes of conducting final capping works at the Premises;

- a) Kooragang Island EMD Facility Capping Works (Technical Specification) Document No.: *N4104302\_TechSpecFINAL\_19June09.doc* received by the EPA on 23 June 2009; and
- b) Kooragang Island EMD Facility Capping Works (Construction Quality Assurance Plan) Document No.: *N41004302\_CQAPFINAL\_23Apr09.doc* received by the EPA on 23 April 2009.

## 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.

*Water and land*

EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
1	Groundwater monitoring		Groundwater Monitoring Well labelled '10A' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
2	Groundwater monitoring		Groundwater Monitoring Well labelled '10B' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
3	Groundwater monitoring		Groundwater Monitoring Well labelled '12' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
4	Groundwater monitoring		Groundwater Monitoring Well labelled '12E' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
5	Groundwater monitoring		Groundwater Monitoring Well labelled '14' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
6	Groundwater monitoring		Groundwater Monitoring Well labelled '18' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
7	Groundwater monitoring		Groundwater Monitoring Well labelled '21A' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
8	Groundwater monitoring		Groundwater Monitoring Well labelled '21B' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.

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EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
9	Groundwater monitoring		Groundwater Monitoring Well labelled '24' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
10	Groundwater monitoring		Groundwater Monitoring Well labelled '25' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
11	Groundwater monitoring		Groundwater Monitoring Well labelled '26' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
12	Groundwater monitoring		Groundwater Monitoring Well labelled '26E' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
13	Groundwater monitoring		Groundwater Monitoring Well labelled '27A' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
14	Groundwater monitoring		Groundwater Monitoring Well labelled '27B' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
15	Groundwater monitoring		Groundwater Monitoring Well labelled '29' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
16	Groundwater monitoring		Groundwater Monitoring Well labelled '29E' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.

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EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
17	Groundwater monitoring		Groundwater Monitoring Well labelled '32' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
18	Groundwater monitoring		Groundwater Monitoring Well labelled '33' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
19	Groundwater monitoring		Groundwater Monitoring Well labelled '36' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
20	Groundwater monitoring		Groundwater moniotring well labelled '36E' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
21	Groundwater monitoring		Groundwater Monitoring Well labelled 46 on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
22	Groundwater monitoring		Groundwater Monitoring Well labelled '46A' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
23	Groundwater monitoring		Groundwater Monitoring Well labelled '48' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
24	Groundwater monitoring		Groundwater Monitoring Well labelled '48E' on map titled Kooragang Island Waste Impacement Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.

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EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
25	Groundwater monitoring		Groundwater Monitoring Well labelled '52' on map titled Kooragang Island Waste Implication Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
26	Groundwater monitoring		Groundwater monitoring well labelled '52E' on map titled Kooragang Island Waste Implication Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
27	Surface water quality monitoring		Western section of pond labelled 'S1' on map titled Kooragang Island Waste Implication Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
28	Surface water quality monitoring		Central section of pond labelled 'S2' on map titled Kooragang Island Waste Implication Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
29	Surface water quality monitoring		Eastern section of pond labelled 'S3' on map titled Kooragang Island Waste Implication Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
30	Surface water quality monitoring		Section of pond labelled 'S4' on map titled Kooragang Island Waste Implication Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
31	Surface water quality monitoring		Section of pond labelled 'S5' on map titled Kooragang Island Waste Implication Sampling Sites Arrangement dated 22.11.05, drwg no- 700-C-2-018.
32	Groundwater monitoring		Groundwater monitoring well labelled "49" on map titled Kooragang Island Waste Implication Sampling Sites dated 22.11.05 draw no 700-C-2-018

EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
33	Groundwater monitoring		Groundwater monitoring well labelled 50 on map titled Kooragang Island Waste Implacement Sampling Sites Arrangement dated 22.11.05 draw no 700-C-2-018

### 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.

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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.

Code	Waste	Description	Activity	Other Limits
NA	General Solid Waste (non-putrescible)	As defined in Schedule 1 of the POEO Act, in force from time to time.	Waste Disposal (application to land)	NA
NA	Stabilised asbestos wastes in bonded matrix		Waste Disposal (application to land)	NA
NA	Filter cake		Waste Disposal (application to land)	The total tonnage of waste defined in this table disposed at the premises must not exceed 1000,000 tonnes/per annum.
NA	thickener underflow			
NA	kiln and pond sludge			
NA	off spec EMD			
NA	kiln waste			
NA	cell scale			
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  $L_{A10(15\text{ minute})}$  noise emission criterion of 45 dB(A) (7am to 6pm ) Monday to Friday and 7am to 1pm Saturday ; and
- an  $L_{A10(15\text{ minute})}$  noise emission criterion of 45 dB(A) during the evening (6pm to 10pm) Monday to Friday; and
- 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 Leachate management

O3.1 Drainage from areas not subject to waste disposal must be directed away from the areas where waste is being disposed of.

