Licence - 5022



Licence Details	
Number:	5022
Anniversary Date:	01-June

<u>Licensee</u>

PORT WARATAH COAL SERVICES LTD

PO BOX 57

CARRINGTON NSW 2294

Premises

FINES DISPOSAL FACILITY

CURLEW STREET

KOORAGANG NSW 2304

Scheduled Activity

Waste Disposal (application to land)

Waste Processing (non-thermal treatment)

Waste Storage

Fee Based Activity	<u>Scale</u>
Non-thermal treatment of hazardous and other waste	> 0 T treated
Waste disposal by application to land	Any annual capacity
Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	> 0 T stored

Region
Waste Operations
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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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).

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The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

PORT WARATAH COAL SERVICES LTD

PO BOX 57

CARRINGTON NSW 2294

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Waste Processing (non-thermal treatment)	Non-thermal treatment of hazardous and other waste	> 0 T treated
Waste Disposal (application to land)	Waste disposal by application to land	Any annual capacity
Waste Storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	> 0 T stored

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
FINES DISPOSAL FACILITY
CURLEW STREET
KOORAGANG
NSW 2304
LOT 11 DP 841542

A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:
a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and

b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

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2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

- P1.1 The following 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.
- P1.2 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

Type of Monitoring Point	Type of Discharge Point	Location Description
Discharge to waters	Discharge to waters	Surface water pond titled ESW.ELP located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01
Groundwater quality monitoring		Groundwater bore in the upper aquifer titled EP1W_U as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01
Groundwater quality monitoring		Groundwater bore in the upper aquifer titled EP6W_U as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01
Groundwater quality monitoring		Groundwater bore in the upper aquifer titled ESH1W_U as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01
	Discharge to waters Groundwater quality monitoring Groundwater quality monitoring Groundwater quality	Discharge to waters Groundwater quality monitoring Groundwater quality monitoring Groundwater quality

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21 Groundwater quality monitoring 22 Groundwater quality monitoring 23 Groundwater quality monitoring 24 Groundwater quality monitoring 25 Groundwater quality monitoring 26 Groundwater quality monitoring 27 Groundwater quality monitoring 28 Groundwater quality monitoring 29 Groundwater quality monitoring 20 Groundwater quality monitoring 20 Groundwater quality monitoring 20 Groundwater quality monitoring 21 Groundwater quality monitoring 22 Groundwater quality monitoring 23 Groundwater quality monitoring 26 Groundwater quality monitoring 27 Groundwater quality monitoring 28 Groundwater quality monitoring 29 Groundwater quality monitoring 29 Groundwater quality monitoring 30 Groundwater quality Groundwater bore in the lower aquifer titled EHW Las located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 30 Groundwater quality Groundwater bore in the lower aquifer titled EHW Las located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 31 Groundwater quality Groundwater bore in the lower aquifer titled EHTW Las located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 32 Groundwater quality Groundwater bore in the lower aquifer titled EHTW Las located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 Groundwater bore in the lower aquifer titled EHTW Las located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 Groundwater bore in the lower aquifer titled EHTW Las located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan			
monitoring aquifer titled ESH3W_U as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 26 Groundwater quality Groundwater bore in the upper aquifer titled ESH8W_U as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 30 Groundwater quality Groundwater bore in the lower aquifer titled EH6W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 31 Groundwater quality Groundwater bore in the lower aquifer titled EH7W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 31 Groundwater quality Groundwater bore in the lower aquifer titled EH7W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 33 Groundwater quality Groundwater bore in the lower aquifer titled EH11W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01	21	· · · · · · · · · · · · · · · · · · ·	aquifer titled ESH2W_U as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations"
monitoring aquifer titled ESH8W_U as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 30 Groundwater quality Groundwater bore in the lower aquifer titled EH6W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 31 Groundwater quality Groundwater bore in the lower aquifer titled EH7W_L as located on drawing number aquifer titled EH7W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 33 Groundwater quality Groundwater bore in the lower aquifer titled EH7W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 34 Groundwater quality Groundwater bore in the lower aquifer titled EH11W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" titled EPA information Report Site Plan and Geochemical Monitoring Stations" Stations Report Site Plan and Geochemical Monitoring Stations"	22	· · · · · · · · · · · · · · · · · · ·	aquifer titled ESH3W_U as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations"
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monitoring aquifer titled EH7W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01 33 Groundwater quality Groundwater bore in the lower aquifer titled EH11W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations"	30	· · · · · · · · · · · · · · · · · · ·	aquifer titled EH6W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations"
monitoring aquifer titled EH11W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations"	31	· · · · · · · · · · · · · · · · · · ·	aquifer titled EH7W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations"
	33		aquifer titled EH11W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations"

