

# Licence Variation

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Licence - 13007



ENERGYAUSTRALIA NSW PTY LTD  
ABN 75 163 935 635  
350 BOULDER RD  
PORTLAND NSW 2847

Attention: Ben Eastwood

Notice Number      1569404  
File Number        EF14/7  
Date                 23-Jan-2019

## NOTICE OF VARIATION OF LICENCE NO. 13007

### BACKGROUND

- A. ENERGYAUSTRALIA NSW PTY LTD ("the licensee") is the holder of Environment Protection Licence No. 13007 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at 350 BOULDER ROAD, PORTLAND, NSW, 2847 ("the premises").
- B. As part of a 5 year statutory review of the licence, the EPA varied the licence by Notice 1568716 to attach Special Condition E2.1 requiring the installation of a Continuous Emissions Monitoring System (CEMS) by 28 February 2018. On the 20 December 2018, the EPA received confirmation from the licensee that the requirements of condition E2.1 had been met.
- C. As a result of the 5 year statutory review, in finalising the review the EPA, by this Notice, has also made a number of further changes to the licence. The changes made to the licence are summarised below under Variation of Licence No. 13007.
- D. In 2018, the Environment Protection Authority (EPA) also completed a comprehensive review of air emissions and monitoring performance of all NSW Coal Fired Power Stations. The review identified some opportunities for further improvements to Power Station licences and the EPA is working with the licensee and other Power Stations towards progressing these improvements in a consistent manner. As these improvements are not yet finalised, they have not been included in the 5 year Statutory Review.

### VARIATION OF LICENCE NO. 13007

- 1. By this notice the EPA varies licence No. 13007. The attached licence document contains all variations that are made to the licence by this notice.
- 2. The following variations have been made to the licence:

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3. Variations arising from the 5 year statutory review that includes changes to management of CHP sediment basin as follows;
  - P1.3. Relocation of LDP1 to the overflow from the CHP settling basin,
  - Adds L3.4 to establish discharge limits to LDP1,
  - Adds L3.7 & L3.8 to allow for discharge following rainfall exceeding the design criteria applicable to the CHP sediment basin.
  - Adds O4.1-O4.3 operating conditions applicable to the CHP sediment basin.
  - Amends M2.4 monitoring of discharge from LDP1 in line with L3.4,
  - Removes M8 requirement to monitor volume discharged at final holding pond (as final holding pond is no longer the location of LDP1).
4. Other variations arising from the review as follows;
  - Amends L4.5 to permit receipt of waste from the Springvale Mine Water Treatment facility to be received at the premises.
  - Adds Points 5, 6, 7 (ambient air monitoring from EPL 766) to P.1 Adds a Note to P.1. Adds P1.2 and P1.3.
  - Limit Table at L3.2 amended to include Cadmium & Sulphur dioxide. Reference conditions, oxygen correction, and averaging periods added to Table (from conditions L3.5, L3.6 removed). 1 note added under L3.2 containing definitions.
  - Adds new dust conditions O3.2 and O3.3.
  - Amend Table M2.2 to include Cadmium and remove Copper. Add points 5, 6, 7 to M2.2 and current monitoring for points from EPL 766. Condition M2.3 amended to include definition of Special Method 1 with respect to point 7. Condition M2.4 amended consistent with sediment basin monitoring.
  - Amends M5.1 Table - weather monitoring consistent with other Power Stations.

.....  
**Darryl Clift**  
**Unit Head**  
**Central West**  
(by Delegation)

## INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.

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- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

## **Appeals against this decision**

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

## **When this notice begins to operate**

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).



