



Our Reference: Licence No. 529

WAMBO COAL PTY LIMITED

PMB 1

SINGLETON NSW 2330

01-Jan-2017

LICENCE 529 - ANNIVERSARY NOTICE

I refer to Environment Protection Licence No. 529, issued to WAMBO COAL PTY LIMITED by the Environment Protection Authority (EPA), under the *Protection of the Environment Operations Act 1997* (the POEO Act).

This letter is to remind you of the annual licensing obligations, in particular the requirement to submit an Annual Return and annual licence fees.

Annual Return

Condition R1.5 of your licence requires that you complete and submit an Annual Return within 60 days of the end of each reporting period.

You can complete and submit your Annual Return online via eConnect EPA - the EPA's licensing portal at: www.epa.nsw.gov.au/licensing/econnectepa.htm.

Your environment protection licence Annual Return is due to the EPA by:

01-Mar-2017

If you do not submit the Annual Return by the due date you may receive a fine of up to \$3000.

If you are unable to submit your Annual Return online, you must complete the attached Annual Return and send it to the EPA by Registered Post to the following address:

Regulatory and Compliance Support Unit
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232

Licence Fees

Once your Annual Return is received by the EPA, the information provided will inform the EPA's determination of your environmental management category which the EPA will use to calculate the annual licence administrative fee. Once the EPA has determined your annual fee a Tax Invoice/Statement will be sent to you.

If the licensed activities are subject to Load-Based Licensing (LBL), payment of a load-based fee may also be required. The EPA will calculate the load based fee using the data you provide in the Annual Return. If the payment of a load based fee is required a separate Tax Invoice/Statement will be sent to you.

The licence fees will need to be paid to the EPA by **30-Apr-2017**.

For information on risk-based licensing please refer to the EPA's website at:
www.epa.nsw.gov.au/licensing/licencereg.htm.

As of 1 July 2016 the EPA will not consider environmental improvement works in the calculation of the environmental management category. For further information regarding this change please refer to www.epa.nsw.gov.au/licensing/EMCP.htm.

The EPA is committed to assisting the licensed community to meet its obligations under the POEO Act. Please refer to: www.epa.nsw.gov.au/licensing for guidance on completing annual returns. If you have any questions relating to the submission of the Annual Return or payment of the licence fee, please contact the EPA on 02 9995 5700.

Yours sincerely



CHRISTOPHER KELLY
Head Regulatory and Compliance Support Unit
Environment Protection Authority

Annual Return

WAMBO COAL PTY LIMITED



ANNUAL RETURN

LICENCE NO	529
LICENCE HOLDER	WAMBO COAL PTY LIMITED
REPORTING PERIOD	01-Jan-2016 to 31-Dec-2016

If your licence has been transferred, suspended, surrendered or revoked by the EPA during this reporting period, cross out the dates above and specify the new dates to which this Annual Return relates below:

REVISED REPORTING PERIOD ____/____/____ to ____/____/____

(Note: the revised reporting period also needs to be entered in Section H)

THIS ANNUAL RETURN MUST BE RECEIVED BY THE EPA BEFORE 02-Mar-2017

Your Annual Return must be completed, including certification in Section H, and submitted to the EPA no later than 60 Days after the end of the reporting period for your licence.

Failure to submit this Annual Return within 60 days after the reporting period ends may result in:

- the issue of a Penalty Notice for \$1500 (individuals) or \$3000 (corporations);
- OR
- prosecution.

Please send your completed Annual Return by **Registered Post** to:

**Regulatory and Compliance Support Unit
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232**

It is an offence to supply any information in this form to the EPA that is false or misleading in a material respect, or to certify a statement that is false or misleading in a material respect.

THERE IS A MAXIMUM PENALTY OF \$250,000 FOR A CORPORATION OR \$120,000 FOR AN INDIVIDUAL.

Details provided in this Annual Return will be available on the EPA's Public Register in accordance with section 308 of the *Protection of the Environment Operations Act 1997*.

Annual Return

WAMBO COAL PTY LIMITED



Use the checklist below to ensure that you have completed your Annual Return correctly.

