

Environment Protection Licence

Licence - 2504

Licence Details	
Number:	2504
Anniversary Date:	01-February

Licensee
ENDEAVOUR COAL PTY LIMITED
PO BOX 514
UNANDERRA NSW 2526

Premises
3. APPIN COLLIERY - NORTH (AND WESTCLIFF COAL PREP PLANT)
WEDDERBURN ROAD
APPIN NSW 2560
1. APPIN COLLIERY - EAST
OFF APPIN ROAD
APPIN NSW 2560
2. APPIN COLLIERY - WEST
DOUGLAS PARK DRIVE
DOUGLAS PARK NSW 2569

Scheduled Activity
Coal works
Mining for coal
Waste disposal (application to land)

Fee Based Activity	Scale
Coal works	> 5000000 T annual handling capacity
Mining for coal	> 5000000 T annual production capacity
Waste disposal by application to land	Any capacity

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Region
Metropolitan - Illawarra
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Information about this licence

Dictionary

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

Responsibilities of licensee

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

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

Variation of licence conditions

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

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

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

Duration of licence

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

Licence review

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

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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

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

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

Transfer of licence

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

Public register and access to monitoring data

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

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

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

This licence is issued to:

ENDEAVOUR COAL PTY LIMITED
PO BOX 514
UNANDERRA NSW 2526

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	> 5000000 T annual handing capacity
Mining for coal	Mining for coal	> 5000000 T annual production capacity
Waste disposal (application to land)	Waste disposal by application to land	Any capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
3. APPIN COLLIERY - NORTH (AND WESTCLIFF COAL PREP PLANT)
WEDDERBURN ROAD
APPIN
NSW 2560
1. APPIN COLLIERY - EAST
OFF APPIN ROAD
APPIN
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2. APPIN COLLIERY - WEST
DOUGLAS PARK DRIVE
DOUGLAS PARK
NSW 2569



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THE DEFINED AREAS OF THE PREMISES ARE SHOWN ON MAPS HELD ON EPA FILE DOC19/948790. THIS INCLUDES BOTH ABOVE GROUND AND APPROVED BELOW GROUND AREAS.

Note: In addition to the land set out in the premises details table above, this licence also applies to underground coal mining areas as set out in the following leases:

- (a)
 - Coal Lease 381;
 - Coal Lease 388;
 - Consolidated Coal Lease 724;
 - Consolidated Coal Lease 767;
 - Mining Lease 1382;
 - Mining Lease 1433;
 - Mining lease 1473;
 - Mining lease 1574;
 - Mining lease 1678;
 - Mining lease 1698;

and

(b) for which all necessary consents or approvals for mining for coal have been obtained (including any consent or approval required under the Environmental Planning and Assessment Act 1979).

The premises also includes the Appin Mine vent shaft no. 6 site located approximately 0.5 km east of Douglas Park township with the following lot and DP numbers.

- Lot 1 DP121322
- Lot 1 DP576136
- Lot 1 DP583323
- Lot 2 DP576136
- Lot 35 DP8999
- Lot 37 DP8738
- Lot A DP421246

A3 Other activities

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

Ancillary Activity
Electricity generation
Resource Recovery

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
14	Dust Monitoring		Dust Gauge "AE-DD14" is located to the SE of the coal stockpile on the property boundary at Appin East. lat. long. -34.212468 150.794151
15	Dust Monitoring		Dust Gauge "AE-DD15" is located to the east of the coal stockpile near the sediment pond at Appin East. lat. long. -34.210667 150.794870
16	Dust Monitoring		Dust Gauge "AE-DD16" is located on the north property boundary near the Sydney Water tank at Appin East. lat. long. -34.209582 150.79148798
17	Dust Monitoring		Dust Gauge "AE-DD17" is located at the NE corner of the property boundary near the truck exit/entry point at Appin East. lat. long. -34.209866 150.794218
26	Dust Monitoring		Dust Gauge "AE-DD18" is located at the SW corner of the coal stockpile next to the loading bin at Appin East. lat. long. -34.212081 150.791488
27	PM10 Monitoring		Photometer "AE-PF1" is located at the NE corner of the property boundary near the truck entry/exit point at Appin East. lat. long. -34.209797 150.794101
28	PM10 Monitoring		Photometer "AE-PF3" is located at the NW corner of the property boundary Appin East. lat. long. -34.209197 150.789919
29	Dust Monitoring		Dust Gauge "AW-DD1" is located at the pit top between the mine access road, employee car park and EDL power plant at Appin West. lat. long. -34.219845 150.718644

