

Environment Protection Licence



Licence - 4911

Licence Details

Number:	4911
Anniversary Date:	24-November

Licensee

ENHANCE PLACE PTY LIMITED

PO BOX 202

WALLERAWANG NSW 2845

Premises

PINE DALE MINE

CASTLEREAGH HIGHWAY

LIDSDALE NSW 2790

Scheduled Activity

Coal Works

Mining for Coal

Fee Based Activity

Scale

Coal works	0-2000000 T handled
Mining for coal	0-500000 T produced

Region

South - Bathurst

Lvl 2, 203-209 Russell Street

BATHURST NSW 2795

Phone: (02) 6332 7600

Fax: (02) 6332 7630

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); and
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

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

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

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

Duration of licence

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

Licence review

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

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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

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

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

Transfer of licence

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

Public register and access to monitoring data

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

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

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

This licence is issued to:

ENHANCE PLACE PTY LIMITED
PO BOX 202
WALLERAWANG NSW 2845

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Coal Works	Coal works	0 - 2000000 T handled
Mining for Coal	Mining for coal	0 - 500000 T produced

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
PINE DALE MINE
CASTLEREAGH HIGHWAY
LIDSDALE
NSW 2790
LOT 21 DP 751636, LOT 30 DP 827626, LOT 31 DP 827626
CONSOLIDATED COAL LEASE 770 (ACT 1973), ML1569, ML1578, ML375

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.

A3.2 Except as expressly provided by this licence, works and activities must be carried out in accordance with the proposal contained in:

- The conditions of Project Approval 10_0041 as approved by the Department of Planning on 20 February 2011.
- Any Environmental Assessment (EA) in support of Application 10_0041, and

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c) All additional documents supplied to the EPA in relation to Application 10_0041, including Enhance Place Pty Limited's Specialist Consultant Studies Compendium (accompanying the EA) for the Pine Dale Coal Mine Yarraboldy Extension, July 2010.

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
6	Dust Monitoring		DDG1 at western end of Blackmans Flat residential area as per Figure AQ1 in Pine Dale's Air Quality Monitoring Program (DOC06/59402)
7	Dust Monitoring		DDG2. Blackmans Flat residential area as per Figure AQ1 in Pine Dale's Air Quality Monitoring Program (DOC06/59402)
8	Dust Monitoring		DDG3. Eastern end of Blackmans flat residential area as per Figure AQ1 in Pine Dale's Air Quality Monitoring Program (DOC06/59402)
9	PM 10 and TSP Monitoring		HVAS1 and HVAS2. Air sampling compound within Pine Dale Mine site, Blackmans Flat as per Figure AQ1 in Pine Dale's Air Quality Monitoring Program (DOC06/59402)
10	Dust Monitoring		DDG 4 at the northern boundary of Rensen's property (View St, Lidsdale) as per Figure AQ1 in Pine Dale's Air Quality Monitoring Program (DOC06/59402)
11	Dust Monitoring		DDG 5 to the north of Fraser's residence (Wolgan Rd, Lidsdale) as per Figure AQ1 in Pine Dale's Air Quality Monitoring Program (DOC06/59402)
12	Dust Monitoring		DDG 6 to the north of Turek's residence (Wolgan Rd, Lidsdale) as per Figure AQ1 in Pine Dale's Air Quality Monitoring Program (DOC06/59402)
15	Meteorological Station		Weather station located adjacent to Pine Dale Mine site offices

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

P1.3 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

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Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
2	Ambient water monitoring		Ambient water monitoring within Neubeck's Creek upstream of the Delta Electricity flow gauging station.
3	Ambient water monitoring		Ambient water monitoring within Neubeck's Creek approximately 100 metres downstream of Internal bridge near site offices.
4	Discharge & Monitoring	Discharge & Monitoring	Wallerawang Colliery No.1A Mine Entry as detailed on map "Pinedale mine underground discharge points" prepared by Craven, Elliston & Hayes Pty Ltd (27-5-05)
5	Discharge & Monitoring	Discharge & Monitoring	Wallerawang Colliery Punch Mine entry with Yarraboldy fines pit as detailed on map "Pinedale mine underground discharge points" prepared by Craven, Elliston & Hayes Pty Ltd (27-5-05).
13	Discharge to waters Discharge quality monitoring Volume monitoring	Discharge to waters Discharge quality monitoring Volume monitoring	Discharge to concrete lined section of Neubecks creek below final settling dam.
14	Ambient Water Monitoring		Points in Coxs River downstream of 'Blue Lake'

3 Limit Conditions

L1 Pollution of waters

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

L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table 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.