(✓ the boxes)

CHECKLIST		
<input checked="" type="checkbox"/>	Section A:	All licence details are correct
<input checked="" type="checkbox"/>	Section B1:	You have entered the correct number in the complaints table
<input checked="" type="checkbox"/>	Section B2 – B3:	If there are tables, you have provided the required details
<input checked="" type="checkbox"/>	Section C:	You have answered question 1, and 2 if applicable
<input checked="" type="checkbox"/>	Section D:	If applicable, you have completed all load calculation worksheets
<input checked="" type="checkbox"/>	Section E:	You have answered question 1, 2, 3, 4, 5 and 6 if applicable
<input checked="" type="checkbox"/>	Section F:	You have answered question 1, 2 and 3 if applicable
<input checked="" type="checkbox"/>	Section G:	You have answered question 1 and question 2, 3 and 4 or question 5 through to 11 if applicable
<input checked="" type="checkbox"/>	Section H:	The Annual Return has been signed by appropriate person(s) and, if applicable, the revised reporting period entered
<input checked="" type="checkbox"/>	Make a copy of the completed Annual Return and keep it with your licence records	

Please send your completed Annual Return by **Registered Post** to:

**Regulatory and Compliance Support Unit
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232**

Annual Return

WAMBO COAL PTY LIMITED



A Statement of Compliance - Licence Details

ALL licence holders must check that the licence details in Section A are correct

If there are changes to any of these details you must advise the EPA and apply as soon as possible for a variation to your licence or for a licence transfer.

Licence variation and transfer application forms are available on the EPA website at: <http://www.epa.nsw.gov.au/licensing>, or from regional offices of the EPA, or by contacting us on telephone 02 9995 5700.

If you are applying to vary or transfer your licence you must still complete this Annual Return.

A1 Licence Holder

Licence Number	529
Licence Holder	WAMBO COAL PTY LIMITED
Trading Name (if applicable)	WAMBO COAL PTY LTD
ABN	13 000 668 057

A2 Premises to which Licence Applies (if applicable)

Common Name (if any)	WAMBO COAL PTY LTD
Premises	JERRYS PLAINS ROAD WARKWORTH NSW 2330

A3 Activities to which Licence Applies

Mining for coal
Coal works

A4 Other Activities (if applicable)

Sewage Treatment Systems
Chemical Storage Facilities

A5 Fee-Based Activity Classifications

Note that the fee based activity classification is used to calculate the administrative fee.

Fee-based activity	Activity scale	Unit of measure
Mining for coal	> 5,000,000.00	T annual production capacity
Coal works	> 5,000,000.00	T annual handing capacity

A6 Assessable Pollutants (Not Applicable)

Annual Return

WAMBO COAL PTY LIMITED



B Monitoring and Complaints Summary

B1 Number of Pollution Complaints

Number of complaints recorded by the licensee during the reporting period. If no complaints were received enter nil in the attached box, otherwise complete the table below.		29
Pollution Complaint Category	Number of Complaints	
Air	7	
Water	0	
Noise	12	
Waste	0	
Other	10	

B2 Concentration Monitoring Summary

For each monitoring point identified in your licence complete all the details for each pollutant listed in the tables provided below.

If concentration monitoring is **not** required by your licence, **no tables** will appear below.

Note that this does not exclude the need to conduct appropriate concentration monitoring of assessable pollutants as required by load-based licensing (if applicable).

Discharge & Monitoring Point 4

Saline discharge to waters

Discharge quality

Volume monitoring, Outlet from Eagles Nest Dam labelled as SW15 on Figure 3.4 Site Monitoring Locations diagram, dated July 2000.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value

Annual Return

WAMBO COAL PTY LIMITED



Conductivity	microsiemens per centimetre	8	8	4130	4828	6350
pH	pH	8	8	8.7	9.04	9.2
Total suspended solids	milligrams per litre	8	8	34	61	91

Monitoring Point 7

Groundwater quality monitoring, Groundwater quality must be measured at locations representative of impacts likely to be experienced outside the premises as a result of the operation of the mine

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Conductivity	microsiemens per centimetre	117	117	266	4229	22600
pH	pH	117	117	6.2	7.2	8.4

Monitoring Point 9

Surface water monitoring, Surface water quality must be measured at locations representative of impacts likely to be experienced outside the premises as a result of the operation of the mine

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Conductivity	microsiemens per centimetre	71	71	36	692	1175
pH	pH	71	71	6.7	7.6	8.3
Total suspended solids	milligrams per litre	71	71	<5	120.6	2600

Monitoring Point 13

Particulate Matter Monitoring, Monitor AQ01 at coordinates 314097 6393962 (Easting Northing) on plan titled "Wambo Air Quality and Meteorological Monitoring Locations" dated 18/10/2016, DOC16/527554.