# Environment Protection Licence

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Licence Details	
Number:	13007
Anniversary Date:	01-January

Licensee
ENERGYAUSTRALIA NSW PTY LTD
350 BOULDER RD
PORTLAND NSW 2847

Premises
MOUNT PIPER POWER STATION
350 BOULDER ROAD
PORTLAND NSW 2847

Scheduled Activity
Electricity generation

Fee Based Activity	Scale
Generation of electrical power from coal	> 4000 GWh annual generating capacity

Region
Central West
L102, 346 PANORAMA AVENUE
BATHURST NSW 2795
Phone: (02) 6333 3800
Fax: (02) 6333 3809
PO Box 1388
BATHURST NSW 2795

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## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

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

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

### Transfer of licence

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

### Public register and access to monitoring data

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

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

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

### This licence is issued to:

ENERGYAUSTRALIA NSW PTY LTD
350 BOULDER RD
PORTLAND NSW 2847

subject to the conditions which follow.



# Environment Protection Licence

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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
Electricity generation	Generation of electrical power from coal	> 4000 GWh annual generating capacity

### A2 Premises or plant to which this licence applies

- A2.1 The licence applies to the following premises:

Premises Details
MOUNT PIPER POWER STATION
350 BOULDER ROAD
PORTLAND
NSW 2847
LOT 1 DP 325532, LOT 1 DP 400022, LOT 191 DP 629212, LOT 1 DP 702619, LOT 2 DP 702619, LOT 362 DP 740604, LOT 366 DP 740604, LOT 67 DP 751636, LOT 1 DP 803655, LOT 5 DP 804929, LOT 7 DP 804929, LOT 8 DP 804929, LOT 9 DP 804929, LOT 15 DP 804929, LOT 1 DP 813288, LOT 1 DP 829065, LOT 1 DP 920999, LOT 1 DP 999329, LOT 2 DP 999329, LOT 3 DP 999329, LOT 4 DP 999329, LOT 5 DP 999329, LOT 102 DP 1164619, LOT 103 DP 1164619, LOT 140 DP 1185660, LOT 141 DP 1185660, LOT 142 DP 1185660, LOT 146 DP 1185660, LOT 147 DP 1185660, LOT 148 DP 1185660, LOT 149 DP 1185660, LOT 150 DP 1185660, LOT 151 DP 1185660, LOT 152 DP 1185660

- A2.2 The premises does not include land within Lot 103 DP 1164619 identified under condition A2.1 of environment protection licence 20513 as the premises of Nu-Rock Technology Pty Limited.

### A3 Other activities

- A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity
Chemical storage

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Coal works
Crushing, grinding or separating
Sewage treatment
Waste storage

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

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
2	Discharge to air. Air emissions monitoring.	Discharge to air. Air emissions monitoring.	Mt Piper Power Station Boiler 1, identified as "EPA ID 2" on a map provided to the EPA in a letter dated 12 December 2008.
3	Discharge to air. Air emission monitoring.	Discharge to air. Air emission monitoring.	Mt Piper Power Station Boiler 2, identified as "EPA ID 3" on a map provided to the EPA in a letter dated 12 December 2008.
4	Weather monitoring		Mount Piper Power Station Weather Station, identified as "EPA ID 4" on a map provided to the EPA in a letter dated 12 December 2008.
5	Ambient air monitoring		Blackmans Flat. Location identified as "EPA ID 15" on a map provided to the EPA in a letter dated 18 March 2005.
6	Ambient air monitoring		Off Brays Lane Wallerawang. Location identified as "EPA ID 16" on a map provided to the EPA in a letter dated 18 March 2005.

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7	Ambient air monitoring	Newnes Plateau. Location identified as "EPA ID 17" on a map provided to the EPA in a letter dated 18 March 2005.
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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.

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

## Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge to waters. Discharge quality monitoring.	Discharge to waters. Discharge quality monitoring.	Overflow from CHP Settlement Basin marked as "weir" at EL931 on Figure 4 of the Aurecon CHP Coal Settling Basin Water Management Options Report Ref: 501396 21 August 2018 (EPA reference DOC18/644531).

## 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 The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.

Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

L2.2 The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol.

Assessable Pollutant	Load limit (kg)
Arsenic (Air)	
Benzo(a)pyrene (equivalent) (Air)	

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Coarse Particulates (Air)
Fine Particulates (Air)
Fluoride (Air)
Lead (Air)
Mercury (Air)
Nitrogen Oxides (Air)
Salt (Enclosed Water)
Selenium (Enclosed Water)
Sulfur Oxides (Air)
Total suspended solids (Enclosed Water)

## L3 Concentration limits

L3.1 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.