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30	Dust Monitoring	Dust Gauge "AW-DD2" is located at the junction of the mine access road and Douglas Park Drive at Appin West. lat. long. -34.216847 150.722905
31	Dust Monitoring	Dust Gauge "W-DD1" is located at the junction of Wedderburn Rd and Appin Rd at Appin North. lat. long. -34.237619 150.833065
32	Dust Monitoring	Dust Gauge "W-DD3" is located at the pit top south site at Appin North. lat. long. -34.231528 150.829625
33	Dust Monitoring	Dust Gauge "AW-DD8" is located next to Brennan Creek dam at Appin North. lat. long. -34.207160 150.803994
34	Dust Monitoring	Dust Gauge "W-DD10" is located on Wedderburn Road next to the product stockpiles at Appin North. lat. long. -34.224207 150.827109
35	PM10 Monitoring	Photometer "W-PF1" is located at the junction of Appin Road and Wedderburn Road at Appin North. lat. long. -34.236380 150.833600

P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

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

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1		Discharge to waters	Overflow spillway on Brennans Creek dam. lat. long. -34.208164 150.802663
3		Discharge to utilisation area	Spray irrigation of sewage treated effluent on grassed utilisation area. lat. long. -34.229709 150.828461
4	Discharge Quality Monitoring. Volume Monitoring		Sampling tap in settling chamber of sewage treatment plant. lat. long. -34.231323 150.829629
10	Discharge to waters Discharge quality monitoring Volume monitoring	Discharge to waters Discharge quality monitoring Volume monitoring	Pipe discharge outlet from Brennans Creek dam to the creek. lat. long. -34.206432 150.802706
11	Ambient water quality monitoring		Georges River approximately 50 metres upstream of the confluence with Brennans Creek. lat. long. -34.204883 150.798824

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12	Ambient water quality monitoring		Georges River approximately 50 metres downstream of the confluence with Brennans Creek. lat. long. -34.204099 150.798345
13	Volume monitoring		Flow monitoring location for point 10 discharge lat. long. -34.207050 150.803135
18	Discharge to waters. Discharge quality and volume monitoring	Discharge to waters. Discharge quality and volume monitoring	Underflow from the stormwater filter lagoon discharging through a v-notch weir. lat. long. -34.210467 150.796312
19	Discharge to waters. Discharge quality and volume monitoring.	Discharge to waters. Discharge quality and volume monitoring.	Dyna Sand Filter outlet for treated stormwater. lat. long. -34.211010 150.795734
21		Discharge to Waters	Overflow spillway from main stormwater dam. lat. long. -34.211103 150.795416
22	Discharge to utilisation area. Water quality monitoring. Volume Monitoring.	Discharge to utilisation area. Water quality monitoring. Volume Monitoring.	The 100mm poly pipe from the secondary stabilisation lagoon of the sewage treatment plant which discharges to the utilisation area. lat. Long. -34.217742 150.716151
23	Discharge to waters Water quality monitoring Discharge volume monitoring	Discharge to waters Water quality monitoring Discharge volume monitoring	Piped discharge outlet for stormwater. lat. long. -34.220956 150.719136
24	Discharge to waters Water quality monitoring. Discharge volume monitoring	Discharge to waters Water quality monitoring. Discharge volume monitoring	Piped discharge outlet for mine water. lat. long. -34.220870 150.719059
25		Discharge to waters	Overflow spillway on sand filtration dam wall. lat. long. -34.220617 150.718679
36	Discharge to waters. Discharge quality monitoring - Douglas Park Vent Shaft No.6	Discharge to waters. Discharge quality monitoring - Douglas Park Vent Shaft No.6	Piped discharge outlet from stormwater dam. lat. long. -34.180977 150.718149
37		Discharge to waters - Douglas Park Vent Shaft No.6	Overflow spillway on stormwater dam. lat. long. -34.180598 150.718110