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L2.4 Water and/or Land Concentration Limits

POINT 4,5

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
Total suspended solids	milligrams per litre				50

POINT 13

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
Total suspended solids	milligrams per litre				30

L3 Waste

L3.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

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

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

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

Code	Waste	Description	Activity	Other Limits
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the	As specified in each particular resource recovery exemption	NA

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Protection of the
Environment Operations
(Waste) Regulation
2005

L4 Noise limits

- L4.1 Noise generated from the premises must not exceed the noise limits in the table below. The locations referred to in the table below are indicated on Project Approval 10_0041, Pine Dale Coal Mine - Yarraboldy Extension, Appendix 1 - Schedule of Land.

Location	Day	Evening
	L _A eq (15 min)	L _A eq (15 min)
Residences 18, 32 and 33	42	39
Residences 20-23, 25 and 27-29	42	36
Residences 8, 10-12 and 14	42	35
Residences 2, 5-7 and 35	35	35
All other residences	35	35

- L4.2 Noise from the premises during construction and removal of the amenity bund must not exceed 46 dB(A) at all residential receivers.

Note: The above noise limits do not apply at properties where the licensee has a written agreement with the landowner regarding the applicable noise limit.

- L4.3 For the purposes of condition L4.1:

- a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays; and
- b) Evening is defined as the period between 6pm and 10pm.

- L4.4 Noise limits set out in condition L4.1 and L4.2 apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

- L4.5 For the purposes of condition L4.4:

- a) Data recorded by the meteorological station identified as EPA Licence Point 15 must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

- L4.6 To determine compliance:

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a) with the Leq(15 minute) noise limits in conditions L4.1 and L4.2, the noise measurement equipment must be located:

- i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
- ii) within 30 metres of a dwelling facade, but not closer than 3 metres where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
- iii) within approximately 50 metres of the boundary of a National Park or Nature Reserve.

b) with the noise limits in condition L4.1 and L4.2, the noise measurement equipment must be located:

- i) at the most affected point at a location where there is no dwelling at the location; or
- ii) at the most affected point within an area at a location prescribed by condition L4.6(a).

L4.7 A non-compliance of conditions L4.1 and L4.2 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- a) at a location other than an area prescribed by condition L4.6(a); and/or
- b) at a point other than the most affected point at a location.

L4.8 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L5 Blasting

L5.1 Blasting at the premises is limited to 1 blast on each day on which blasting is permitted, unless an additional blast is required following a blast misfire.

L5.2 Blasting operations at the premises may only take place between 10:00am and 3:00pm Monday to Friday. (Where compelling safety reasons exist, the Authority may permit a blast to occur outside the abovementioned hours. Prior written (or facsimile) notification of any such blast must be made to the Authority).

L5.3 The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than 5% of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L5.4 The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L5.5 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than 5% of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to

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be taken into account in determining whether or not the limit has been exceeded.

L5.6 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

Note: 1. The airblast overpressure and ground vibration levels in conditions L5.3 to L5.6 do not apply at noise sensitive locations that are owned by the licensee or that are subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and the land owner.
2. "Noise sensitive locations" include buildings used as a residence, hospital, school, child care centre, place of public worship and nursing home. A noise sensitive location includes the land within 30 metres of the building.

L6 Hours of operation

L6.1 Activities at the premises may only be carried on between the hours of;

Monday to Saturday

7:00am to 6:00pm for mining and all associated activities

7:00am to 8:00pm for haulage and transportation

7:00am to 10:00pm for equipment maintenance activities

Sunday

9.00am to 4.00pm for equipment maintenance activities.