L3.2 Air Concentration Limits

### POINT 2,3

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Mercury	milligrams per cubic metre	0.2	Dry, 273K, 101.3kPA	-	-
Chlorine	milligrams per cubic metre	200	Dry, 273K, 101.3kPA	-	-
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	1.0	-	-	-
Dioxins & Furans	nanograms per cubic metre	0.1	-	-	-
Volatile organic compounds	milligrams per cubic metre	40	-	-	-
Hydrogen chloride	milligrams per cubic metre	100	Dry, 273K, 101.3kPA	-	-
Solid Particles	milligrams per cubic metre	50	Dry, 273K, 101.3kPA	7%	-

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Sulfuric acid mist and sulfur trioxide (as SO <sub>3</sub> )	milligrams per cubic metre	100	Dry, 273K, 101.3kPA	-	-
Nitrogen Oxides	grams per cubic metre	1.5	Dry, 273K, 101.3kPA	7%	-
Fluorine	milligrams per cubic metre	50	Dry, 273K, 101.3kPA	7%	-
Cadmium	milligrams per cubic metre	-	Dry, 273K, 101.3kPA	-	-
Sulphur dioxide	milligrams per cubic metre	-	Dry, 273K, 101.3kPA	7%	-

Note: For the purposes of condition L3.2:

a) Nitrogen Oxides mean: Nitric Oxide (NO) or Nitrogen Dioxide (NO<sub>2</sub>) or both, as NO<sub>2</sub> equivalent. Both NO and NO<sub>2</sub> must be measured directly, either separately or simultaneously together, and the concentrations converted to equivalent NO<sub>2</sub> as per the Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.

b) Fluorine means: fluorine and any compound containing fluorine, as total fluoride (HF equivalent).

c) Type 1 substances mean: the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements.

d) Type 2 substances mean: the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements.

e) 1 hour means: 1 hour or the minimum sampling period specified in the relevant test method referred to at condition M2.2, whichever is the greater.

L3.3 The concentration of an impurity contained in the solid alternative fuel must not exceed the concentration specified for that impurity in the table.

Impurity	Units of measure	100% concentration limit
Type 1 and Type 2 substances in aggregate	milligrams per kilogram	350

L3.4 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
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5

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Total suspended solids	milligrams per litre	50
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- L3.5 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L3.6 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.
- L3.7 The concentration limits stipulated by condition L3.4 for EPA identification point 1 are deemed not to apply when the discharge from the stormwater control structures (CHP sediment basin) occurs solely as a result of rainfall measured at the premises which exceeds:

a) a total of 56 millimetres of rainfall over any consecutive 5 day period.

Note: *A 56mm rainfall event is defined by the EPA endorsed publication "Managing urban stormwater: soils and construction" (Landcom 2004; 6-24) as the rainfall depth in millimetres for a 95th percentile 5 day rainfall event for "Lithgow" which is also consistent with the storage capacity (recommended minimum design criteria) for Type D sediment basins for mines and quarries (see "Managing urban stormwater: soils and construction, Volume 2E, mines and quarries" (DECC, 2008).*

- L3.8 The concentration limit for total suspended solids stipulated by condition L3.4 for EPA identification point 1 is deemed not to have been breached where:
- a) the water discharged is covered by condition L3.7 or
  - b) when not covered by condition L3.7, the water discharged (in accordance with licence conditions O5.1 and O5.2) is within the pH range 6.5-8.5 and has a turbidity of no more than 25 NTU at the time of the discharge; and
  - c) the EPA is advised within 7 working days of the completion of the sample testing and analysis as required by condition M2.5 of any results above the licence limit.