Annual Return

WAMBO COAL PTY LIMITED



Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
PM10	micrograms per cubic metre	366	361	0.2	15.9	48.8

Monitoring Point 14

Particulate Matter Monitoring, Monitor AQ02 at coordinates 312055 6390321 (Easting Northing) on plan titled "Wambo Air Quality and Meteorological Monitoring Locations" dated 18/10/2016, DOC16/527554.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
PM10	micrograms per cubic metre	366	366	2.8	17.54	48.97

Monitoring Point 15

Particulate Matter Monitoring, Monitor AQ03 at coordinates 304502 6398490 (Easting Northing) on plan titled "Wambo Air Quality and Meteorological Monitoring Locations" dated 18/10/2016, DOC16/527554.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
PM10	micrograms per cubic metre	366	365	2.41	14.13	38.80

Monitoring Point 16

Particulate Matter Monitoring, Monitor AQ04 at coordinates 305928 6399587 (Easting Northing) on plan titled "Wambo Air Quality and Meteorological Monitoring Locations" dated 18/10/2016, DOC16/527554.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of sample	Highest sample value
PM10	micrograms per cubic metre	366	366	2.19	16.27	43.7

Annual Return

WAMBO COAL PTY LIMITED



Monitoring Point 17

Meteorological Station, Wambo Weather Station, Monitoring location identified as "WCPL Weather Station" in the document titled "Wambo Air Quality and Meteorological Monitoring Locations" dated 18/10/2016, DOC16/527554.

Parameter	Units of measure	Number of samples required by Licence	Number of samples collected and analysed	Lowest sample value	Mean of sample	Highest sample value
Rainfall	millimetres	366	359	0	2.0	69.2
Wind Speed at 10 metres	metres per second	366	359	0	2.05	10.95
Wind Direction at 10 metres	Degrees	366	359	0	195	360
Temperature at 2 metres	Celsius	366	359	-3.38	18.40	41.61
Temperature at 10 metres	Celsius	366	359	-10.43	19.05	41.26
Sigma theta	Degrees	366	359	0	11.82	102.29
Total Solar Radiation	Watts per square metre	366	359	-3.76	216.97	1200.54

B3 Volume or Mass Monitoring Summary

For each monitoring point identified in your licence complete the details of the volume or mass monitoring indicated in the tables provided below.

If volume or mass monitoring is not required by your licence, **no tables** will appear below.

Note that this does not exclude the need to conduct appropriate concentration monitoring of assessable pollutants as required by load-based licensing (if applicable).

Discharge & Monitoring Point 4

Saline discharge to waters

Discharge quality

Volume monitoring

Unit of measure	Frequency	No. of measurements made	Lowest result	Mean result	High result
megalitres per day	Continuous	2	18.9	51.9	79.8

Annual Return

WAMBO COAL PTY LIMITED



C Statement of Compliance - Licence Conditions

C1 Compliance with Licence Conditions

(☒ the boxes)

-
- 1 Were all conditions of the licence complied with (including monitoring and reporting requirements)? ☐ Yes ☒ No
(☒ a box)
-

- 2 If you answered 'No' to question 1, please supply the following details for each non-compliance in the format, or similar format, provided on the following page.

Please use a separate page for each licence condition that has not been complied with.

- a) What was the specific licence condition that was not complied with?
- b) What were the particulars of the non-compliance?
- c) What were the date(s) when the non-compliance occurred, if applicable?
- d) If relevant, what was the precise location where the non-compliance occurred?

Attach a map or diagram to the Statement to show the precise location.

- e) What were the registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance?
- f) What was the cause of the non-compliance?
- g) What action has been, or will be, taken to mitigate any adverse effects of the non-compliance?
- h) What action has been, or will be, taken to prevent a recurrence of the non-compliance?

-
3. How many pages have you attached?