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35	Groundwater quality monitoring		Groundwater bore in the lower aquifer titled EH14W_L as located on drawing number 10104_F3.DWG titled "Port Waratah Coal Service Limited EPA information Report Site Plan and Geochemical Monitoring Stations" date 1/2/01
36	Discharge to waters	Discharge to waters	In the surface water drainage channel between the fines disposal area and the leachate collection pond as shown om the map titled "Sketch Showing Location of Additional Water Quality Monitoring Point" dated 28 May 2001
37	Groundwater quality monitoring		Groundwater bore in the upper acquifer titled ESH5W_U as located on drawing titled "Figure 3: Proposed FDF Groundwater Monitoring Network" attached to Licence Variation application 4/5/2011
38	Groundwater quality monitoring		Groundwater bore in the upper acquifer titled ESH6W_U as located on drawing titled "Figure 3: Proposed FDF Groundwater Monitoring Network" attached to Licence Variation application 4/5/2011
39	Groundwater Quality Monitoring		Groundwater bore in the upper acquifer titled ESH7W_U as located on drawing titled "Figure 3: Proposed FDF Groundwater Monitoring Network" attached to Licence Variation application 4/5/2011

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table\s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

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- L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\s.
- L2.4 Water and/or Land Concentration Limits

POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Total suspended solids	milligrams per litre				50

L3 Volume and mass limits

- L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
 - a) liquids discharged to water; or;
 - b) solids or liquids applied to the area;

must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
1	kilolitres per day	10000

L4 Waste

L4.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General solid waste (non-putrescible)	Only dredge spoil arising from expansion	Waste disposal (application to land)	NA

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		of the Port Waratah Coal Services Terminal at Kooragang Island.		
NA	Waste	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

L4.2 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.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
 - a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

O3 Dust

O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O4 Emergency response

O4.1 Within 3 months of the date of the issue of this licence, the licensee must develop, or update,

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an emergency response plan which documents the procedures to deal with all types of incidents (e.g. spill, explosions or fire) that may occur at the premises or outside of the premises (e.g. during transfer) which are likely to cause harm to the environment.

O5 Processes and management

- O5.1 The licensee must ensure that each waste for recovery/recycling is stockpiled separately.
- O5.2 The drainage from all areas at the premises which will liberate suspended solids when stormwater runs over these areas must be diverted into the sedimentation channel.
- O5.3 The licensee must take all practicable steps to control entry to the premises.
- O5.4 The licensee must install and maintain a high wire mesh fence of not less than 1.8 metres around the active tipping area.
- O5.5 The licensee must install and maintain lockable security gates at all access and departure locations.
- O5.6 The licensee must ensure that all gates are locked whenever the landfill is unattended.
- O5.7 The licensee must train staff as specified in the document titled "EPA Information Report Licence Variation Kooragang Coal Terminal Fines Detention Facility" dated 12 February 2001 and prepared by GHD-Longmac.
- O5.8 The licensee must ensure that adequately trained staff are available at the premises in order to administer the requirements of this licence.