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

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- 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 3

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Biochemical oxygen demand	milligrams per litre	30			50
pH	pH	6.5 - 8.5			6.0 - 9.0

POINT 10

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Aluminium (dissolved)	micrograms per litre		800		
Arsenic (dissolved)	micrograms per litre		19		
Cadmium (dissolved)	micrograms per litre		0.5		
Chemical oxygen demand	milligrams per litre		50		
Cobalt (dissolved)	micrograms per litre		20		
Copper (dissolved)	micrograms per litre		18		
Lead (dissolved)	micrograms per litre		6		

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Manganese (dissolved)	micrograms per litre	40
Nickel (dissolved)	micrograms per litre	200
pH	pH	6.5 - 9.3
Total suspended solids	milligrams per litre	50
Zinc (dissolved)	micrograms per litre	84

POINT 18

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5 - 8.5
Total suspended solids	milligrams per litre				50

POINT 19

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5 - 8.5
Total suspended solids	milligrams per litre				50

POINT 22

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Biochemical oxygen demand	milligrams per litre	30			50
pH	pH	6.5 - 8.5			6.0 - 9.0

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POINT 23

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5 - 8.5
Total suspended solids	milligrams per litre				50

POINT 24

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5 - 8.5
Total suspended solids	milligrams per litre				30

L2.5 For Point 10:

The 80th percentile concentration limit for electrical conductivity is 2000 microsiemens per centimetre. The 80th percentile concentration limit for total dissolved solids is 1900 milligrams per litre.

L2.6 Drought Condition for Point 10

With the exception of pH and total suspended solids, licence concentration limits for point 10 do not have to be met during the period that any drinking water restrictions are in place for the area of operations of Sydney Water Corporation as gazetted under the Sydney Water Regulation 2017.

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
18	kilolitres per day	1000
19	kilolitres per day	2000
22	kilolitres per day	80

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24	KL/month	93000
24	kilolitres per day	4700

L4 Waste

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

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

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

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

Code	Waste	Description	Activity	Other Limits
NA	Coal Washery Reject			NA
NA	General or Specific exempted waste			NA
NA	Drilling mud and/or muddy waters from drilling operations			NA

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 activity; and
- 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:

- must be maintained in a proper and efficient condition; and
- 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

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the premises.

O4 Effluent application to land

- O4.1 Effluent application must not occur in a manner that causes surface runoff.
- O4.2 Spray from effluent application must not drift beyond the boundary of the premises.
- O4.3 The quantity of effluent/solids applied to the utilisation area must not exceed the capacity of the area to effectively utilise the effluent/solids.

For the purpose of this condition, 'effectively utilise' include the use of the effluent/solids for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material.

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

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POINT 14,15,16,17,26,29,30,31,32,33,34

Pollutant	Units of measure	Frequency	Sampling Method
Ash	grams per square metre per month	Monthly	AS/NZS 3580.10.1:2016
Combustible solids	grams per square metre per month	Monthly	AS/NZS 3580.10.1:2016
Insoluble solids	grams per square metre per month	Monthly	AS/NZS 3580.10.1:2016

POINT 27,28,35

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Monthly	Continuously

M2.3 Water and/ or Land Monitoring Requirements**POINT 4**

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample

POINT 10

Pollutant	Units of measure	Frequency	Sampling Method
Turbidity	nephelometric turbidity units	Continuous during discharge	In line instrumentation