And at no time on Public Holidays

L7 Potentially offensive odour

L7.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

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

This includes:

a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and

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b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

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

O3 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 Air Monitoring Requirements

POINT 6,7,8

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Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Once a month (min. of 4 weeks)	Australian Standard 3580.10.1-2003

POINT 9

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Weekly	AS/NZS 3580.9.6:2003
Total suspended particles	micrograms per cubic metre	Weekly	AS/NZS 3580.9.6:2003

POINT 10,11,12

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Once a month (min. of 4 weeks)	Australian Standard 3580.10.1-2003

M2.3 Water and/ or Land Monitoring Requirements**POINT 2,3**

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Special Frequency 1	Probe
Filterable iron	milligrams per litre	Quarterly	Grab sample
pH	pH	Special Frequency 1	Probe
Sulfate	milligrams per litre	Quarterly	Grab sample
Total suspended solids	milligrams per litre	Quarterly	Grab sample
Turbidity	nephelometric turbidity units	Special Frequency 1	Probe

POINT 4,5

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Quarterly during discharge	Probe
Filterable iron	milligrams per litre	Quarterly during discharge	Grab sample
Oil and Grease	milligrams per litre	Quarterly during discharge	Grab sample
pH	pH	Quarterly during discharge	Probe

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Sulfate	milligrams per litre	Quarterly during discharge	Grab sample
Total suspended solids	milligrams per litre	Quarterly during discharge	Grab sample
Turbidity	nephelometric turbidity units	Quarterly during discharge	Probe

POINT 13

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Daily during any discharge	Probe
Filterable iron	milligrams per litre	Weekly during any discharge	Grab sample
Oil and Grease	milligrams per litre	Weekly during any discharge	Grab sample
pH	pH	Daily during any discharge	Probe
Sulfate	milligrams per litre	Weekly during any discharge	Grab sample
Total suspended solids	milligrams per litre	Weekly during any discharge	Grab sample
Turbidity	nephelometric turbidity units	Daily during any discharge	Probe

POINT 14

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Special Frequency 1	Probe
Filterable iron	milligrams per litre	Quarterly	Grab sample
pH	pH	Special Frequency 1	Probe
Sulfate	milligrams per litre	Quarterly	Grab sample
Total suspended solids	milligrams per litre	Quarterly	Grab sample
Turbidity	nephelometric turbidity units	Special Frequency 1	Probe

M2.4 For the purposes of the table(s) above Special Frequency 1 means the collection of samples from licence monitoring points 2, 3 and 14 daily during discharge events from licence discharge point 13.

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:

- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- if no such requirement is imposed by or under the Act, any methodology which a condition of this

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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 Weather monitoring

M4.1 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 15

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	°	Continuous	15 minute	AM-2 & AM-4
Wind speed	m/s	Continuous	15 minute	AM-2 & AM-4
Sigma theta	°	Continuous	15 minute	AM-2 & AM-4
Rainfall	mm	Continuous	15 minute	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

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:

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

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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:

- a) the date of the issue of this licence or
- b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

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 13

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	Estimate

M8 Blasting

M8.1 To determine compliance with conditions L5.3 to L5.6:

a) Airblast overpressure and ground vibration levels must be measured and electronically recorded at the nearest or most affected residence or sensitive noise location such as a school or hospital that is most likely to be affected by the blast - for all blasts carried out in or on the premises; and

b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006

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6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- a) a Statement of Compliance; and
 - b) a Monitoring and Complaints Summary.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

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

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

- R1.7 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

- R1.8 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

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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 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.

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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 Particulate Matter Control Best Practice Implementation – Wheel Generated Dust

U1.1 The Licensee must achieve and maintain a dust control efficiency of 80% or more on all active haul roads by 30 August 2013.

Control efficiency is calculated as:

$$CE = \frac{E \text{ (uncontrolled)} - E \text{ (controlled)}}{E \text{ (uncontrolled)}} \times 100$$

Where E = the emission rate of the activity

U1.2 The Licensee must prepare a Monitoring Program to assess its compliance with Condition U1.1 under varying meteorological conditions. The Monitoring Program must detail the following:

- parameters to be monitored;
- methods to be used to monitor each parameter;
- locations where each parameter will be monitored;
- frequency at which each parameter will be monitored;
- Key Performance Indicators that will be used to determine compliance with Condition U1.1; and
- detailed justification for each parameter and Key Performance Indicator selected.

As a guide, the EPA anticipates that the following parameters will be monitored:

- moisture and silt contents of haul roads;
- frequency, duration, rate and quantity of water applied to haul roads;
- frequency, duration, rate and quantity of suppressant applied to haul roads in comparison to manufacturer's specifications;
- vehicle kilometres travelled;
- haul truck weight;
- haul truck speed;
- number of vehicle movements;
- meteorological conditions; and
- dust levels on haul roads.

The Monitoring Program must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388, BATHURST NSW 2795 by 31 May 2013.

The EPA intends to require the licensee to implement the Monitoring Program once it is approved by the EPA.

