

# Environment Protection Licence

Licence - 416

<b>Licence Details</b>	
Number:	416
Anniversary Date:	31-December

<b>Licensee</b>
AUSTAR COAL MINE PTY LIMITED
LOCKED BAG 806
CESSNOCK NSW 2325

<b>Premises</b>
AUSTAR COAL MINE
WOLLOMBI ROAD
PELTON NSW 2325

<b>Scheduled Activity</b>
Coal works
Mining for coal

<b>Fee Based Activity</b>	<b>Scale</b>
Coal works	> 2000000-5000000 T annual handing capacity
Mining for coal	> 2000000-3500000 T annual production capacity

<b>Region</b>
North - Hunter
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NEWCASTLE NSW 2300



# Environment Protection Licence

Licence - 416

<b>INFORMATION ABOUT THIS LICENCE</b>	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
<b>1 ADMINISTRATIVE CONDITIONS</b>	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Information supplied to the EPA	6
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND</b>	7
P1 Location of monitoring/discharge points and areas	7
<b>3 LIMIT CONDITIONS</b>	8
L1 Pollution of waters	8
L2 Concentration limits	8
L3 Volume and mass limits	9
<b>4 OPERATING CONDITIONS</b>	9
O1 Activities must be carried out in a competent manner	9
O2 Maintenance of plant and equipment	10
O3 Dust	10
<b>5 MONITORING AND RECORDING CONDITIONS</b>	10
M1 Monitoring records	10
M2 Requirement to monitor concentration of pollutants discharged	10
M3 Testing methods - concentration limits	12
M4 Weather monitoring	12
M5 Recording of pollution complaints	13
M6 Telephone complaints line	13
M7 Requirement to monitor volume or mass	13
<b>6 REPORTING CONDITIONS</b>	14
R1 Annual return documents	14
R2 Notification of environmental harm	15

# Environment Protection Licence



Licence - 416

R3	Written report	15
<b>7</b>	<b>GENERAL CONDITIONS</b>	<b>16</b>
G1	Copy of licence kept at the premises or plant	16
<b>8</b>	<b>POLLUTION STUDIES AND REDUCTION PROGRAMS</b>	<b>16</b>
U1	Premises Noise Assessment	16
U2	Premises Noise Limits	17
U3	Clean Water Drainage Line Investigation	17
<b>9</b>	<b>SPECIAL CONDITIONS</b>	<b>19</b>
E1	Advice to Black Creek Water Users	19
E2	CHPP Clean Water Drain Orange Staining Containment	19
<b>DICTIONARY</b>		<b>20</b>
	General Dictionary	20

# Environment Protection Licence

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Licence - 416



## 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).

# Environment Protection Licence



Licence - 416

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

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

## Transfer of licence

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

## Public register and access to monitoring data

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

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

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

## This licence is issued to:

<b>AUSTAR COAL MINE PTY LIMITED</b>
<b>LOCKED BAG 806</b>
<b>CESSNOCK NSW 2325</b>

subject to the conditions which follow.

# Environment Protection Licence

Licence - 416

## 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
Coal works	Coal works	> 2000000 - 5000000 T annual handing capacity
Mining for coal	Mining for coal	> 2000000 - 3500000 T annual production capacity

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

A2.1 The licence applies to the following premises:

Premises Details
AUSTAR COAL MINE
WOLLOMBI ROAD
PELTON
NSW 2325
SOUTHLAND COLLIERY HOLDING, REFER TO LOCALITY PLAN FIGURE 1.1 FORWARDED TO THE EPA ON 21/8/01.

### 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:

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

# Environment Protection Licence

Licence - 416



## 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
7	Weather monitoring		Eastings 341198, Northings 6361368 (MGA 56)

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.