### O4 Management of surface waters

- O4.1 The perimeter of the areas where waste has been landfilled must be contoured to prevent stormwater running onto these surfaces from all storm events less than or equal to a 1 in 10 year 24 hour duration storm event.
- O4.2 The drainage from all areas at the premises which will liberate suspended solids when stormwater runs over these areas must be diverted into water quality control structures.

### O5 Burning of garden waste

O5.1 There must be no incineration or burning of any waste at the premises.

### O6 Final Capping Plan

O6.1 A final cap must be constructed and installed over all areas of the premises in which waste has been deposited. The final cap must be constructed and installed in accordance with the technical

specifications outlined in document dated 19 June 2009 "*Technical Specification-Kooragang Island EMD Facility Capping Works. Document NO.: N4104302\_TechSpecFINAL\_19June09.doc*"

- O6.2 The construction and implementation of final capping works must be conducted in accordance with document dated 23 April 2009 titled "*Construction Quality Assurance Plan-Kooragang Island EMD Facility Capping Works. Document No.: N4104302\_CQAPFINAL\_23Apr09.doc*"
- O6.3 The construction and implementation of the capping works must be supervised by a suitably qualified and experienced person (such as a chartered professional engineer with Engineers Australia). The qualified person must prepare the report required by condition O6.4 of this licence.
- O6.4 Within two (2) months of completing the final capping works, the licences must provide a construction verification report to the EPA. The construction verification report must include;
- I. All surveys conducted during the construction and implementation phase of the final capping works;
  - II. All as constructed surveys of the final capping works;
  - III. All test results conducted during the construction and implementation phase of the final capping works; and
  - IV. All test results conducted on completion of the final capping works.

## **O7 Unauthorised entry**

- O7.1 The licensee must take all practicable steps to control entry to the premises.

## **O8 Control of pests, vermin and weeds**

- O8.1 The licensee must control pests, vermin and weeds at the premises.

## **O9 Fire extinguishment**

- O9.1 The licensee must extinguish fires at the premises as soon as possible.

## **O10 Fire fighting capability**

- O10.1 The licensee must have adequate fire prevention measures in place, and ensure that facility personnel are able to access fire-fighting equipment and manage fire outbreaks at any part of the premises.

## **O11 Staff training**

- O11.1 The licensee must ensure that adequately trained staff are available at the premises in order to

administer the requirements of this licence.

## 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***POINTS 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31**

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium	milligrams per litre	Every 6 months	Grab sample
Cobalt	milligrams per litre	Every 6 months	Grab sample
Copper	milligrams per litre	Every 6 months	Grab sample
Iron	milligrams per litre	Every 6 months	Grab sample
Magnesium	milligrams per litre	Every 6 months	Grab sample
Manganese	milligrams per litre	Monthly	Grab sample
Nickel	milligrams per litre	Every 6 months	Grab sample
Potassium	milligrams per litre	Every 6 months	Grab sample
Sodium	milligrams per litre	Every 6 months	Grab sample
Zinc	milligrams per litre	Every 6 months	Grab sample
pH	pH	Monthly	Grab sample

**M2.2 PAH Monitoring**

1. The licensee must conduct the following groundwater monitoring program and submit a report as part of the annual return presented each year. The report must provide the monitoring data presented as trend analysis for each bore.

At monitoring bores numbered 10A, 49, 50, on drawing 700-C-2-018 the licensee must monitor (by sampling and obtaining results by analysis) for the concentration of each pollutant specified in Table 1 below.

Monitoring requirements set out below must be carried out in conjunction with, and in addition to, requirements in condition M2.1.

Practical quantification limits must be consistent with the requirements of condition M3.2.

The licensee must use the sampling method, units of measure and sample at the frequency specified opposite in the other columns.

The results of filtered and unfiltered groundwater samples must be provided in the report.

Note:- Filtered groundwater samples are defined as samples that have been filtered so that any entrained sediment is removed from the samples prior to analysis.

**Table 1 – Groundwater Contaminants**

Pollutant	Units of measure	Frequency	Sampling Method
Total PAHs	ug/L	Every 12 months	Grab sample
Naphthalene	ug/L	Every 12 months	Grab sample
Acenaphthylene	ug/L	Every 12 months	Grab sample
Acenaphthene	ug/L	Every 12 months	Grab sample
Flourene	ug/L	Every 12 months	Grab sample
Phenanthrene	ug/L	Every 12 months	Grab sample
Anthracene	ug/L	Every 12 months	Grab sample
Fluoranthene	ug/L	Every 12 months	Grab sample
Pyrene	ug/L	Every 12 months	Grab sample
Benzo(a)pyrene	ug/L	Every 12 months	Grab sample

**Trigger Values**

2. The licensee must immediately advise the DECC in the event of the following trigger values occurring: -
  - i. The PAH concentration of any borewater sample exceeds 1000 ug/L, or
  - ii. Any PAH is detected in any surface water sampled at monitoring locations S1, S2, or S3.

Note: If any groundwater grab sample result exceeds the PAH trigger value then low flow sampling techniques should be used for any follow up sampling of groundwater.

