

# Environment Protection Licence

Licence - 3241

## Licence Details

Number:	3241
Anniversary Date:	01-July

## Licensee

DENDROBIUM COAL PTY LTD

PO BOX 275

UNANDERRA NSW 2526

## Premises

DENDROBIUM MINE

CORDEAUX ROAD

MOUNT KEMBLA NSW 2526

## Scheduled Activity

Coal works

Mining for coal

## Fee Based Activity

## Scale

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

## Region

Metropolitan South - Wollongong

Level 3, NSW Govt Offices, 84 Crown Street

WOLLONGONG NSW 2500

Phone: (02) 4224 4100

Fax: (02) 4224 4110

PO Box 513

WOLLONGONG EAST NSW 2520



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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:

<b>DENDROBIUM COAL PTY LTD</b>
<b>PO BOX 275</b>
<b>UNANDERRA NSW 2526</b>

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

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

A2.1 The licence applies to the following premises:

Premises Details
DENDROBIUM MINE
CORDEAUX ROAD
MOUNT KEMBLA
NSW 2526
SEE PREMISES DETAILS LISTED IN TABLE BELOW (MAP RECEIVED 12/12/01)
DENDROBIUM MINE

A2.2 Premises Details

Location	Lot / Portion	Deposited Plan
Dendrobium Mine Pit Top Facilities (Ex Nebo Mine Pit Top)		
1	Pt Portion 4	DP 751278
2	Pt Portion 160	DP 606150
3	Pt Portion 161	DP 751278

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4	Pt Portion 74	DP 751278
Above Ground Coal Conveyor Portal to Kemira Valley Coal Loading Facilities		
5	Pt Portion 152	DP 751278
6	Portion 136	DP 751278
7	Portion 137	DP 751278
Kemira Valley Coal Loading Facilities		
8	Portion 114	DP 751278
9	Portion 115	DP 751278
10	Portion 116	DP 751278
11	Lot 102	DP 602229
No 1 Vent Shaft		
12	Portion 169	DP 751278
O'Briens Drift (top of escarpment facilities)		
13	Portion 109	DP 751278 (ML20)
Windy Gully Lagoon Site		
14	Pt Portion 172	DP 751278
Allan's Creek Pipeline		
15	Lot 1	DP 606431
Kemira Valley Rail Line		
16	Lot 1	DP 157009
	Lot 1	DP 156521
	Lot 102	DP 602229
	Lot 1	DP 203034
	Lot 2	DP 280744
	Lot 6	DP 867936
	Lot 3	DP 203034
	Lot 2	DP 208440
	Lot 70	DP 432516
	Lot 4	DP 203034
No 2 and 3 Shaft Sites		
17	Lot 1	DP 830607

A2.3 In addition to the land set out in the Premises Details table above, the licence also applies to the underground coal mining areas:

(a) that are the subject of Consolidated Coal Lease 768 as set out in Plan D referred to in that Lease and a copy of which is held by DECCW: and

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(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).

## A3 Information supplied to the EPA

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

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

a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and

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

## 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		Dust gauge located at Figtree Farm, O'Briens Road Figtree, labelled as "Point 6" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.
9	Dust Monitoring		Dust gauge located at Mt Kembla Primary School labelled as "Point 9" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.
13	Dust Monitoring		Dust gauge located at Dendrobium Colliery Surface, labelled as "Point 13" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.
17	Dust Monitoring		Dust gauge located at 206 Cordeaux Road, Mt Kembla, labelled as "Point 17" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.



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18	Dust Monitoring	Dust gauge located at Kemira Valley Coal Loading Facility at the bins, labelled as "Point 18" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.
20	Ambient Air Monitoring	Hi-Vol sampler located at Kemira Valley Coal Loading Facility labelled as "Point 20" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.
21	Ambient Air Monitoring	Hi-Vol sampler located at Dendrobium Surface, labelled as "Point 21" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

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
5		Stormwater and minewater discharge from Dendrobium mine. Brine discharge from Appin West mine. Discharge quality monitoring	Pipeline discharging to Allan's Creek labelled as "Discharge Point" on map titled "Dendrobium Mine Water Disposal Pipeline" dated 8 November 2002.
22		Wet Weather Discharge	Spillway overflow from Dendrobium Mine pit top sedimentation dam to American Creek as shown on plan titled "Location of Spillway and Proposed Licence Discharge Point", BHPBilliton, 24 November 2011. EPA file reference number LIC06/280-12.
23		Wet Weather Discharge	Spillway overflow from Kemira Valley Coal Loading Facility sedimentation dam to Brandy and Water Creek shown on plan "Location of Spillway and Proposed Licence Discharge Point", BHPBilliton, 24 November 2011. EPA file reference number LIC06/280-12.
24	Volume Monitoring		Pipeline dewatering underground water storage area.