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Wet weather discharge; Discharge quality monitoring; Volume monitoring	Wet weather discharge; Discharge quality monitoring; Volume monitoring	Spillway of the emergency dam at the Pelton Coal Preparation Plant site, labelled as 1 on amended Figure 5 entitled Water Management System, submitted to the EPA on 21/11/01.
2	Ambient water quality monitoring		Bellbird Creek labelled as 2 on amended Figure 5 entitled Water Management System, submitted to the EPA on 21/11/01.
4	Ambient water quality monitoring		Bellbird Creek labelled as 4 on amended Figure 5 entitled Water Management System, submitted to the EPA on 21/11/01.
5	Ambient water quality monitoring		The unnamed creek labelled as 5 on amended Figure 5 entitled Water Management System, submitted to the EPA on 21/11/01.at the Western Boundary of the Pelton Mine landholding.

# Environment Protection Licence

Licence - 416



6	Discharge to waters, discharge quality monitoring, volume monitoring.	Discharge to waters, discharge quality monitoring, volume monitoring.	Discharge from 1ML permeate tank as shown on Drawing No. Proposed Relocation of EPL 416 Discharge Point 6, dated 8/12/09.
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## 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.
- L1.2 Discharge from Point 1 is permitted only when the discharge occurs solely as a result of rainfall at the premises exceeding:
- a total of 168 millimetres over any consecutive five day period; or
  - 48 millimetres in less than any consecutive 12 hour period.

### L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table\ 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.
- 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\.
- 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
Iron	milligrams per litre				1
pH	pH				6.5-8.5



# Environment Protection Licence

Licence - 416

Total dissolved solids	milligrams per litre	6000
Total suspended solids	milligrams per litre	50

## POINT 6

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Conductivity	microsiemens per centimetre				600
Iron	milligrams per litre				1
pH	pH				6.5 - 8.5
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:
- liquids discharged to water; or;
  - 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	2000
6	Measure 1	5000

Note: For the purpose of this condition 'Measure 1' means KL/day measured as an annual average.

## 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:
- the processing, handling, movement and storage of materials and substances used to carry out the

# Environment Protection Licence

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Licence - 416



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.

## 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

# Environment Protection Licence

Licence - 416

**POINT 1**

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Special Frequency 1	Grab sample
Iron	milligrams per litre	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	Grab sample
Total dissolved solids	milligrams per litre	Special Frequency 1	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

**POINT 2**

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Special Frequency 2	Grab sample
Iron	milligrams per litre	Special Frequency 2	Grab sample
pH	pH	Special Frequency 2	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample

**POINT 4**

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Special Frequency 2	Grab sample
Iron	milligrams per litre	Special Frequency 2	Grab sample
pH	pH	Special Frequency 2	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample

**POINT 5**

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Special Frequency 2	Grab sample
Iron	milligrams per litre	Special Frequency 2	Grab sample
pH	pH	Special Frequency 2	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample

**POINT 6**

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	Grab sample

# Environment Protection Licence



Licence - 416

Iron	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample
pH	pH	Once a month (min. of 4 weeks)	Grab sample
Total suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample

Note: Special Frequency 1 means daily collected at a minimum of twelve hourly intervals when a discharge is occurring.

Special Frequency 2 means three times per week during any period of discharge from Point 1 at a minimum of 48 hour intervals commencing as soon as practical after discharge has commenced. Once per month during any period of discharge from Point 6 at a minimum of 4 weekly intervals.

### 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 Weather monitoring

M4.1 The meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in condition M4.2.

M4.2 For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Point 7

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Air Temperature	Degrees Celsius	Continuous	1 hour	AM-4
Wind direction	Degrees	Continuous	15 minute	AM2 & AM-4
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4
Sigma theta	Degrees	Continuous	15 minute	AM-2 & AM-4
Rainfall	mm		24 hours	Standard rain gauge

M4.3 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.

# Environment Protection Licence

Licence - 416



Note: The rainfall monitoring data collected in compliance with Condition M4.2. can be used to determine compliance with L1.2.

## M5 Recording of pollution complaints

M5.1 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.

M5.2 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.