Each attached page must be initialised by the person(s) who signs Section G of this Annual Return

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C2 Details of Non-Compliance with Licence

Licence condition number not complied with
M2.2 of EPL 529
Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)
Failure to record 24hr averages of PM10 data due to hardware failures and local power outages.
If required, further details on particulars of non-compliance
EPL Monitoring Point 13 had five instances throughout the year where daily 24hr averages were incomplete. Three of these occasions were due to a faulty air conditioner unit within the monitoring hardware. The final two occasions were due to local power outages due to storms or scheduled maintenance.
EPL Monitoring Point 15 had one instance throughout the year where daily 24hr averages were incomplete. This was due to localised power outages as a result of a storm within the area.
Date(s) when the non-compliance occurred, if applicable
EPL Monitoring Point 13 - 27 th January, 28 th January, 14 th February, 16 th June, 31 st August.
EPL Monitoring Point 15 - 23 rd January.
If relevant, precise location where the non-compliance occurred (attach a map or diagram)
EPL Monitoring Point 13 and EPL Monitoring Point 15 AQ01 and AQ03 as labelled on plan titled "Wambo Air Quality and Meteorological Monitoring Locations" dated 18/10/2016
If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance
Cause of non-compliance
Power outages due to localised storms. Unidentifiable and unexpected hardware faults.
Action taken or that will be taken to mitigate any adverse effects of the non-compliance
Consultants, involved with monitoring units' maintenance and operation, provided calculated 24hr averages to supplement WCPL's missing data. On none of these days were PM10 levels elevated above a PM10 24hr average of 50 µg/m ³
Action taken or that will be taken to prevent a recurrence of the non-compliance
Air conditioner unit has been properly serviced and repaired.

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[Handwritten initials]

C2 Details of Non-Compliance with Licence

Licence condition number not complied with
M4.1 of EPL 529
Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)
Software failure resulted in loss of continuous weather monitoring data.
If required, further details on particulars of non-compliance
Date(s) when the non-compliance occurred, if applicable
25 th May – 31 st May 2016
If relevant, precise location where the non-compliance occurred (attach a map or diagram)
EPL Monitoring Point 17 - "WCPL Weather Station" in the document titled "Wambo Air Quality and Meteorological Monitoring Locations" dated 18/10/2016
If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance
Cause of non-compliance
Software failure led to missing data when data download was initiated.
Action taken or that will be taken to mitigate any adverse effects of the non-compliance
WCPL's weather data has been supplemented with data from an adjacent mine site to ensure records are complete and accurate.
Action taken or that will be taken to prevent a recurrence of the non-compliance
Downloads of data are to be done weekly to identify potential issues with the monitoring station and its software earlier to minimise possible faults. Scheduled maintenance and calibration to be conducted as per manufacturer's recommendation. Installation of new weather monitoring station to improve reliability of the system.




C2 Details of Non-Compliance with Licence

Licence condition number not complied with
M7.1 of EPL 529
Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)
Flow meter involved with HRSTS discharge failed during discharge event and continuous flow monitoring did not occur.
If required, further details on particulars of non-compliance
Failure was reported to the EPA on the 8 th January 2016 Show Cause Letter was issued by the EPA on the 20 th January 2016 Show Cause Response was sent on the 12 th February 2016 Official Caution was issued by the EPA on the 7 th April 2016 as attached.
Date(s) when the non-compliance occurred, if applicable
7 th January to 12 th January 2016
If relevant, precise location where the non-compliance occurred (attach a map or diagram)
EPA Monitoring Point 4 Eagles Nest Dam labelled as SW15 on Figure 3.4 Site Monitoring Locations, July 2000
If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance
Cause of non-compliance
Unidentifiable and unexpected equipment failure.
Action taken or that will be taken to mitigate any adverse effects of the non-compliance
A Vertical trajectory method was used to calculate the volumes discharged as outlined in WCPL's response to the Show Cause letter issued 20 th January 2016.
Action taken or that will be taken to prevent a recurrence of the non-compliance
The flow meter unit has been replaced and calibrated with a brand new unit. Maintenance and calibration as required by the manufacturer's specifications are being undertaken.

P.J.

RF

C2 Details of Non-Compliance with Licence

Licence condition number not complied with
Potential non-compliance with EPL529
Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)
At some unascertained time between 5th and 10th January 2016, the Montrose Sediment Dam wall failed during a major flooding event. This was considered to be a notifiable incident and was reported to the EPA on 11th January 2016. Investigations were subsequently undertaken by the EPA into the causes of the incident and Wambo cooperated fully with those investigations. Enforcement proceedings in relation to this incident have been commenced in the NSW Land and Environment Court. The outcome of these proceedings are still pending
If required, further details on particulars of non-compliance
Date(s) when the non-compliance occurred, if applicable
If relevant, precise location where the non-compliance occurred (attach a map or diagram)
If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance
Cause of non-compliance
Action taken or that will be taken to mitigate any adverse effects of the non-compliance
Action taken or that will be taken to prevent a recurrence of the non-compliance

