

Licence Variation



Licence - 529

WAMBO COAL PTY LIMITED
ABN 13 000 668 057 ACN 000 668 057
PRIVATE MAIL BAG 1
SINGLETON NSW 2330

Attention: Peter Jaeger

Notice Number 1590221
File Number EF13/3816
Date 27-Mar-2020

NOTICE OF VARIATION OF LICENCE NO. 529

BACKGROUND

- A. WAMBO COAL PTY LIMITED ("the Licensee") is the holder of Environment Protection Licence No. 529 ("the Licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at JERRYS PLAINS ROAD, WARKWORTH, NSW, 2330 ("the Premises").
- B. The Environment Protection Authority ("EPA") sent the Licensee a notice of intention to review the Licence dated 25 January 2019.
- C. The EPA has undertaken a review of the Licence under s78 of the Act ("the Review"). The Review must be undertaken not more than every five years after the issue of the Licence.
- D. As a result of the Review the EPA has updated the Licence to ensure it is consistent with mining industry sector Licences in the Hunter Region and the EPA's Legislation, policy and guideline, as well as a review of the spelling and referencing. The following amendments have been made to the Licence. In particular in matters of licensing the EPA must consider s45 of the Act.
- E. The EPA has corrected the date of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002 ("HRSTS Reg") in Condition E1.1 of the Licence.
- F. The EPA has added continuous monitoring of turbidity as NTU at both HRSTS Reg discharge points. This is to monitor the entire discharge event due to the EPA's concerns that staged discharge dams at mines are releasing silt and sediments from the dams during discharges. There is no limit applied. The monitoring is a practical measure under s45 of the Act to protect the environment from harm that will assist the EPA in determining whether scouring of the dam is occurring during HRSTS Reg discharge events.
- G. The EPA has added a condition requiring all contraventions of condition L1 (pollution of waters) to be notified. This is consistent with s45 of the Act.

Licence Variation



s45 (c) states that *the EPA must consider the pollution caused or likely to be caused by the carrying out the activity or work concerned and the likely impact of the pollution on the environment, and (d) the practical measures that could be taken to: (i) prevent, control, abate or mitigate that pollution, and (ii) protecting the environment from harm as a result of the pollution.*

This condition is being added to all mining Licences due to the increasing number of mining Licensees failing to report pollution of water offences under Part 5.7 of the Act. This condition will enable the EPA to investigate alleged surface and groundwater pollution in a timely manner to ensure that the Licensee has implemented appropriate management actions to clean up and prevent ongoing pollution of waters.

- H. The EPA has added a reviewed dust condition to the Licence in order to require that all activities and operations are carried on in a manner to minimise dust from the premises. This is consistent with s45(d) of the Act, *the practical measures that could be taken to: (i) prevent, control, abate or mitigate that pollution, and (ii) protecting the environment from harm as a result of the pollution.*
- I. The EPA is adding ambient water quality to mining Licensees in order to review trends in water quality. The monitoring required will be consistent with the monitoring undertaken by the Licensee as part of management plans. An annual report will be required to be submitted to the EPA with the Annual Return. This will be simple temporal graphical analysis. This will allow the EPA to become informed and involved in discussions with the Licensee about potential impacts and how the Licensee is managing them. This is consistent with s45 (d) of the Act, *the practical measures that could be taken to: (i) prevent, control, abate or mitigate that pollution, and (ii) protecting the environment from harm as a result of the pollution.*
- J. The Environment Protection Authority ("EPA") received the Licensee's report titled "*Wambo Coal Mine Noise Monitoring Groups Noise Modelling Evaluation*" by Global Acoustics dated 16 August 2019 ("the Report"). The Report satisfies condition E2 of the Licence.
- K. The EPA has removed condition E2 of the Licence as completed and updated the Noise conditions of the Licence.
- L. The EPA has added conditions to the Licence to limit waste from being brought onto the premises and from being disposed of on the premises. This is consistent with objects of the Protection of the Environment Operations (Waste Regulation) 2014 and the EPA's Waste Avoidance and Recovery Strategy.
- M. Under s68(2)(b) of the Act the EPA may require the holder of a Licence to develop comply with a pollution reduction program ("PRP") determined by the EPA. Under s68(3) of the Act a PRP may include but is not limited to requirements to carry out works or to install plant for the purpose of preventing, controlling, abating and mitigating pollution.
- N. The EPA inspected the Licensees stage discharge dam for EPA point 4, known as the Eagles Nest Dam, on 30 April 2019 and observed a dredge desilting the dam.
- O. The EPA inspected the Licensees stage discharge dam for EPA point 4, known as the Eagles Nest Dam on 20 August 2019. On this day the dredge had been removed and the dam was very low. The EPA asked the Licensee where the off-take to the discharge pipe through EPA point 4. At the time the Licensee was unable to show the EPA where the off-take was. The area was silted up.
- P. The EPA is concerned about coal fines and silt observed in the Eagles Nest Dam being discharged to Wollombi Brook during a HRSTS discharge event. As a result the EPA has included a PRP on the Licence requiring works to be undertaken to remove coal fines and silt from the off-take area.