POINT 10,24

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Monthly during discharge	Grab sample
Aluminium (dissolved)	milligrams per litre	Monthly during discharge	Grab sample
Arsenic (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Bicarbonate alkalinity	milligrams per litre	Monthly during discharge	Grab sample
Cadmium (dissolved)	micrograms per litre	Monthly during discharge	Grab sample

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Cobalt (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Conductivity	microsiemens per centimetre	Continuous during discharge	In line instrumentation
Copper (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Lead (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Manganese (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Nickel (dissolved)	micrograms per litre	Monthly during discharge	Grab sample
Nitrogen (ammonia)	micrograms per litre	Monthly during discharge	Grab sample
Nitrogen (total)	micrograms per litre	Monthly during discharge	Grab sample
Oxidised nitrogen	micrograms per litre	Monthly during discharge	Grab sample
pH	pH	Continuous during discharge	In line instrumentation
Total dissolved solids	milligrams per litre	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample
Zinc (dissolved)	micrograms per litre	Monthly during discharge	Grab sample

POINT 11

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

POINT 12

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

POINT 18

Pollutant	Units of measure	Frequency	Sampling Method
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pH	pH	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

POINT 19

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

POINT 22

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample

POINT 23

Pollutant	Units of measure	Frequency	Sampling Method
pH	pH	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

POINT 24

Pollutant	Units of measure	Frequency	Sampling Method
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

POINT 36

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample

Note: The monitoring results collected at Point 4 in compliance with Condition M2.1 can be used to determine compliance with the concentration limit specified in Condition L3.1 for discharge from Point 3.

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Note: Where the table above specifies continuous monitoring for a pollutant, a value must be calculated from the measured data for comparison to the 100% limit in this licence. The value must be the 24 hour moving average, calculated for each hour of the day.

Note: For discharge point 10, discharge point 11 and discharge point 12, the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1 on the same day during a 4 hour period. The licensee must use the sampling method, units of measure and sample at the frequency specified opposite in the other columns. All samples must be representative.

Note: Within a week of receiving monitoring results showing that any pollutant concentration measured at point 10 exceeds the 90 percentile limit for that pollutant, the licensee must notify the EPA of the result and must take a further sample to be analysed for that pollutant. The monitoring must continue weekly until the measured concentration is below the 90 percentile limit. The results from weekly sampling required by this note are not to be used to determine compliance with licence limits.

Note: All continuous monitoring equipment must be operated and maintained to achieve an availability of 90% during the reporting period. When continuous monitoring equipment is unavailable for greater than 48 hours, equivalent manual sampling, testing or estimation must be undertaken on a daily basis at the monitoring point.

M3 Testing methods - concentration limits

M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:

- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

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.

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".

M4 Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent

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of the licensee in relation to pollution arising from any activity to which this licence applies.

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

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

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

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

M5 Telephone complaints line

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

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

M5.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

M6 Requirement to monitor volume or mass

M6.1 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 4

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

POINT 10

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

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POINT 13

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

POINT 18

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	kilolitres per day	In line instrumentation

POINT 19

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	kilolitres per day	In line instrumentation

POINT 22

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	kilolitres per day	Flow meter and continuous logger

POINT 24

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	KL/month	Flow meter and continuous logger

POINT 24

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	kilolitres per day	Flow meter and continuous logger

M6.2 The monitoring results collected at Point 4 in compliance with Condition M6.1 can be used to determine compliance with the volume limit specified for discharge from Point 3.

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.

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

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
- 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
 - the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - 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:
- the licence holder; or
 - by a person approved in writing by the EPA to sign on behalf of the licence holder.

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

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

R2 Notification of environmental harm

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

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

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R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
 - 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:
- the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - 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;
 - 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;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - 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.

G2 Signage

- G2.1 Each monitoring and discharge point must be clearly marked by a sign that indicates the EPA point

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identification number.