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25	Volume Monitoring	Pipeline discharge for Kemira Valley sedimentation ponds.
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## 3 Limit Conditions

### L1 Pollution of waters

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

### L2 Concentration limits

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

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.

L2.4 Water and/or Land Concentration Limits

#### POINT 5

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Arsenic	milligrams per litre				1.3
Copper	milligrams per litre				0.080
Nickel	milligrams per litre				5
Oil and Grease	milligrams per litre				10
pH	pH				6.5-9.0
Total suspended solids	milligrams per litre				30

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Zinc	milligrams per litre	0.4
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Note: discharges from Point 5 can exceed the concentration limit for TSS in the table above during release of stormwater from the Kemira Valley Sediment Ponds caused by rainfall totalling more than 60mm in the preceding 5 days.

## 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

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

This includes:

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

### O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

### O3 Dust

O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

### O4 Waste management

O4.1 All liquid and non-liquid wastes resulting from activities and processes at the Dendrobium Coal Mine must be assessed, classified and managed in accordance with the EPA's Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (2008), or any other EPA document superseding this guideline.

### O5 Other operating conditions

O5.1 Bunding

All above ground tanks containing material that is likely to cause environmental harm must be bunded or

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have an alternative spill containment system in-place.

## 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:

- in a legible form, or in a form that can readily be reduced to a legible form;
- kept for at least 4 years after the monitoring or event to which they relate took place; and
- 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:

- the date(s) on which the sample was taken;
- the time(s) at which the sample was collected;
- the point at which the sample was taken; and
- 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 6,9,13,17,18**

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 20,21**

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Monthly	AS/NZS 3580.9.3:2015

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Total suspended particles	micrograms per cubic metre	Monthly	AS/NZS 3580.9.3:2015
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## M2.3 Water and/ or Land Monitoring Requirements

### POINT 5

Pollutant	Units of measure	Frequency	Sampling Method
Arsenic	milligrams per litre	Monthly during discharge	Grab sample
Conductivity	microsiemens per centimetre	Monthly during discharge	Grab sample
Copper	milligrams per litre	Monthly during discharge	Grab sample
Nickel	milligrams per litre	Monthly during discharge	Grab sample
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample
Zinc	milligrams per litre	Monthly during discharge	Grab sample

## 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 licence requires to be used for that testing; or
  - 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

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Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

## M4 Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

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

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

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

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

## M5 Telephone complaints line

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

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

M5.3 The preceding two conditions do not apply until 3 months after: 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 24,25

Frequency	Unit of Measure	Sampling Method
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Continuous

megalitres per day

In line instrumentation

Note: The licensee may use flow monitoring data collected from licence discharge point 5 in the event that flow monitoring cannot be undertaken at points 24 or 25.

## 6 Reporting Conditions

### R1 Annual return documents

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

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

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

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

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

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the 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.

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

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

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

R1.6 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:

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- a) the licence holder; or
- b) 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.

## 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



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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 Other general conditions

#### G2.1 Completed Programs

Program	Description	Completed Date
PRP 1 - Excess Mine Water	Investigate and implement options to reuse excess mine water on site with the aim of eliminating the discharge or excess mine water to Allans Creek	19-February-2005
PRP 2 - Freshwater Conservation Program	Investigate and implement options to reuse excess mine water in the Wollongong industrial area for industrial or commercial purposes, thereby reducing their need for freshwater	30-December-2004
PRP 3 - Operational Noise and Vibration Management	Develop and document an Operational Noise and Vibration Management Plan which identifies measures to ensure compliance with licence noise and vibration limits	01-April-2005
PRP 4 - Noise and Vibration Reduction Program	Program to minimise noise and vibration impacts from the Kemira Valley Rail Line. Stage 1 - Development of Plan - Completed 5 April 2005. Stage 2 - Implementation of Plan to be completed by 3 April 2006.	03-April-2006
PRP 5 - Kemira Valley Biological Assessment Monito	Develop a monitoring program to characterize potential pollutants and water quality variables, and determine the impact of possible overflows from the Main Sedimentation Basin at Kemira Valley by 3 October 2006.	03-October-2006