O6 Waste management

- O6.1 A leachate collection system \$Parameter1\$ must be installed on each surface within the premises to be used for the disposal of waste.
- O6.2 The leachate collection system as specified in the document titled "EPA Information Report Licence Variation Kooragang Coal Terminal Fines Detention Facility" dated 12 February 2001 and prepared by GHD-Longmac must be capable of capturing all leachate generated from the waste disposed of at the premises.
- O6.3 Surface drainage must be diverted away from any area where waste is being or has been landfilled.
- O6.4 The licensee must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this licence to be disposed of at the premises.
- O6.5 The licensee must manage the disposal of waste at the premises in accordance with the progressive filling plan specified in the document titled "EPA Information Report Licence Variation Kooragang Coal Terminal Fines Detention Facility" dated 12 February 2001 and

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prepared by GHD-Longmac.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
 - a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
 - a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and
 - d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:
- M2.2 Water and/ or Land Monitoring Requirements

POINT 1,36

Pollutant	Units of measure	Frequency	Sampling Method
Manganese	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample
рН	рН	Once a month (min. of 4 weeks)	Grab sample
PhenoIs	micrograms per litre	Once a month (min. of 4 weeks)	Grab sample
Polycyclic aromatic hydrocarbons	micrograms per litre	Once a month (min. of 4 weeks)	Grab sample
Total lead	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample
Total suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample

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Total Zinc	milligrams per litre	Once a month (min. of 4	Grab sample
		weeks)	

POINT 22,21,20,18,14,37,38,39

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium	milligrams per litre	Yearly	Grab sample
Arsenic	milligrams per litre	Yearly	Grab sample
Cadmium	milligrams per litre	Yearly	Grab sample
Chromium	milligrams per litre	Yearly	Grab sample
Conductivity	microsiemens per centimetre	Yearly	Grab sample
Copper	milligrams per litre	Yearly	Grab sample
Cyanide	milligrams per litre	Yearly	Grab sample
Lead	milligrams per litre	Yearly	Grab sample
Manganese	milligrams per litre	Yearly	Grab sample
Mercury	micrograms per litre	Yearly	Grab sample
Nickel	milligrams per litre	Yearly	Grab sample
рН	рН	Yearly	Grab sample
Phenol	micrograms per litre	Yearly	Grab sample
Selenium	milligrams per litre	Yearly	Grab sample
Total PAHs	micrograms per litre	Yearly	Grab sample
Total petroleum hydrocarbons	micrograms per litre	Yearly	Grab sample
Zinc	milligrams per litre	Yearly	Grab sample

POINT 26,30,31,33,35

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium	milligrams per litre	Yearly	Grab sample
Arsenic	milligrams per litre	Yearly	Grab sample
Cadmium	milligrams per litre	Yearly	Grab sample
Chromium	milligrams per litre	Yearly	Grab sample
Conductivity	microsiemens per centimetre	Yearly	Grab sample
Copper	milligrams per litre	Yearly	Grab sample
Cyanide	milligrams per litre	Yearly	Grab sample
Lead	milligrams per litre	Yearly	Grab sample
Manganese	milligrams per litre	Yearly	Grab sample
Mercury	micrograms per litre	Yearly	Grab sample
Nickel	milligrams per litre	Yearly	Grab sample
рН	рН	Yearly	Grab sample
Phenol	micrograms per litre	Yearly	Grab sample
Selenium	milligrams per litre	Yearly	Grab sample
Total PAHs	micrograms per litre	Yearly	Grab sample
Total petroleum hydrocarbons	micrograms per litre	Yearly	Grab sample

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Zinc milligrams per litre Yearly Grab sample

M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Recording of pollution complaints

- M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M4.2 The record must include details of the following:
 - a) the date and time of the complaint:
 - b) the method by which the complaint was made;
 - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - f) if no action was taken by the licensee, the reasons why no action was taken.
- M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

- M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M5.3 The preceding two conditions do not apply until 3 months after:
 - 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.

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M6 Other monitoring and recording conditions

M6.1 The licensee must monitor the remaining disposal capacity (in cubic metres) of the landfill.

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
 - a) a Statement of Compliance; and
 - b) a Monitoring and Complaints Summary.
 - At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.
- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- 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 licensee 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.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
 - a) in relation to the surrender of a licence the date when notice in writing of approval of the surrender is given; or
 - b) in relation to the revocation of the licence the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the 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.
- R1.8 A person who has been given written approval to certify a certificate of compliance under a

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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.

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.