PS

Official Caution

Licence - 529



WAMBO COAL PTY LIMITED
Trading as WAMBO COAL PTY LTD
ABN 13 000 668 057
PMB 1
SINGLETON NSW 2330

Attention: Mr Steve Peart

Notice Number 1539612
File Number EF13/3816
Date 07-Apr-2016

OFFICIAL CAUTION

On 8 January 2016 the Environment Protection Authority ("EPA") received an email from Wambo Coal Pty Limited ("the Licensee") notifying the EPA of a technical failure of the continuous inline flow monitor required under condition M7.1 of Environment Protection Licence 529 ("the Licence"), during a discharge event under the Hunter River Salinity Trading Scheme ("HRSTS") on 7 January 2016.

The EPA required information from the Licensee in relation to the discharge event and the circumstances of the technical failure. The Licensee provided this information to the EPA on 12 February 2016.

The EPA notes there have been a number of issues identified in relation to discharge events under the HRSTS at this premises, including:

- On 23 April 2015 a probe failure event at Point 4 resulted in the Licensee implementing an alternative volumetric discharge calculation during the discharge event;
- The Annual Return for the 2013/2014 reporting period identified a non-compliance with Condition M2.3 of the Licence relating to the failure to continuously monitor pH at Point 4 as required;
- The 2013/2014 HRSTS reporting period identified that Point 4 was 'on-line' for only 1% of the reporting period; and
- The 2008/2009 HRSTS reporting period identified Point 4 was not 'on-line' at any time during the 2008/09 reporting period.

It is an offence under Section 64 of the *Protection of the Environment Operations Act 1997* ("the Act") for a person to contravene any condition of a licence. This offence carries a maximum penalty of \$1,000,000 for a corporation.

The EPA may prosecute a corporation for committing this offence. Alternatively, EPA may issue a corporation that commits this offence with a penalty notice, which carries a fine of \$15,000.

PO Box 488G Newcastle NSW 2300
117 Bull St, Newcastle West NSW 2302
Tel: (02) 4908 6800 Fax: (02) 4908 6810
ABN 43 692 285 758
www.epa.nsw.gov.au

Page 1

Two handwritten signatures in blue ink are located at the bottom right of the page, below the 'Page 1' text. The signatures appear to be 'EP' and 'PD'.

Official Caution

Licence - 529



The EPA has reasonable grounds to believe that WAMBO COAL PTY LIMITED committed an offence under section 64 of the Act (failing to comply with Condition M7.1 of the Licence) by failing to undertake continuous inline monitoring of the discharge from Point 4 on 7 January 2016 ("the alleged offence"). Further, the EPA believes that there is sufficient evidence to prove the alleged offence.

In these circumstances, and having regard to the *Attorney General's Caution Guidelines under the Fines Act 1996*, the EPA considers it appropriate to issue WAMBO COAL PTY LIMITED with this Official Caution for the alleged offence.

Please note that EPA will retain a copy of this Official Caution on file. If WAMBO COAL PTY LIMITED commits an offence in future, EPA may take into account this Official Caution in determining the most appropriate enforcement action. Such action may involve the issue of a penalty notice or the commencement of a prosecution.

The issuing of this Official Caution does not prevent EPA from taking alternative enforcement action for the alleged offence, if it becomes apparent that an alternative response is more appropriate.

If you have any questions or wish to discuss this matter, please contact Michael Howat on (02) 4908 6819.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Karen Marler', written over a horizontal line.

Karen Marler

Unit Head

North - Hunter

Environment Protection Authority

PO Box 488G Newcastle NSW 2300
117 Bull St, Newcastle West NSW 2302
Tel: (02) 4908 6800 Fax: (02) 4908 6810
ABN 43 692 285 758
www.epa.nsw.gov.au

D Statement of Compliance - Load-Based Fee Calculation Worksheets

If you are not required to monitor assessable pollutants by your licence, no worksheets will appear below. Please go to Section E.

If assessable pollutants have been identified on your licence (see licence condition L2), complete the following worksheets for each assessable pollutant to determine your load-based fee for the licence fee period to which this Annual Return relates.

Loads of assessable pollutants must be calculated using any of the methods provided in the EPA's Load Calculation Protocol for the relevant activity. A Load Calculation Protocol would have been sent to you with your licence. If you require additional copies you can download the Protocol from the EPA's website or you can contact us on telephone 02 9995 5700.