Licence Variation



- Q. The EPA issued a draft Licence to the Licensee on 6 January 2020.
- R. The EPA received a submission on the draft Licence that included updated boundary plans of the premises and Licence monitoring points a on 21 February 2020 and 3 March 2020.
- S. The EPA issued a draft revised Licence to the Licensee on 16 March 2020 and received a submission and updated monitoring point plan on 24 March 2020.
- T. The EPA has updated the boundary premises description and monitoring points consistent with the Licensees submissions.

VARIATION OF LICENCE NO. 529

1. By this notice the EPA varies licence No. 529. The attached Licence document contains all variations that are made to the Licence by this notice.
2. The following variations have been made to the licence:

Administrative Conditions

- A1.1- (existing) added scheduled activity of crushing grinding and separating
- A2.1 - (existing) updated premises description

Discharges to Air and Water

- P1.1 - (existing) updated plan reference
- P1.2 - (existing) updated plan reference, added STP, ambient WQ monitoring and mine water transfer points
- P1.3 - (existing) updated plan reference, add noise monitoring points
- P1.4 - added figure references for tables
- P1.5 - added datum reference

Limit Conditions

- L4.1 - added waste limit table for receipt of waste
- L4.2 - added waste condition to prevent waste disposal on the premises
- L4.3 - added authorisation to receive mine water from United Mine.
- L4.3 - L4.4 - (existing) removed noise monitoring conditions
- L5.1 - (existing) added noise limits to NMPs and updated noise limits
- L5.2-L5.3 - added reference to noise limit table
- L5.4 - L5.6 - modified noise monitoring conditions

Operating Conditions

- O3.3 - added dust condition
- O5 - (existing) changed PIRMP condition to a note

Monitoring Conditions

- M2.3 - added turbidity monitoring to HRSTS discharges, STP and ambient WQ monitoring



Licence Variation

- M10 - added noise monitoring conditions

Reporting Conditions

- R4.1 - R4.2 - added pollution of waters notification
- R4.3 - added blast exceedance reporting
- R4.4 - added noise exceedance reporting
- R5.2 - added turbidity monitoring into HRTS reporting
- R5.5 - added blast monitoring report
- R5.6 - added noise compliance assessment report
- R5.7 - added water quality monitoring report

Pollution Studies

- U1 - added PRP for dredging of stated discharge dam

Special Conditions

- E1 - (existing) amended HRSTS date
- E2 - (existing) removed noise special condition as complete

.....
Mark Hartwell
Unit Head
North - Hunter
(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

Licence Variation



When this notice begins to operate

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

Environment Protection Licence

Licence - 529

<u>Licence Details</u>	
Number:	529
Anniversary Date:	01-January

<u>Licensee</u>
WAMBO COAL PTY LIMITED
PRIVATE MAIL BAG 1
SINGLETON NSW 2330

<u>Premises</u>
WAMBO COAL PTY LTD
JERRYS PLAINS ROAD
WARKWORTH NSW 2330

<u>Scheduled Activity</u>
Coal works
Crushing, grinding or separating
Mining for coal

<u>Fee Based Activity</u>	<u>Scale</u>
Coal works	> 5000000 T annual handling capacity
Crushing, grinding or separating	> 2000000 T annual processing capacity
Mining for coal	> 5000000 T annual production capacity

<u>Region</u>
North - Hunter
Ground Floor, NSW Govt Offices, 117 Bull Street
NEWCASTLE WEST NSW 2302
Phone: (02) 4908 6800
Fax: (02) 4908 6810
PO Box 488G
NEWCASTLE NSW 2300



Environment Protection Licence

Licence - 529

INFORMATION ABOUT THIS LICENCE	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
1 ADMINISTRATIVE CONDITIONS	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Other activities	7
A4 Information supplied to the EPA	7
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND	7
P1 Location of monitoring/discharge points and areas	7
3 LIMIT CONDITIONS	11
L1 Pollution of waters	11
L2 Concentration limits	11
L3 Volume and mass limits	12
L4 Waste	12
L5 Noise limits	13
L6 Blasting	14
4 OPERATING CONDITIONS	15
O1 Activities must be carried out in a competent manner	15
O2 Maintenance of plant and equipment	16
O3 Dust	16
O4 Effluent application to land	16
O5 Emergency response	17
O6 Other operating conditions	17
5 MONITORING AND RECORDING CONDITIONS	17
M1 Monitoring records	17
M2 Requirement to monitor concentration of pollutants discharged	18
M3 Testing methods - concentration limits	19