**Determining the extent of PAH contamination on the premises**

3. The licensee must sample sufficient ground waters in the area to the south west of Bore 50 for the purpose of determining the extent of PAH contamination on the premises.
4. The licensee must submit a report containing the results of the monitoring to determine the extent of PAH contamination. The report must be submitted to the Manager, Hunter Region, 117 Bull Street Newcastle NSW 2300, by 1 April 2008. The report must provide the monitoring results and a map showing the location of each monitoring bore.

**M3 Testing methods - concentration limits**

M3.1 Not applicable.

**Practical Quantification Limit**

M3.2 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 milligrams/L unless otherwise specified
Alkalinity	4mg/L as CaCO <sub>3</sub> (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	0.1pH 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
Biochemical 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****
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 (OCP's)	0.00005
Polychlorinated Biphenyls (PCB's)	0.0001
Polyaromatic Hydrocarbons (PAH's)	0.01
Organophosphate Pesticides (OPP's)	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

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

M3.3 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

## M4 Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M4.2 The record must include details of the following:

- (a) the date and time of the complaint;
- (b) the method by which the complaint was made;
- (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- (d) the nature of the complaint;
- (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- (f) if no action was taken by the licensee, the reasons why no action was taken.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M5 Telephone complaints line

M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M5.3 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.

## **M7 Monitoring remaining landfill capacity**

M7.1 The licensee must monitor the remaining disposal capacity (in cubic metres) of the landfill.

## **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.

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**

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- 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.

## 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 Recording of fires

- R4.1 The licensee must maintain a daily log and record the following data of fires at the site:
- (a) Time and date when the fire was deliberately started or reported.
  - (b) Whether the fire was authorised by the licensee, and, if not, the circumstances which ignited the fire.
  - (c) The time and date that the fire ceased and whether it burnt out or was extinguished.
  - (d) The location of fire (eg. clean timber stockpile, putrescible garbage cell, etc).
  - (e) Prevailing weather conditions.
  - (f) Observations made in regard to smoke direction and dispersion.
  - (g) The amount of waste that was combusted by the fire.
  - (h) Action taken to extinguish the fire.
- R4.2 The licensee or its employees or agents must notify the EPA in accordance with conditions R2.1 and R2.2 of all fires at the premises as soon as practical after becoming aware of the incident.

## 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.

## Waste disposal

G1.1 The LEMP must address all areas of the waste facility where waste will be disposed of.

## Kooragang Island waste emplacement area

- G1.1 Every truck load of filtercake transported to the emplacement area must be treated with lime to a pH level greater than 10.5 prior to transportation.
- G1.2 Each batch of filtercake must be tested to determine its pH before being dispatched to the emplacement area. The results of this monitoring must be retained by the licensee for at least four years.
- G1.3 A daily composite sample of filtercake transported to the emplacement area must be collected and analysed to determine leachability using test procedures (s) acceptable to the EPA.
- G1.4 Monthly composite samples of filtercake and thickener underflow transported to the emplacement area must be collected and analysed for: Aluminium, Calcium, Iron, Potassium, Magnesium, Manganese, Sodium, Nickel, Sulphur and moisture content.

## Pollution studies and reduction programs

U1 Not applicable.

## Special conditions

E1 Not applicable.

## Dictionary

### General Dictionary

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

**3DGM [in relation to a concentration]**

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

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<b>limit]</b>	more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 1998.
<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>general solid waste (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>Noise</b>	Means "sound pressure levels" for the purposes of conditions under L6 of this licence
<b>Noise sensitive locations</b>	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
<b>NSW Industrial Noise Policy</b>	Means the document titled "NSW Industrial Noise Policy" published by the Environment Protection Authority in January 2000
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids



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

Mr Trevor Henderson

Environment Protection Authority

(By Delegation)

Date of this edition - 02-Jul-2010

## End Notes

- 1 Licence varied by notice 1013783, issued on 14-May-2002, which came into effect on 08-Jun-2002.
- 2 Licence varied by notice 1026592, issued on 13-Nov-2003, which came into effect on 08-Dec-2003.
- 3 Licence varied by notice 1033737, issued on 08-Sep-2005, which came into effect on 03-Oct-2005.
- 4 Licence varied by notice 1052797, issued on 16-Dec-2005, which came into effect on 10-Jan-2006.
- 5 Licence varied by notice 1055750, issued on 07-Feb-2006, which came into effect on 04-Mar-2006.
- 6 Licence varied by notice 1058750, issued on 03-May-2006, which came into effect on 03-May-2006.
- 7 Licence varied by notice 1068762, issued on 07-Aug-2007, which came into effect on 07-Aug-2007.
- 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 1102311, issued on 23-Jul-2009, which came into effect on 23-Jul-2009.

## End Notes

- |    |  |
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| 10 | Licence varied by Correction to EPA Region data record., issued on 28-Jun-2010, which came into effect on 28-Jun-2010. |
| 11 | Licence transferred through application 146229, approved on 02-Jul-2010, which came into effect on 02-Jul-2010.        |