You are required to keep all records used to calculate licence fees for four years after the licence fee was paid or became payable, whichever is the later date.

PENALTIES APPLY FOR SUPPLYING FALSE OR MISLEADING INFORMATION

D1 - D8 (Not Applicable)

Annual Return

WAMBO COAL PTY LIMITED



E Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan (PIRMP) Under Section 153A of the POEO Act 1997

1 Have you prepared a PIRMP as required under s153A of the Protection of the Environment Operations Act 1997?

(✓ a box)

☒ Yes

☐ No

If you answered 'Yes' to question 1, please tick the appropriate box to indicate the following:

2 Is the PIRMP available at the premises?

(✓ a box)

☒ Yes

☐ No

3 Is the PIRMP available in a prominent position on a publicly accessible web site?

(✓ a box)

☒ Yes

☐ No

If the PIRMP is available on a publicly accessible web site please indicate clearly below the address of the web site where the PIRMP can be accessed:

Web site Address

<http://www.peabodyenergy.com/content/422/australia-mining/new-south-wales/wambo-mine/approvals-plans-and-reports-wambo-mine>

4 Has the PIRMP been tested in the last 12 months?

(✓ a box)

☒ Yes

☐ No

If you answered 'Yes' to question 4 please indicate clearly below the date that the PIRMP was last tested:

The PIRMP was last tested on

12/2/16

5 Has the PIRMP been updated?

(✓ a box)

☒ Yes

☐ No

If you answered 'Yes' to question 5 please indicate clearly below the date that the PIRMP was last updated:

The PIRMP was last updated on

28/6/16

6 How many times has the PIRMP been activated in this reporting period?

1

If the PIRMP has been activated, please indicate clearly below the date/s when the PIRMP was activated:

The PIRMP was activated on

11/1/16

The EPA's guidelines for preparation of pollution incident response management plans are available at

<http://www.epa.nsw.gov.au/legislation/20120227egpreppirmp.htm>

F Statement of Compliance - Requirement to Publish Pollution Monitoring Data Under Section 66(6) of the POEO Act 1997

1 Are there any conditions attached to your licence that require pollution monitoring to be undertaken?

(✓ a box)

☒ Yes

☐ No

If you answered 'Yes' to question 1, please tick the appropriate box to indicate the following:

2 Do you operate a web site?

(✓ a box)

☒ Yes

☐ No

3 Is the pollution monitoring data published on your web site in accordance with the EPA's written requirements for publishing pollution monitoring data?

(✓ a box)

☒ Yes

☐ No

If you publish pollution monitoring data on a web site please indicate clearly below the address of the web site where the pollution monitoring data can be accessed:

Web site address

<http://www.peabodyenergy.com/content/422/australia-mining/new-south-wales/wambo-mine/approvals-plans-and-reports-wambo-mine>

The EPA's written requirements for publishing pollution monitoring data are available at
<http://www.epa.nsw.gov.au/legislation/20120263reqpubpmddata.htm>

Note - if you do not maintain a web site, you must provide a copy of any monitoring data that relates to pollution, to any person requests a copy of the data at no charge to the person requesting the data.

G Statement of Compliance - Environmental Management Systems and Practices

- 1 Do you have an environmental management system (EMS) certified to ISO 14001 or any other demonstrated equivalent system?¹ (see note below on demonstrated equivalent)
- (✓ a box) ☐ Yes ☒ No

If your answer to question 1 is 'No', please proceed to question 5. If your answer to question 1 is 'Yes', please proceed to question 2.

- 2 When was the last check of the EMS² completed (see note below on check of EMS)?

- 3 Were there any non-conformances related to environmental issues identified in the last check of the EMS?
- (✓ a box) ☐ Yes ☐ No
- 4 If there were non-conformances identified, were these non-conformances rectified?
- (✓ a box) ☐ Yes ☐ No

If you answered 'No' to question 1, please answer questions 5 - 11. If you answered 'Yes' to question 1 please proceed to section H. Questions 5-11 relate to any documented environmental practices, procedures and systems in place. Refer to <http://www.epa.nsw.gov.au/licensing/EMCP.htm> for guidance on how to complete questions 5 to 11. If unsure of the answer, tick No.