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

R2 Notification of environmental harm

- 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.
- Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

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

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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.

7 General Conditions

G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

8 Pollution Studies and Reduction Programs

U1 Installation of new groundwater monitoring bores

U1.1 The Licensee must: by **3 August 2012** install four new groundwater monitoring bores (ESH5W_L, ESH6W_L, ESH7W_L and ESH8W_L) located in accordance with "Figure 3: Proposed FDF Groundwater Monitoring Network".

Note: The new groundwater monitoring bores should be constructed in accordance with the "Minimum Construction Requirements for Water Bores in Australia" (LWBC, 2003).

- U1.2 Within one month of completing installation, provide a written report to the EPA advising of the completion of installation of the new groundwater bores, including:
 - a. Details on the Australian Map Grid (AMG) co-ordinates (Northings and Eastings) and a physical description of each sampling location;
 - b. A map (topographical or aerial photograph) which indicates the location of the landfill and all the new sampling locations;
 - c. Details of construction and installation of the groundwater monitoring bores; and
 - d. Bore logs for all new groundwater monitoring bores.

Note: Following the installation of the additional groundwater monitoring bores, the EPA intends to vary the Licence to add monitoring requirements as part of the groundwater monitoring program for the premises

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Dictionary

General Dictionary

3DGM [in relation
to a concentration
limit1

Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples

Act Means the Protection of the Environment Operations Act 1997

activity Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment

Operations Act 1997

actual load Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009

AM Together with a number, means an ambient air monitoring method of that number prescribed by the

Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.

AMG Australian Map Grid

anniversary date The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a

licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the

commencement of the Act.

annual return Is defined in R1.1

Approved Methods Publication

Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009

assessable pollutants

Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009

BOD Means biochemical oxygen demand

CEM Together with a number, means a continuous emission monitoring method of that number prescribed by

the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.

COD Means chemical oxygen demand

composite sample Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples

collected at hourly intervals and each having an equivalent volume.

cond. Means conductivity

environment Has the same meaning as in the Protection of the Environment Operations Act 1997

environment protection legislation Has the same meaning as in the Protection of the Environment Administration Act 1991

EPA Means Environment Protection Authority of New South Wales.

fee-based activity classification

Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.

general solid waste (non-putrescible)

Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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

general solid waste (putrescible)

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

grab sample Means a single sample taken at a point at a single time

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

1997

licensee Means the licence holder described at the front of this licence

load calculation protocol

Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009

local authority Has the same meaning as in the Protection of the Environment Operations Act 1997

material harm Has the same meaning as in section 147 Protection of the Environment Operations Act 1997

MBAS Means methylene blue active substances

Minister Means the Minister administering the Protection of the Environment Operations Act 1997

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

1997

motor vehicle Has the same meaning as in the Protection of the Environment Operations Act 1997

O&G Means oil and grease

percentile [in relation to a concentration limit of a sample]

Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.

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]

plant

Has the same meaning as in the Protection of the Environment Operations Act 1997

premises Means the premises described in condition A2.1

Has the same meaning as in the Protection of the Environment Operations Act 1997 public authority

regional office Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence

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

reporting period

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

scheduled activity Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997

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

1997

TM Together with a number, means a test method of that number prescribed by the Approved Methods for the

Sampling and Analysis of Air Pollutants in New South Wales.

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TSP Means total suspended particles

TSS Means total suspended solids

Type 1 substance

Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements.

more of those elements

Type 2 substance Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any

compound containing one or more of those elements

utilisation area Means any area shown as a utilisation area on a map submitted with the application for this licence

waste Has the same meaning as in the Protection of the Environment Operations Act 1997

waste type Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-

putrescible), special waste or hazardous waste

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 20-June-2001

End Notes

- 1 Licence varied by notice 1040836, issued on 22-Sep-2004, which came into effect on 17-Oct-2004.
- 2 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 3 Licence varied by notice 1097538, issued on 17-Apr-2009, which came into effect on 17-Apr-2009.
- 4 Licence varied by notice 1503955 issued on 05-Jun-2012
- 5 Licence varied by notice 1506611 issued on 06-Jun-2012