Environment Protection Licence

Licence - 529

M4	Weather monitoring	19
M5	Recording of pollution complaints	20
M6	Telephone complaints line	20
M7	Requirement to monitor volume or mass	21
M8	Blasting	21
M9	Other monitoring and recording conditions	21
M10	Noise monitoring	22
6	REPORTING CONDITIONS	22
R1	Annual return documents	22
R2	Notification of environmental harm	23
R3	Written report	24
R4	Other notifications	24
R5	Other reporting conditions	25
7	GENERAL CONDITIONS	26
G1	Copy of licence kept at the premises or plant	26
G2	Other general conditions	26
8	POLLUTION STUDIES AND REDUCTION PROGRAMS	28
U1	Dredging of HRSTS Staged Discharge Dam to prevent scouring of coal fines to Wollombi Brook during HR	28
9	SPECIAL CONDITIONS	28
E1	Hunter River Salinity Trading Scheme	28
	DICTIONARY	30
	General Dictionary	30

Environment Protection Licence

Licence - 529



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).

Environment Protection Licence



Licence - 529

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:

WAMBO COAL PTY LIMITED
PRIVATE MAIL BAG 1
SINGLETON NSW 2330

subject to the conditions which follow.

Environment Protection Licence

Licence - 529

1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Coal works	Coal works	> 5000000 T annual handing capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 2000000 T annual processing capacity
Mining for coal	Mining for coal	> 5000000 T annual production capacity

Note: In relation to this licence, the licensee must comply with:

- the activity scale limits imposed by this licence;
- the activity scale limits which apply for the reporting period specified in this licence; and
- the activity scale limits imposed by other legal instruments, such as approvals currently in force under the *Environmental Planning and Assessment Act 1979*.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
WAMBO COAL PTY LTD
JERRYS PLAINS ROAD
WARKWORTH
NSW 2330
SURFACE OPERATIONS ARE DEFINED IN THE PLAN OF THE PREMISES TITLED "WAMBO MINE ENVIRONMENT PROTECTION LICENCE 529 PLAN OF PREMISES DWG 2672-1 DATED 19/2/2020 AND SPATIAL FILES EPA REF DOC19/1117899-2 AND UNDERGROUND MINING FOR COAL IN WYBROW SEAM, REDBANK CREEK SEAM, WAMBO SEAM, WHYNOT SEAM, ARROWFIELD SEAM DEFINED BY PLAN TITLED "WAMBO UNDERGROUND MULTI SEAM WORKINGS PLAN PROPOSED AND EXISTING WORKINGS AS AT 18/2/2020 OPENCUT VOID AS AT 30/6/2018" DWG 0953-4 DATED 19/2/2020 EPA REF DOC19/1117899-2.

Environment Protection Licence

Licence - 529



A3 Other activities

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

Ancillary Activity
Chemical Storage Facilities
Sewage Treatment Systems

A4 Information supplied to the EPA

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

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
13	Ambient air quality monitoring		PM10 TEOM AQ01 at coordinates 314095 6393959 (Easting Northing) shown as EPA Point 13 on Figure 1.
14	Ambient air quality monitoring		PM10 TEOM AQ02 at coordinates 312053 6390320 (Easting Northing) shown as EPA Point 14 on Figure 1.
15	Ambient air quality monitoring		PM10 TEOM AQ03 at coordinates 304503 6398522 (Easting Northing) shown as EPA Point 15 on Figure 1.
16	Ambient air quality monitoring		PM10 TEOM AQ04 at coordinates 305927 6399587 (Easting Northing) shown as EPA Point 16 on Figure 1.