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PRP 6 - Kemira Valley Discharge Monitoring Program	Develop and implement a program in consultation with EPA, to enable any discharges from the sedimentation basin to the receiving waters to be quantified and to assess compliance with Conditions L1.1 and L1.2. Completion date by 3 October 2005	03-October-2006
PRP 7 - Re-injection Monitoring Program	Developed in consultation with EPA to demonstrate that any re-injection of water to be flooded underground mine workings is being undertaken in compliance with Condition L1.1 by 3 April 2006	23-March-2006
PRP 8 - Implementation of Mine Water Reuse Options	Reduce the volume of mine water discharged to Allans Creek and reduce the volume of town water used on site by implementing the options for excess mine water reuse (identified by PRP 1). Completion date by 3 August 2006	01-August-2006
PRP 9 - Review of dust monitoring network	Review of dust monitoring network for better detection of problem dust deposition and remedies at mine pit.(*)	30-March-2006
PRP 10 - Implement Underground Re-injection	Implementation of the re-injection monitoring program developed in PRP 7 to determine whether the discharges will lead to deterioration in quality of water contained in the Old Nebo workings.	30-June-2007
PRP 11 - Investigation of Zinc and Copper levels	Determine environmental effects of copper and zinc in minewater discharged from the mine site to Allans Creek and Port Kembla Harbour through LDP 5. Results will be used to review licence limits.	19-February-2007
PRP 12 - Investigation of options for minimal discharge	Enhance opportunities to manage the sediment control and stormwater capture from mine with the goal of zero discharge from site. Due Date 30 April 2007.	30-April-2007
PRP13 - Discharge Pt 5 - Water Quality Investigation	To verify the modelling predictions reported under PRP 11, Investigation of Zinc and Copper levels in Minewater Discharge at LDP 5. Reduction of 1-2ML/d of Sydney Drinking water use and reduction of sal	21-March-2011
PRP14 - Improve Reliability of LDP5 Flow Monitoring	To implement action(s) to minimise the number of occasions and duration of time that the flowrate of water from LDP5 is not measured and recorded	16-March-2011
PRP15 - Coal Mine Particulate Matter Control Best Practice	The Licensee must conduct a site specific Best Management Practice (BMP) determination to identify the most practicable means to reduce particle emissions.	06-February-2012
Environment Improvement Program 1 - Rail Noise Investigation	Identify the specific contribution of sources to rail noise (e.g. brake, wheel and/or flange) and develop a strategic plan for the reduction of overall noise emissions.	30-June-2016

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## 8 Special Conditions

### E1 Allans Creek Monitoring Program

E1.1 The licensee must undertake a water quality monitoring program to determine the effect of the discharge from point 5 on water quality in Allans Creek.

The results of the monitoring must be compared to predicted concentrations and conclusions made about the bioavailability of As, Zn, Ni and Cu in the brine discharge study report (doc ref 2440/1330) titled "Allans Creek licensed discharge water quality and hydrochemical modelling report", EGI, 13 December 2019.

A copy of the monitoring program report must be submitted to the EPA by the due date.

DUE DATE: 6 months following the commencement of operation of the new and expanded water treatment plants required by condition E1.1 of Environment Protection Licence 2504 held by Endeavour Coal Pty Ltd.

### E2 Pollution Incident 10 August 2020

#### E2.1 Incident Report

The licensee must provide a written report to the EPA about the incident that occurred on 10 August 2020 that involved the discharge of turbid water from the main sedimentation dam at Kemira Valley.

The report must contain the information required in condition R3 of this licence and must be provided to the EPA by **17 August 2020**.