Note: *The purpose of condition L3.8 is to expediate the assessment and subsequent discharge of the clarified water from the stormwater control structures (sediment basins).*

## 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.

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Code	Waste	Description	Activity	Other Limits
NA	Excavated natural material	To be used for the rehabilitation of the Mt Piper Ash Repository, Mt Piper Brine in Ash Repository and the Lamberts North Ash Repository as well as progressive landforming of these sites as part of rehabilitation works at the premises.	Capping of Ash Dam	Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.
NA	Virgin excavated natural material	To be used for the rehabilitation of the Mt Piper Ash Repository, Mt Piper Brine in Ash Repository and the Lamberts North Ash Repository as well as progressive landforming of these sites as part of rehabilitation works at the premises.	Capping of Ash Dam	Material to be generated from within the Bathurst and Lithgow local government areas only, or from other locations in New South Wales with approval from the relevant consent authority.

L4.2 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

L4.3 Only the following types of waste generated at the premises may be disposed of at the premises:

- Ash
- Mill pyrites
- Demineralisation and polisher plant effluents
- Chemical clean solutions
- Cooling tower sediments
- Ion exchange resins
- Fabric filter bags
- Brine conditioned fly ash
- Biomass co-firing ash
- Settling pond sediments
- Oil and grit trap sediments

L4.4 The wastes listed in condition L4.3 must only be disposed of to the ash disposal area at Mount Piper Power Station.

L4.5 The licensee is permitted to receive the following wastes generated outside the premises for storage,

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treatment, processing, reprocessing or disposal:

- 1) Brine water (solid and liquid) from the Springvale Mine Water Treatment Facility.

## **L5 Potentially offensive odour**

- L5.1 No condition in 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 Dust**

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 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.
- O3.3 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.



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## O4 Other operating conditions

- O4.1 The stormwater control structure (sediment basin) identified at condition P1.3 EPA identification point 1 must be drained or pumped out as necessary to maintain the basins design storage capacity within 5 days following rainfall.
- O4.2 Water discharged to comply with condition O5.1 may only be discharged to waters from the stormwater control structure (sediment basin) identified at EPA identification point 1 where the discharged water complies with the discharge limits stipulated at condition L3.4 (and taking into consideration condition L3.7).
- O4.3 The licensee must undertake maintenance as necessary to desilt the storage basin identified at EPA identification points 1 in order to retain the basins design storage capacity.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

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

### M2 Requirement to monitor concentration of pollutants discharged

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

**POINT 2,3**

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Pollutant	Units of measure	Frequency	Sampling Method
Cadmium	milligrams per cubic metre	Yearly during discharge	TM-14
Carbon dioxide	percent	Yearly during discharge	TM-24
Chlorine	milligrams per cubic metre	Yearly during discharge	TM-7
Dioxins & Furans	nanograms per cubic metre	Yearly during discharge	TM-18
Dry gas density	kilograms per cubic metre	Yearly during discharge	TM-23
Fluorine	milligrams per cubic metre	Yearly during discharge	TM-9
Hydrogen chloride	milligrams per cubic metre	Yearly during discharge	TM-8
Mercury	milligrams per cubic metre	Yearly during discharge	TM-14
Moisture	percent	Yearly during discharge	TM-22
Molecular weight of stack gases	grams per gram mole	Yearly during discharge	TM-23
Nitrogen Oxides	milligrams per cubic metre	Quarterly during discharge	Special Method 2
Oxygen (O <sub>2</sub> )	percent	Yearly during discharge	CEM-3
Solid Particles	milligrams per cubic metre	Yearly during discharge	TM-15
Sulfuric acid mist and sulfur trioxide (as SO <sub>3</sub> )	milligrams per cubic metre	Yearly during discharge	TM-3
Sulphur dioxide	milligrams per cubic metre	Quarterly during discharge	TM-4
Temperature	degrees Celsius	Yearly during discharge	TM-2
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Yearly during discharge	TM-12, TM-13 & TM-14
Velocity	metres per second	Yearly during discharge	TM-2
volatile organic compounds as n-propane equivalent	milligrams per cubic metre	Yearly during discharge	TM-34
Volumetric flowrate	cubic metres per second	Yearly during discharge	TM-2

