

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 handling capacity
Mining for coal	> 3500000-5000000 T annual production capacity

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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:

DENDROBIUM COAL PTY LTD
PO BOX 275
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	> 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

A2.2 Premises Details

Location	Lot / Portion	Deposited Plan
Dendrobium Mine Pit Top Facilities (Ex Nebo Mine Pit Top)	Lot 1	DP 1103781
	Lot 1, 2 & 3	DP 1103666
	Lot 22	DP 1076092
Kemira Valley Coal Loading Facility	Lot 1	DP 1190768
	Lot 1	DP 164689
	Lot 1	DP 196406

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Lot 1	DP 221602
Lot 1	DP 615178
Lot 1 & 2	DP 41756
Lot 2 & 3	DP 157009
Lot 3	DP 159797
Lot 3	DP 196371
Lot 11 & 12	DP 250762
Lot 114	DP 1127132
Lot 115	DP 1190868
Lot 137	DP 751278
Lot 138	DP 1190404
Kemira Rail Line	
Lot 1	DP 156521
Lot 1	DP 157009
Lot 1	DP 159797
Lot 1	DP 208743
Lot 1	DP 227274
Lot 1	DP 606431
Lot 2	DP 1061983
Lot 2	DP 208440
Lot 2	DP 208744
Lot 3	DP 203034
Lot 3	DP 214572
Lot 4	DP 203034
Lot 6	DP 867936
Lot 25	DP 216637
Lot 70	DP 432516
Lot 102	DP 602229
Lot 1	DP 1190768
ML 1510	
No 1 Vent Shaft	
Lot 1	DP 196993
Lot 2	DP 1190181
No 2 & 3 Vent Shaft	
ML 1566	
Obrien's Drift	
Lot 1	DP 45861
Lot 3	DP 196426

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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: 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).

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
20	PM10 monitoring		Photometer located at the Kemira Valley coal loading facility. lat. long. -34.423107 150.826605
21	PM10 monitoring		Photometer located at the Dendrobium mine pit top. lat. long. -34.431440 150.809213

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.

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Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
5		Treated stormwater and minewater discharge from Dendrobium mine. Brine discharge from Appin West mine. Discharge quality monitoring	Pipeline discharging to Allan's Creek at Marley Place. lat. long. -34.450367 150.855419
22		Wet Weather Discharge	Spillway overflow from Dendrobium Mine pit top sedimentation dam to American Creek. lat. long. -34.430828 150.810802
23		Wet Weather Discharge	Spillway overflow from Kemira Valley Coal Loading Facility sedimentation dam to Brandy and Water Creek. lat. long - 34.420795 150.826836
24	Volume Monitoring		Pipeline dewatering underground water storage area. lat. long. -34.415564 150.809602
25	Volume Monitoring		Pipeline discharge for Kemira Valley sedimentation ponds. lat. long. -34.421191 150.826841
26		Wet weather discharge	Nebo portal groundwater drain. lat. long -34.428260 150.812208
27		Wet weather discharge	Kemira portal groundwater drain. lat. long. -34.415079 150.826858
28		Wet weather discharge	Spillway overflow from north sedimentation pond at Vent Shaft 2 & 3. Lat. Long. -34.384161 150.764285
29	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Piped discharge outlet from north sedimentation pond at Vent Shaft 2 & 3. Lat. Long. -34.384071 150.764316
30		Wet weather discharge	Spillway overflow from south sedimentation pond at Vent Shaft 2 & 3. Lat. Long. -34.385623 150.763310
31	Discharge to waters Discharge quality monitoring	Discharge to waters Discharge quality monitoring	Piped discharge outlet from south sedimentation pond at Vent Shaft 2 & 3. Lat. Long. -34.385361 150.763436

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.

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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
Zinc	milligrams per litre				0.4

POINT 29,31

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

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Turbidity	nephelometric turbidity units	100
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- L2.5 Discharges from Point 5 can exceed the concentration limit for total suspended solids 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.
- L2.6 Discharge of total suspended solids and turbidity to waters from point 28 and point 30 is permitted at unspecified concentrations when the discharge occurs solely as a result of rainfall at the premises exceeding a total of 95 mm millimetres over any consecutive five day period.

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 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

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All above ground tanks containing material that is likely to cause environmental harm must be bunded or 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 20,21

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

M2.3 Water and/ or Land Monitoring Requirements

POINT 5

Pollutant	Units of measure	Frequency	Sampling Method
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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

POINT 29,31

Pollutant	Units of measure	Frequency	Sampling Method
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample
Turbidity	nephelometric turbidity units	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 2021* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 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

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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
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.

M7 Other monitoring and recording conditions

M7.1 All continuous monitoring equipment must be operated and maintained to achieve an availability of 90%

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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.

M7.2 In 2021, the licensee may use either high volume air samplers or photometers to measure PM10 as required in condition M2.2.

This is to enable a continuation of monitoring during the period of transition between monitoring methods under the approved Air Quality and Greenhouse Gas Management Plan.

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

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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 they became aware of the incident.

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:
- 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

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g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

7 General Conditions

G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

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

8 Special Conditions

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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 Slope stabilisation & reinstatement of clean water diversions

E2.1 Background

Following heavy rainfall in early 2022, land instability resulted in the movement of soil in the sloped area northwest of the operations building at the Mount Kembla pit top. The EPA inspected the area on 23 September 2022 and found that further land slippage poses a potential risk of water pollution from material entering the clean water diversion drain and American Creek.

Requirement

The licensee must undertake slope stabilisation works to reinstate the clean water management system upstream of the pit top. The location of the area to be stabilised and the scope of works is contained in the report submitted to the EPA titled "Scope of Works – Dendrobium Mine Slope Stability", dated 27 September 2022.

A Construction Environmental Management Plan must be submitted to the EPA for review prior to commencement of works. The plan must include assessment of potential noise, air and water emissions arising from the works and measures to mitigate these in accordance with relevant guidelines. The plan must also include a program for consultation with any member(s) of the community who may be affected by the works.

The works must be completed by the due date.

DUE DATE: 30 September 2023

The licensee must notify the EPA in writing of the completion of the works.

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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
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 01-August-2000

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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.
- 18 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>

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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
33	Licence varied by notice 1609643 issued on 01-Jul-2021
34	Licence varied by notice 1620378 issued on 05-Sep-2022
35	Licence varied by notice 1623525 issued on 24-Oct-2022