G3 Other general conditions

G3.1 Completed Programs

Program	Description	Completed Date
PRP 1: Mine Water Discharge quality monitoring	Mine Water Discharge quality monitoring. Assess the impact of the discharge of mine water on the quality of Georges River	06-March-2003
PRP2: Provide a report to the EPA regarding the outcome	Provide a report to the EPA regarding the outcome of the 'Appin Minewater process Water Trial' and its impact on the quality of the waters in Brennans Creek Dam. PRP NO LONGER REQUIRED. Assess the impact of the importation of off site saline waters for use in the Westcliff Washery, particularly on the impact on the waters of Brennans Creek Dam and then on the receiving waters of the Georges River	07-June-2004
PRP3: Operation of the the utilisation area and the sewa	The PRP looks at the operation of the the utilisation area and the sewage treatment plant. The licensee must meet the BOD limits in L3.3 by 1/1/04. Improved quality of treated effluent irrigated to land	20-February-2004
PRP 4: Georges River Ecological Assessment Report	PRP 4: Georges River Ecological Assessment Report - Provide a report on a design to undertake an ecological assessment to determine is there are any significant impacts on the ecology of waters receiving mine water discharges.. Following the completion of chemical analyses of minewaters and ambient receiving waters, this study will assist in determining long term mitigation measures	05-June-2004
PRP 5: Coal Tracking from Truck Wash	PRP 5: Coal Tracking from Truck Wash - Provide a report to investigate options to minimise tracking of coal from the premises - internal Endeavour Coal Operational Excellence Group. Minimise pollution of waters	01-September-2005
PRP 6 - Georges River Ecological Assessment	PRP 6 - Georges River Ecological Assessment. Investigate and report on any ecologically significant impact on the surface waters receiving the mine waters discharged from Westcliff Colliery premises is occurring, including Brennans Creek and the Georges River	03-January-2005

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PRP 7 - Brennans Creek Discharge Trial	PRP 7 - Brennans Creek Discharge Trial. Trial controlled discharges of water from Brennans Creek Dam an the Reclaim Pond in an endeavour to minimise the frequency of rain induced uncontrolled releases over the dam spillway.	31-March-2006
PRP 8 - Materials Storage	PRP 8 - Materials Storage. Ensure materials are stored at the premises in a way that contains leaks and spills and minimizes odour and dust	30-April-2005
PRP 9 - Georges River Ecological Assessment (Conti	PRP 9 - Georges River Ecological Assessment (Continuation). Further investigate and report on the surface waters receiving mine water discharged from Westcliff Colliery to determine if there is any ecological significant impact.	31-March-2006
PRP10 - Reduction in Salinity from Brennans Ck Dam	PRP 10 - Reduction in Salinity from Brennans Creek Dam (LDP 10). Stage 2: Investigation of Strategies, Technologies or Works to achieve the salinity discharge limit.. Derive a scientifically justifiable salinty limit that will apply to dry weather dischar	30-March-2010
PRP 11 - Investigation into Brine Disposal and Re-use	Investigate options for the beneficial use and disposal of the brine stream from the desalination plant.	31-December-2009
PRP17 - Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions	26-September-2012
PRP11 - Brennans Creek Discharge Toxicity Study (West Cliff Mine)	A two stage PRP to undertake monitoring to identify the toxic components of minewater discharged from Brenans Creek Dam.	26-July-2012
PRP18 - Modification to Brennans Creek Dam off-take	Change the configuration of discharge point 10 from a pipe discharging from the bottom of BCD to a floating off take.	30-June-2013
PRP 21 - Implementation of Dust Control Best Management Practices	Implementation of dust control practices identified under PRP 17 - Coal Mine Particulate Matter Control Best Practice	29-January-2015
PRP 22 - Investigation to reduce Coal Dust Tracked onto Roads from West Cliff Colliery	Investigation of measures to reduce tracking of coal dust onto Wedderburn and Appin Roads by coal trucks exiting West Cliff Colliery	29-January-2015
PRP 23 - Imlementation of Dust Control Works on Wedderburn Road	Implementation of dust control works to reduce drag out onto Wedderburn Road identified in previous investigative PRP 22.	30-July-2015
EIP1 - Implementation of Dust Control Works on Wedderburn Road	Implementation of dust control works to reduce drag out onto Wedderburn Road identified in previous investigative PRP 22.	31-July-2015
EIP 2 Georges River Environmental Improvement Program	EIP 2 replaces PRP 19 and PRP 20 to require environmental monitoring and minewater treatment at the Appin Colliery	28-February-2018