M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M6 Telephone complaints line

M6.1 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.

M6.2 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.

M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## M7 Requirement to monitor volume or mass

M7.1 For each discharge point or utilisation area specified below, the licensee must monitor:

- a) the volume of liquids discharged to water or applied to the area;
  - b) the mass of solids applied to the area;
  - c) the mass of pollutants emitted to the air;
- at the frequency and using the method and units of measure, specified below.

### POINT 1

Frequency	Unit of Measure	Sampling Method
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# Environment Protection Licence



Licence - 416

Special Frequency 1	kilolitres per day	In line instrumentation
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## POINT 6

Frequency	Unit of Measure	Sampling Method
Monthly	kilolitres per day	In line instrumentation

Note: Special Frequency 1 means daily collected at a minimum of twelve hourly intervals when a discharge is occurring.

## 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.

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

# Environment Protection Licence



Licence - 416

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 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 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.

## R2 Notification of environmental harm

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.

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

## R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
  - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
  - b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
  - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - e) action taken by the licensee in relation to the event, including any follow-up contact with any

# Environment Protection Licence



Licence - 416

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 premises.

## 8 Pollution Studies and Reduction Programs

### U1 Premises Noise Assessment

U1.1 The licensee must conduct a noise assessment in accordance with the document, 'NSW Industrial Noise Policy', (EPA, 2000) (INP) for the operations and activities carried out at the licensed premises and submit a report to the Manager, Hunter Region, by no later than 31 AUGUST 2014.

U1.2 The report referred to in condition U1.1 must include, but is not limited to the following:

1. Project Specific Noise Levels for the nearest noise sensitive receiver location(s). The project specific noise levels may be sourced from recent documentation submitted in support of a project approval application, or determined specifically in response to this condition, provided that:

(a) The source of the project specific noise levels are stated;

(b) The project specific noise levels have been derived in accordance with the INP;

(c) Details are provided of how the project specific noise levels have been derived; and

(d) The nearest noise sensitive receiver locations chosen are representative of those potentially most affected by noise from the premises.

2. Predicted or measured noise level contributions for the noise sensitive receiver locations identified in U1.2.1 above as a result of all activities and operations carried out at the premises. These may be sourced from recent documentation submitted in support of a project approval or determined specifically in response to this condition, provided that:

(a) The source of the predicted or measured noise level(s) are stated;

(b) Noise levels have been predicted or measured in accordance with the INP; and



# Environment Protection Licence

Licence - 416



(c) Details of how the noise levels have been predicted are provided.

3. Noise Limits proposed for the location(s) identified in U1.2.1 above, derived with regard to the project specific noise levels and predicted noise level contributions from U1.2.1 and U1.2.2 above, that can be placed on the licence, for all activities and operations carried out at the premises.

4. Details of methods to be used to determine compliance with the limits in U1.2.3 above.

Note: (a) A reference to the INP includes a reference to the INP Application Notes; and

(b) Noise sensitive receiver locations do not include any locations owned by the licensee or another coal mine or where a negotiated agreement (as outlined in the INP) is in place between the landowner and any licence holder.

## U2 Premises Noise Limits

U2.1 Noise generated at the premises must not exceed the noise limits below:

Receiver	Noise Limit dB(A)L90
Pelton Village	43
Pyne Residence	40
O'Hearn Residence	37

Note: These noise limits apply until new noise limits, determined through the "Premises Noise Assessment" pollution reduction program, condition U1 of this licence, are applied to the licence.

U2.2 The noise limits apply at all times under wind speeds up to 3 metres per second (measured at 10 metres above ground level) and Pasquill stability class from A to F.

U2.3 Noise from the premises is to be measured at the most affected point within the residential boundary, or at the most affected point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise limits in Condition U2.1 unless otherwise stated.

Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy.

The modification factors presented in Section 4 of the NSW Industrial Noise Policy must also be applied to the measured noise level where applicable.