#### Environment Assessment Report

The licensee must also prepare an assessment report about the pollution incident containing the following information:

1. The characteristics and quantity of fine materials discharged through the sediment dam.
2. The extent of the dispersion of these materials downstream in water bodies including Brandy and Water Creek and American Creek as a result of the incident.
2. The nature and extent of any environmental and human health impacts from the incident.
3. Examination of options to restore downstream creeks from any impacts of the incident.
4. A recommendation for any reasonable and feasible option to restore affected creeks and a time frame for completion of the recommended works.
5. A monitoring program to determine the impact of the pollution incident and evaluate any restoration of the creeks.

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5. The report must be based on scientific methodology and expert assessment from suitably qualified and experienced ecological and/or health practitioners.

6. The report must be provided to the EPA by no later than **31 August 2020**.

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## Dictionary

### General Dictionary

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

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

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

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 01-August-2000

# Environment Protection Licence



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## End Notes

- 1 Licence varied by notice 1007305, issued on 30-Aug-2001, which came into effect on 24-Sep-2001.
- 2 Licence varied by notice 1013588, issued on 20-Dec-2001, which came into effect on 20-Dec-2001.
- 3 Licence varied by Change of file number, issued on 21-Dec-2001, which came into effect on 21-Dec-2001.
- 4 Licence transferred through application 141379, approved on 16-Aug-2002, which came into effect on 01-Jul-2002.
- 5 Licence varied by notice 1023750, issued on 09-Jan-2003, which came into effect on 16-Jan-2003.
- 6 Licence varied by notice 1027351, issued on 28-Aug-2003, which came into effect on 02-Sep-2003.
- 7 Licence varied by notice 1037647, issued on 09-Sep-2004, which came into effect on 23-Sep-2004.
- 8 Licence varied by notice 1040989, issued on 12-Oct-2004, which came into effect on 06-Nov-2004.
- 9 Licence varied by notice 1043713, issued on 14-Jan-2005, which came into effect on 08-Feb-2005.
- 10 Licence varied by notice 1046243, issued on 13-May-2005, which came into effect on 07-Jun-2005.
- 11 Licence varied by notice 1050667, issued on 31-Aug-2005, which came into effect on 25-Sep-2005.
- 12 Licence varied by notice 1053902, issued on 24-Nov-2005, which came into effect on 19-Dec-2005.
- 13 Licence varied by change to DEC Region allocation, issued on 16-Mar-2006, which came into effect on 16-Mar-2006.
- 14 Licence varied by notice 1061069, issued on 15-Sep-2006, which came into effect on 15-Sep-2006.
- 15 Licence varied by notice 1067616, issued on 13-Dec-2006, which came into effect on 13-Dec-2006.
- 16 Licence varied by notice 1071389, issued on 27-Jun-2007, which came into effect on 27-Jun-2007.
- 17 Licence varied by notice 1077998, issued on 26-Sep-2008, which came into effect on 26-Sep-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 1096988, issued on 05-Mar-2009, which came into effect on 05-Mar-2009.                  |
| 20 | Licence fee period changed by notice 1101834 approved on .   |
| 21 | Licence varied by notice 1104174, issued on 02-Nov-2009, which came into effect on 02-Nov-2009.                  |
| 22 | Licence varied by notice 1117496, issued on 01-Nov-2010, which came into effect on 01-Nov-2010.                  |
| 23 | Licence varied by notice 1128025, issued on 12-May-2011, which came into effect on 12-May-2011.                  |
| 24 | Licence varied by notice 1129879, issued on 30-Jun-2011, which came into effect on 30-Jun-2011.                  |
| 25 | Licence varied by notice 1500739 issued on 08-Aug-2011   |
| 26 | Licence varied by notice 1503454 issued on 16-Jan-2012   |
| 27 | Licence varied by notice 1515435 issued on 05-Sep-2013   |
| 28 | Licence varied by notice 1521876 issued on 19-May-2014   |
| 29 | Licence varied by notice 1534593 issued on 02-Nov-2015   |
| 30 | Licence varied by notice 1572569 issued on 16-Nov-2018   |
| 31 | Licence varied by notice 1590978 issued on 17-Feb-2020   |
| 32 | Licence varied by notice 1598667 issued on 10-Aug-2020   |