## POINT 5,6

Pollutant	Units of measure	Frequency	Sampling Method
Nitrogen dioxide	parts per hundred million	Continuous	AM-12
Sulphur dioxide	parts per hundred million	Continuous	AM-20

## POINT 7

Pollutant	Units of measure	Frequency	Sampling Method
Nitrogen dioxide	parts per hundred million	Monthly	Special Method 1

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Sulphur dioxide	parts per hundred million	Monthly	Special Method 1
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Note: For condition M2.2, the frequency of monitoring "quarterly or year during discharge" means that when monitoring is scheduled for Point 2 (Boiler 1) and/or Point 3 (Boiler 2), monitoring of either Point 2 or 3 is not required if the generating unit/ boiler associated with that Point is not operating and therefore not discharging at that time.

However, it needs to be demonstratable by the licensee that where a generating unit/ boiler is not operating at time of scheduled monitoring, that the generating unit/ boiler was not operating due to reduced station output resulting from reduced market demand and/or coal availability.

M2.3 For the purpose of M2.2;  
Special Method 1 means the CSIRO diffusion tube method.  
Special Method 2 means sampling in accordance with TM-11 and include recording of the respective boiler MW Load at time of sampling, to enable reporting under condition R1.9.

M2.4 Water and/ or Land Monitoring Requirements

## POINT 1

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	milligrams per litre	Monthly during discharge	Representative sample
pH	pH	Monthly during discharge	Representative sample
Total suspended solids	milligrams per litre	Monthly during discharge	Representative sample

M2.5 Samples taken pursuant to a requirement in this licence to monitor the volume, mass or concentration of pollutants, must be analysed and reported in accordance with the laboratory accreditation requirements set out in section 2.1.3 of the Load Calculation Protocol.

Note: The Load Calculation Protocol is the Protocol referred to in clause 21 of the Protection of the Environment (General) Regulation 2009. A copy of the Protocol was published in the NSW Government Gazette on 25 June 2009 and can be purchased from the Environment Protection Authority or viewed at <http://www.epa.nsw.gov.au>.

## M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:  
a) any methodology which is required by or under the Act to be used for the testing of the concentration of

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the pollutant; or

b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or

c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

**Note:** The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

**M3.2** 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 Testing methods - load limits

**Note:** Division 3 of the *Protection of the Environment Operations (General) Regulation 2009* requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.

## M5 Weather monitoring

**M5.1** For licence monitoring point 4 (weather monitoring), the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the units of measure, frequency, averaging period and sampling method specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Temperature at 2 metres	oC	Continuous	1 hour	AM-4
Wind Direction at 10 metres	o (degrees)	Continuous	15 minute	AM-2 & AM-4
Wind speed at 10 metres	m/s	Continuous	15 minute	AM-2 & AM-4
Sigma theta at 10m	o (degrees)	Continuous	15 minute	AM-2 & AM-4
Rainfall	mm	Continuous	24 hour	AM-4
Siting	-	-	-	AM-4
Relative humidity	percent	Continuous	-	AM-4
Solar Radiation	Watts per square metre (W/m <sup>2</sup> )	Continuous	-	AM-4

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## M6 Recording of pollution complaints

- M6.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M6.2 The record must include details of the following:
- 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.
- M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M7 Telephone complaints line

- M7.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M7.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M7.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## M8 Other monitoring and recording conditions

- M8.1 The licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1 contained in any solid alternative fuel, and the Calorific Value (MJ/kg) of the fuel. The licensee must use the units of measure, and sample at the frequency specified opposite in the other columns:

Parameter	Units of measure	Frequency
Antimony	milligrams per kilograms	Per batch, as processed
Arsenic	milligrams per kilograms	Per batch, as processed
Beryllium	milligrams per kilograms	Per batch, as processed
Cadmium	milligrams per kilograms	Per batch, as processed

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Chlorine	%	Per batch, as processed
Chromium (total)	milligrams per kilograms	Per batch, as processed
Cobalt	milligrams per kilograms	Per batch, as processed
Copper	milligrams per kilograms	Per batch, as processed
Flourine	%	Per batch, as processed
Lead	milligrams per kilograms	Per batch, as processed
Manganese	milligrams per kilograms	Per batch, as processed
Mercury	milligrams per kilograms	Per batch, as processed
Nickel	milligrams per kilograms	Per batch, as processed
Selenium	milligrams per kilograms	Per batch, as processed
Sulfur	%	Per batch, as processed
Tin	milligrams per kilograms	Per batch, as processed
Vanadium	milligrams per kilograms	Per batch, as processed

## 6 Reporting Conditions

### R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

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.