- 5 Have you conducted an assessment of your activities and operations to identify the aspects that have a potential to cause environmental impacts and implemented operational controls to address these aspects?
- (✓ a box) ☒ Yes ☐ No
- 6 Have you established and implemented an operational maintenance program, including preventative maintenance?
- (✓ a box) ☒ Yes ☐ No
- 7 Do you keep records of regular inspections and maintenance of plant and equipment?
- (✓ a box) ☒ Yes ☐ No
- 8 Do you conduct regular site audits to assess compliance with environmental legal requirements and assess conformance to the requirements of any documented environmental practices, procedures and systems in place?
- (✓ a box) ☒ Yes ☐ No
- 9 Are the audits of documented environmental practices, procedures and systems undertaken by a third party?
- (✓ a box) ☒ Yes ☐ No
- 10 Have you established and implemented an environmental improvement or management plan?
- (✓ a box) ☒ Yes ☐ No
- 11 Do you train staff in environmental issues that may arise from your activities and operations and keep records of this
- (✓ a box) ☒ Yes ☐ No

¹ Demonstrated equivalent refers to an environmental management system that the EPA considers is equivalent to the accountability, procedures, documentation and record keeping requirements of an ISO 14001 system. For further information go to:

<http://www.epa.nsw.gov.au/resources/licensing/150402-environmental-management-systems-guidelines.pdf>

² Undertaking a 'check of an EMS' refers to the ISO 14001 requirements that an organisation demonstrates conformity to the requirements of its EMS and to the standard, these checks require third-party certification that requirements have been met.

Annual Return

WAMBO COAL PTY LIMITED



H Signature and Certification

This Annual Return may only be signed by a person(s) with legal authority to sign it as set out in the categories below. **Please tick (✓) the box next to the category that describes how this Annual Return is being signed.**

If you are uncertain about who is entitled to sign or which category to tick, please contact us on telephone 02 9995 5700.

If the licence holder is:	the Annual Return must be signed and certified by one of the following:
an individual	<input type="checkbox"/> the individual licence holder, or <input type="checkbox"/> a person acting on behalf of the individual licence holder in accordance with a power of attorney for the individual. A copy of the power of attorney must be submitted with the Annual Return.
a company	<input checked="" type="checkbox"/> by two directors, or <input type="checkbox"/> by a director and a company secretary, or <input type="checkbox"/> if a proprietary company that has a sole director who is also the sole company secretary - by that director, or <input type="checkbox"/> by a person delegated to sign a copy of the Annual Return on the company's behalf in accordance with the Corporations Act 2001. Delegation of authority must be submitted with the Annual Return, or. <input type="checkbox"/> by affixing the common seal, in accordance with the Corporations Act 2001
a public authority other than a Council	<input type="checkbox"/> by the Chief Executive Officer of the public authority, or <input type="checkbox"/> by a person delegated to sign on the public authority's behalf in accordance with its legislation.
a local Council	<input type="checkbox"/> by the General Manager in accordance with s377 of the Local Government Act 1993 , or <input type="checkbox"/> by affixing the seal of the Council in a manner authorised under the Local Government Act 1993.

It is an offence to supply any information in this form that is false or misleading in a material respect, or to certify a statement that is false or misleading in a material respect. There is a maximum penalty of \$250,000 for a corporation or \$120,000 for an individual.

I/We

- declare that the information in the Monitoring and Complaints Summary in section B of this Annual Return is correct and not false or misleading in a material respect, and
- certify that the information in the Statement of Compliance in sections A, C, D, E, F and G and any pages attached to Section C is correct and not false or misleading in a material respect.

If your licence has been transferred, suspended, surrendered or revoked by the EPA during this reporting period, cross out the dates below and specify the new dates to which this Annual Return relates below:

For the reporting period 01 Jan-2016 to 31-Dec-2016 or ___/___/___ to ___/___/___

SIGNATURE: P. Baker

NAME: PETER BAKER
(printed)

POSITION: SVP - U/G OPERATIONS

DATE: 21 / 02 / 2017

SIGNATURE: Stevn Hedges

NAME: Stevn Hedges Steven John Hedges
(printed)

POSITION: SVP O/C Operations

DATE: 22 / 2 / 2017

SEAL(if signing under seal)

PLEASE ENSURE THAT ALL APPROPRIATE BOXES HAVE BEEN COMPLETED AND THAT THE CHECKLIST ON PAGE 2 OF THE ANNUAL RETURN HAS BEEN COMPLETED