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8 Special Conditions

E1 Program of Works for Water Treatment at Appin Colliery

E1.1 Installation of a water treatment plant at Appin North and amplification of the Appin West water treatment plant

The licensee must install new or augment existing water treatment plants to reduce the concentration of pollutants discharged from points 10 and 24.

The plants must be designed to meet the concentration and flow values specified in table 2 and table 3. The plants must be installed and fully operational by the dates listed in table 1.

Table 1 – Due Dates for operation of Water Treatment Plants

Date	Appin North Plant	Appin West Plant
Due Date	31 March 2021	31 July 2021

Table 2 - Concentration of Pollutants - Points 10 and 24

Pollutant	Unit of Measure	100 Percentile
pH		6.5 - 8.5
Electrical Conductivity	uS/cm	495 (point 10) 600 (point 24)
Bicarbonate Alkalinity (as CaCo ₃)	mg/L	185
Aluminium	ug/L	55
Cobalt	ug/L	1.4
Copper	ug/L	1.4
Nickel	ug/L	11
Zinc	ug/L	8
Total Nitrogen	ug/L	250

Table 3 – Volume – Point 10

Point	Unit of Measure	Volume
10	Kilolitres per day	Minimum discharge 1.5 ML/day

Note: New limits for the flow and concentration of substances discharged from points 10 and 24 will be attached to the licence after the due dates in table 1. The limits will be based on the actual measured performance of the installed equipment when operated in a proper and efficient manner.

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The Appin North water treatment plant must be operated and maintained to achieve a 90% availability during the reporting period when input water is available.

The concentrations of metals in the table refers to analysis for dissolved metals.

Point 10 is used for the discharge of water from Appin (North) mine to Brennans Creek which flows to the Georges River. Point 24 is used for the discharge of water from the Appin (West) mine to Allens Creek which flows to the Nepean River

E2 Toxicity Monitoring

E2.1 The toxicity of the effluent discharged from LDP 10 & 24 must be monitored in accordance with the sampling method in the following table.

Monitoring must begin in the quarter before the commencement of operation of the new and upgraded water treatment plants specified in condition E1.1.

The monitoring must be undertaken for a period of 2 years following commencement of operation of the water treatment plants.

A report must be submitted to the EPA containing the results of monitoring and an assessment of the results against the criteria in the table below. The report must be submitted to the EPA within 3 months of completion of the monitoring.

Species	Sampling Method	Sampling Frequency	Assessment Criteria
Ceriodaphnia dubia	Quarterly (minimum of 80 day intervals)	Chronic toxicity US EPA Short-term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms, 4th Edition (2002), EPA-821-R-02-013.)	No reduction in reproduction (EC10 reproduction) >100% sample)
Melanotaenia duboulayi (Crimson Spotted Rainbowfish) or Melanotaenia splendida (Eastern Rainbowfish)	Quarterly (minimum of 80 day intervals)	96-hour larval imbalance test US EPA (2002). Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms. 5 ed. EPA-821-R-02-012. Washington DC, USA.	NOEC = 100% sample

E3 Aquatic Health Monitoring Program

E3.1 The licensee must prepare an aquatic health monitoring program to verify improvements to the aquatic

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health of the Georges River following commissioning of the reverse osmosis water treatment plant required by condition E1.1. The monitoring must include:

- quantitative sampling of macroinvertebrates;
- ecological Assessment processes using DNA extracted from sediment (as appropriate);
- in-stream water quality; and
- laboratory water testing.