U1.3 The Licensee must submit a written report to the EPA providing the results of the Monitoring Program.

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The report must include an assessment of the dust control effectiveness, dust levels and the Licensee's compliance with Condition U1.1. The report must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388 BATHURST NSW 2795 by 15 August 2014.

U2 Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions

U2.1 The licensee must alter or cease the use of equipment on overburden and the loading and dumping of overburden during adverse weather conditions to minimise the generation of particulate matter from 22 March 2013.

U2.2 The Licensee must prepare a Monitoring Program to assess its compliance with Condition U2.1. The Monitoring Program must detail the following:

- parameters to be monitored;
- methods to be used to monitor each parameter;
- locations where each parameter will be monitored;
- frequency at which each parameter will be monitored;
- way in which changes to operational activities will be documented; and
- Key Performance Indicators that will be used to determine compliance with Condition U2.1.

As a guide, the EPA anticipates that the following parameters will be monitored:

- wind speed and direction;
- temperature;
- rainfall/humidity;
- evaporation rate;
- solar radiation;
- operational activities; and
- dust levels.

The Monitoring Program must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388 BATHURST NSW 2795 by 31 May 2013.

The EPA intends to require the licensee to implement the Monitoring Program once it is approved by the EPA.

U2.3 The Licensee must submit a written report to the EPA providing the results of the Monitoring Program. The report must detail the following:

- weather conditions during which activities were ceased or altered;
- changes made to operational activities as a result of adverse weather; and
- resultant dust levels when activities were altered or ceased.

The report must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388 BATHURST NSW 2795 by 15 August 2014.

U3 Particulate Matter Control Best Practice - Trial of Best Practice Measures for Disturbing and Handling Overburden

U3.1 The Licensee must submit a report documenting an investigation and trial of best practice measures for

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the control of particulate matter from the use of equipment on overburden and the loading and dumping of overburden. Best practice measures may include, but should not be limited to, the following:

- the use of foggers;
- the use of water sprays; and
- reduction of drop heights.

The report must document the investigation and trial of each best practice measure. It must quantify the particulate matter control effectiveness and discuss the practicability of each best practice measure.

The report must be submitted by the Licensee to the Environment Protection Authority Regional Manager Central West, at PO Box 1388 BATHURST NSW 2795 by 14 April 2014.

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

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

Ms Nadia Kanhoush

Environment Protection Authority

(By Delegation)

Date of this edition: 20-September-2000

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End Notes

- 1 Licence varied by notice 1004127, issued on 12-Jul-2001, which came into effect on 06-Aug-2001.
- 2 Licence transferred through application 141726, approved on 04-Apr-2003, which came into effect on 13-Feb-2003.
- 3 Licence varied by notice 1037250, issued on 25-May-2004, which came into effect on 19-Jun-2004.
- 4 Licence varied by notice 1038191, issued on 09-Jul-2004, which came into effect on 03-Aug-2004.
- 5 Licence varied by notice 1045923, issued on 29-Apr-2005, which came into effect on 24-May-2005.
- 6 Licence varied by notice 1049207, issued on 14-Oct-2005, which came into effect on 08-Nov-2005.
- 7 Licence varied by notice 1053661, issued on 16-Dec-2005, which came into effect on 18-Dec-2005.
- 8 Licence varied by notice 1065644, issued on 16-Oct-2006, which came into effect on 16-Oct-2006.
- 9 Licence varied by notice 1068211, issued on 21-Dec-2006, which came into effect on 21-Dec-2006.
- 10 Licence varied by correction to catchment record, issued on 13-Mar-2008, which came into effect on 13-Mar-2008.
- 11 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 12 Licence varied by notice 1101399, issued on 21-May-2009, which came into effect on 21-May-2009.
- 13 Licence varied by notice 1103292, issued on 18-Aug-2009, which came into effect on 18-Aug-2009.
- 14 Licence varied by notice 1124115, issued on 09-Feb-2011, which came into effect on 09-Feb-2011.
- 15 Licence varied by notice 1127002, issued on 23-May-2011, which came into effect on 23-May-2011.
- 16 Licence varied by notice 1502714 issued on 15-Dec-2011
- 17 Licence varied by notice 1506378 issued on 28-May-2012
- 18 Licence varied by notice 1511177 issued on 22-Mar-2013
- 19 Licence varied by notice 1511177 issued on 22-Mar-2013