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.

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

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
  - a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:
  - a) the assessable pollutants for which the actual load could not be calculated; and
  - b) the relevant circumstances that were beyond the control of the licensee.
- 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.
- R1.8 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
  - a) the licence holder; or
  - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

## Further information to be reported in the Annual Return

- R1.9 The Annual Return must also include the following information:
  - 1. To validate the SSEF-PEMS for Nitrogen oxides approved by the EPA on 27 February 2008, the licensee must provide a report that plots the quarterly Nitrogen oxide concentration sampling results required by condition M2.1, against the historical Nitrogen oxide CEMS data curve for boiler units 1 and 2 at Mount Piper Power Station, and
  - 2. The licensee must report any exceedance of any discharge limit, standard, or concentration set by a condition of this licence. The report must include the sample results or the exceedance and indicate the name of the testing laboratory, parameter(s) monitored, the limit, standard, or concentration exceeded, the date of the exceedance and the results of any analysis.

## 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

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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 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



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premises.

## **G2 Signage**

- G2.1 The location of EPA point number(s) 1 to 4 must be clearly marked by signs that indicate the point identification number used in this licence and be located as close as practical to the point.

## **8 Special Conditions**

### **E1 Solid Alternative Fuel**

- E1.1 For the purpose of this licence, Solid Alternative Fuel means timber products that are either:
- Biomass that is sustainably harvested as defined in "Greenhouse Gas Emissions from Electricity Supplied in NSW: Emissions Workbook, October 2000, Ministry of Energy and Utilities"; or
  - Recycled timber products obtained from the manufacturing, construction and demolition sources that comply with the fuel specification L3.5 for hazardous substances; or
  - In accordance with Regulation 8 (Special requirements - wood waste) of Division 2.2 (Eligible renewable energy sources) in Part 2 of the Renewable Energy (Electricity) Regulation 2001 and Renewable Energy (Electricity) Act 2000.
- E1.2 Solid Alternative Fuel may only be fed to the boiler during coal firing.
- E1.3 Solid Alternative Fuel may only be fed to the boiler at a feed rate of less than or equal to 5% weight of the coal feed rate.

### **E2 Installation of CEMS Unit**

- E2.1 The licensee must have a continuous emission monitoring system (CEMS) installed and up and running at the Mount Piper Power Station by 28 February 2019.

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## Dictionary

### General Dictionary

<b>3DGM [in relation to a concentration limit]</b>	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
<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 2009
<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 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<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 2009.
<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

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<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 (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
<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 2009
<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>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> .

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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<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 Darryl Clift

Environment Protection Authority

(By Delegation)

Date of this edition: 01-January-2009



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## End Notes

1	Licence varied by correction to Load Limits table, issued on 07-Jan-2009, which came into effect on 07-Jan-2009.
2	Licence varied by notice 1110821, issued on 21-Jan-2010, which came into effect on 21-Jan-2010.
3	Licence varied by notice 1118174, issued on 20-Aug-2010, which came into effect on 20-Aug-2010.
4	Licence varied by notice 1516460 issued on 19-Aug-2013
5	Licence transferred through application 1516748 approved on 29-Aug-2013 , which came into effect on 02-Sep-2013
6	Licence varied by notice 1518361 issued on 21-Nov-2013
7	Licence format updated on 09-Jan-2015
8	Licence varied by notice 1529453 issued on 29-Jun-2015
9	Licence varied by notice 1556424 issued on 20-Dec-2017
10	Licence varied by notice 1568716 issued on 23-Aug-2018