A copy of the monitoring program must be submitted to the EPA by 30 June 2020.

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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 Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 14-February-2001

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End Notes

- 1 Licence varied by notice 1008874, issued on 09-Jan-2002, which came into effect on 09-Jan-2002.
- 2 Licence transferred through application 141377, approved on 08-Aug-2002, which came into effect on 01-Jul-2002.
- 3 Licence varied by correction to EPA Sub Region data record, issued on 17-Sep-2002, which came into effect on 17-Sep-2002.
- 4 Licence varied by notice 1025524, issued on 10-Jul-2003, which came into effect on 04-Aug-2003.
- 5 Licence varied by notice 1029826, issued on 15-Oct-2003, which came into effect on 22-Oct-2003.
- 6 Licence varied by notice 1034664, issued on 11-May-2004, which came into effect on 05-Jun-2004.
- 7 Licence varied by notice 1037771, issued on 18-Jun-2004, which came into effect on 13-Jul-2004.
- 8 Licence varied by notice 1040023, issued on 20-Sep-2004, which came into effect on 15-Oct-2004.
- 9 Licence varied by notice 1041777, issued on 25-Oct-2004, which came into effect on 19-Nov-2004.
- 10 Licence varied by correction to EPA Region, issued on 22-Nov-2004, which came into effect on 22-Nov-2004.
- 11 Licence varied by notice 1043281, issued on 06-Jan-2005, which came into effect on 31-Jan-2005.
- 12 Licence varied by change to EPA file number, issued on 02-Feb-2005, which came into effect on 02-Feb-2005.
- 13 Licence varied by notice 1046029, issued on 05-Apr-2005, which came into effect on 30-Apr-2005.
- 14 Licence varied by change to DEC Region allocation, issued on 16-Mar-2006, which came into effect on 16-Mar-2006.
- 15 Licence varied by notice 1073110, issued on 30-May-2007, which came into effect on 30-May-2007.
- 16 Licence varied by notice 1085199, issued on 01-May-2008, which came into effect on 01-May-2008.
- 17 Licence varied by notice 1085626, issued on 02-Jul-2008, which came into effect on 02-Jul-2008.

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- | | |
|----|--|
| 18 | Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date> |
| 19 | Licence varied by notice 1096767, issued on 14-Jan-2009, which came into effect on 14-Jan-2009. |
| 20 | Licence varied by notice 1104170, issued on 06-Nov-2009, which came into effect on 06-Nov-2009. |
| 21 | Licence varied by notice 1110208, issued on 24-Dec-2009, which came into effect on 24-Dec-2009. |
| 22 | Licence varied by notice 1114258, issued on 29-Jun-2010, which came into effect on 29-Jun-2010. |
| 23 | Licence varied by notice 1129625, issued on 28-Jun-2011, which came into effect on 28-Jun-2011. |
| 24 | Licence varied by notice 1501766 issued on 19-Oct-2011 |
| 25 | Licence varied by notice 1502947 issued on 19-Dec-2011 |
| 26 | Licence varied by notice 1504090 issued on 22-Mar-2012 |
| 27 | Licence varied by notice 1508855 issued on 24-Apr-2013 |
| 28 | Licence varied by notice 1515381 issued on 25-Feb-2014 |
| 29 | Licence varied by notice 1525721 issued on 28-Oct-2014 |
| 30 | Licence varied by notice 1527985 issued on 11-Feb-2015 |
| 31 | Licence varied by notice 1539390 issued on 31-Mar-2016 |
| 32 | Licence varied by notice 1542883 issued on 01-Aug-2016 |
| 33 | Licence varied by notice 1546867 issued on 21-Dec-2016 |
| 34 | Licence varied by notice 1554863 issued on 01-Aug-2017 |
| 35 | Licence varied by notice 1560310 issued on 22-Dec-2017 |
| 36 | Licence varied by notice 1575934 issued on 02-Sep-2019 |
| 37 | Licence varied by notice 1588267 issued on 13-Mar-2020 |