U2.4 A noise compliance assessment report must be submitted to the EPA's Regional Manager, Hunter on a quarterly basis. The report must contain the results of noise compliance monitoring specified in U2.3.

## U3 Clean Water Drainage Line Investigation

U3.1 The Licensee must undertake an investigation into the source, cause and environmental impacts of the

# Environment Protection Licence



Licence - 416

orange staining/residue within the Austar CHPP Clean Water drain, identified as the '*Investigation Drainage Line*' in Figure 2 CHPP Surface Water Sample locations 25/8/2017, within document titled '*Austar Clean Water Drainage Line Investigation Status Report*' dated 25 August 2017 prepared by Gary Mulhearn, (EPA reference DOC17/440862). The investigation is to be undertaken by a suitably qualified and experienced person or persons.

The investigation must as a minimum include but not be limited to;

- review historical and site-specific information,
- undertake groundwater investigations,
- undertake geological investigations,
- an assessment of any likely impacts of the orange substance on the environment including groundwater and potential overland flow to waters.

An initial scope of works for this investigation is to be provided to the EPA for approval by no later than 5pm Wednesday 31 January 2018.

The findings of this investigation are to be submitted in a report to the EPA no later than 5pm Thursday 31 March 2018.

## U3.2 Monitoring

### Surface Water Monitoring

The licensee must undertake monthly water monitoring within the Investigation drainage line at Sample Points 1, 2, 3, 4, 5,6 as per Figure 2, CHPP Surface Water Sample locations 25/8/2017 within document titled '*Austar Clean Water Drainage Line Investigation Status Report*' dated 25 August 2017 prepared by Gary Mulhearn, (EPA reference DOC17/440862). The licensee must monitor (by sampling and obtaining results by analysis) the concentration of pH, EC TSS and Iron.

### Ground Water Monitoring

The licensee must undertake monthly monitoring of the Groundwater Bore located near the Investigation Drain as defined in Figure 2, CHPP Surface Water Sample locations 25/8/2017 within document titled '*Austar Clean Water Drainage Line Investigation Status Report*' dated 25 August 2017 prepared by Gary Mulhearn, (EPA reference DOC17/440862). The licensee must monitor (by sampling and obtaining results by analysis) the concentration of pH, EC TSS and Iron, and water level. Water level is to be recorded in level below ground and RL.

### Photo Monitoring

The licensee must undertake monthly photo monitoring within the Investigation drainage line at all Photo Points defined in Figure 1 CHPP Surface Water Sample locations 25/8/2017 within document titled '*Austar Clean Water Drainage Line Investigation Status Report*' dated 25 August 2017 prepared by Gary Mulhearn, (EPA reference DOC17/440862).

The EPA will review the requirement to continue monitoring as per this condition within three months of the submission of the Investigation Report required by U3.1.

- U3.3 The Licensee must provide a monthly status report on the CHPP Clean Water drain contamination to the EPA by 5pm the Third Monday of each Month. The first report is to be submitted to the EPA no later than 5pm Monday 15 January 2018. This report removes the requirement for the Licensee to provide

# Environment Protection Licence

Licence - 416



fortnightly updates to the EPA as per EPA letter dated 13 July 2017 DOC17/370341.

As a minimum the report must include, but not be limited to;

- a summary of ongoing actions to identify the source of the orange staining/residue in the clean water drain at the Austar CHPP identified in condition U3.1,
- a summary of controls in place to ensure Bellbird Creek downstream is not adversely impacted as a result of water and or aspects associated with the orange staining/residual in the Austar CHPP clean water drain,
- results from water monitoring undertaken within the reporting period, in accordance with section M2 of the licence,
- results from monitoring undertaken in accordance with condition U3.2.

The EPA will review the requirement to continue reporting as per this condition within three months of the submission of the Investigation Report required by U3.1.

## 9 Special Conditions

### E1 Advice to Black Creek Water Users

- E1.1 The licensee must maintain a system acceptable to water users on Black Creek for advising those water users registered with the company of the discharge of waters from discharge point 1.

Where possible, water users will be advised within the 24 hour period immediately prior to the commencement of any discharge. Where prior advice is not possible, advice will be given as soon as practicable after discharge commences.

The licensee will advise water users of the conductivity of water being discharged. The conductivity of the waters of Bellbird Creek at the intersection of Black Creek with Lomas Lane will be advised to water users on request.

### E2 CHPP Clean Water Drain Orange Staining Containment

- E2.1 The orange staining residue within the clean water drain (identifier) must be fully contained within the premises at all times. Any discharges to waters of this residue must comply with condition L1.1 of this EPL

# Environment Protection Licence

Licence - 416

## 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

# Environment Protection Licence

Licence - 416

<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> .

# Environment Protection Licence



Licence - 416

<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 Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 05-April-2000

# Environment Protection Licence



Licence - 416

## End Notes

- 1 Licence varied by notice V/M upgrade, issued on 08-Jul-2000, which came into effect on 08-Jul-2000.
- 2 Licence varied by notice 1010102, issued on 21-Jan-2002, which came into effect on 21-Jan-2002.
- 3 Licence varied by notice 1016072, issued on 27-Mar-2002, which came into effect on 21-Apr-2002.
- 4 Licence varied by notice 1019333, issued on 26-Jul-2002, which came into effect on 20-Aug-2002.
- 5 Licence varied by notice 1027360, issued on 19-May-2003, which came into effect on 13-Jun-2003.
- 6 Licence varied by notice 1043397, issued on 05-Jan-2005, which came into effect on 30-Jan-2005.
- 7 Licence transferred through application 143246, approved on 16-Feb-2005, which came into effect on 24-Dec-2004.
- 8 Licence varied by notice 1050000, issued on 07-Nov-2005, which came into effect on 02-Dec-2005.
- 9 Licence varied by notice 1064795, issued on 01-Sep-2006, which came into effect on 01-Sep-2006.
- 10 Licence varied by notice 1069811, issued on 23-Feb-2007, which came into effect on 23-Feb-2007.
- 11 Licence varied by notice 1075717, issued on 11-Jul-2007, which came into effect on 11-Jul-2007.
- 12 Licence varied by repair to Annual Return Archive, issued on 17-Jul-2007, which came into effect on 17-Jul-2007.
- 13 Licence varied by notice 1083253, issued on 29-Feb-2008, which came into effect on 29-Feb-2008.
- 14 Licence varied by notice 1083659, issued on 23-May-2008, which came into effect on 23-May-2008.
- 15 Licence varied by notice 1091659, issued on 28-Aug-2008, which came into effect on 28-Aug-2008.
- 16 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 17 Licence varied by notice 1095340, issued on 02-Jan-2009, which came into effect on 02-Jan-2009.

# Environment Protection Licence

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Licence - 416

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| 18 | Licence varied by notice 1104063, issued on 17-Nov-2009, which came into effect on 17-Nov-2009. |
| 19 | Licence varied by notice 1109266, issued on 25-Nov-2009, which came into effect on 25-Nov-2009. |
| 20 | Licence varied by notice 1109768, issued on 20-Jan-2010, which came into effect on 20-Jan-2010. |
| 21 | Licence varied by notice 1112337, issued on 05-Aug-2010, which came into effect on 05-Aug-2010. |
| 22 | Licence varied by notice 1123473, issued on 14-Jul-2011, which came into effect on 14-Jul-2011. |
| 23 | Licence varied by notice 1502332 issued on 24-Jan-2012  |
| 24 | Licence varied by notice 1504077 issued on 07-Feb-2012  |
| 25 | Licence varied by notice 1515752 issued on 10-Feb-2014  |
| 26 | Licence varied by notice 1533592 issued on 07-Dec-2016  |
| 27 | Licence varied by notice 1559008 issued on 15-Dec-2017  |