Environment Protection Licence

Licence - 529

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

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
4	Discharge to Waters, Water Quality Monitoring, Volumetric Monitoring	Discharge to Waters, Water Quality Monitoring, Volumetric Monitoring	HRSTS Outlet from Eagles Nest Dam at co-ordinates 313133 6393073 (Easting Northing) shown as EPA Point 4 on Figure 1.
18	Discharge to utilisation area, Discharge quality monitoring	Discharge to utilisation area, Discharge quality monitoring	STP discharge monitoring at coordinates 312057 6393219 (Easting, Northing) shown as STPD1 on Figure 1.
19	Discharge to Waters, Water Quality Monitoring, Volumetric Monitoring	Discharge to Waters, Water Quality Monitoring, Volumetric Monitoring	HRSTS Discharge from South Wambo Dam at co-ordinates 311917, 6391114 (Easting and Northing) shown as EPA Point 19 on Figure 1.
24	Ambient water quality monitoring		WQ monitoring point at co-ordinates 314429, 6385707 (Easting, Northing) shown as SW01 on Figure 1.
25	Ambient water quality monitoring		WQ monitoring point at co-ordinates 314376, 6385037 (Easting, Northing) shown as SW02 on Figure 1.
26	Ambient water quality monitoring		WQ monitoring point at co-ordinates 312509, 6392866 (Easting, Northing) shown as SW03 on Figure 1.
27	Ambient water quality monitoring		WQ monitoring point at co-ordinates 306887, 6396024 (Easting, Northing) shown as SW04 on Figure 1.
28	Ambient water quality monitoring		WQ monitoring point at co-ordinates 311927, 6392157 (Easting, Northing) shown as SW05 on Figure 1.
29	Ambient water quality monitoring		WQ monitoring point at co-ordinates 309056, 6389550 (Easting, Northing) shown as SW06 on Figure 1.
30	Ambient water quality monitoring		WQ monitoring point at co-ordinates 311263, 6390718 (Easting, Northing) shown as SW07 on Figure 1.
31	Ambient water quality monitoring		WQ monitoring point at co-ordinates 308536, 6392133 (Easting, Northing) shown as SW08 on Figure 1.

Environment Protection Licence



Licence - 529

32	Ambient water quality monitoring		WQ monitoring point at co-ordinates 312179 6392939 (Easting, Northing) shown as SW14 on Figure 1.
33	Ambient water quality monitoring		WQ monitoring point at co-ordinates 313055 6393097 (Easting, Northing) shown as SW15 on Figure 1.
34	Ambient water quality monitoring		WQ monitoring point at co-ordinates 309431 6393558 (Easting, Northing) shown as SW27a on Figure 1.
35	Ambient water quality monitoring		WQ monitoring point at co-ordinates 313276 6393987 (Easting, Northing) shown as SW31 on Figure 1.
36	Ambient water quality monitoring		WQ monitoring point at co-ordinates 309905 6393191 (Easting, Northing) shown as SW32a on Figure 1.
37	Ambient water quality monitoring		WQ monitoring point at co-ordinates 311750 6394190 (Easting, Northing) shown as SW38 on Figure 1.
38	Ambient water quality monitoring		WQ monitoring point at co-ordinates 307194 6398519 (Easting, Northing) shown as SW39 on Figure 1.
39	Ambient water quality monitoring		WQ monitoring point at co-ordinates 307194 6398519 (Easting, Northing) shown as SW39 on Figure 1.
40	Ambient water quality monitoring		WQ monitoring point at co-ordinates 311910 6391093 (Easting, Northing) shown as SW40 on Figure 1.
41	Ambient water quality monitoring		WQ monitoring point at co-ordinates 307257 6398952 (Easting, Northing) shown as SW41 on Figure 1.
42		Discharge to utilisation area	STP discharge to utilisation area at co-ordinates 313331 6393871 (Easting, Northing) shown as STPD2 on Figure 1.
43	Discharge to utilisation area, Discharge quality monitoring	Discharge to utilisation area, Discharge quality monitoring	STP discharge monitoring at co-ordinates 313086 6393202 (Easting, Northing) shown as STPD3 on Figure 1.
44		Discharge to pipeline	Mine water transfer to United Coal Mine at co-ordinates 312392 6395510 (Easting, Northing) shown as MWD1 on Figure 1.

Environment Protection Licence

Licence - 529



45		Discharge to pipeline	Mine water transfer to United Coal Mine at co-ordinates 313154 6395178 (Easting, Northing) shown as MWD2 on Figure 1.
46	Ambient water quality monitoring		WQ monitoring point at co-ordinates 312677 6395220 (Easting, Northing) shown as SW52 on Figure 1.
47	Ambient water quality monitoring		WQ monitoring point at co-ordinates 310435 6396442 (Easting, Northing) shown as Wombat Dam on Figure 1.
48	Ambient water quality monitoring		WQ monitoring point at co-ordinates 313443 6394011 (Easting, Northing) shown as Milk Can Dam on Figure 1.
49	Ambient water quality monitoring		WQ monitoring point at co-ordinates 311024 6394046 (Easting, Northing) shown as Rug Dump on Figure 1.
50	Ambient water quality monitoring		WQ monitoring point at co-ordinates 307325 6398382 (Easting, Northing) shown as ME1 on Figure 1.
51	Ambient water quality monitoring		WQ monitoring point at co-ordinates 307397 6398576 (Easting, Northing) shown as ME2 on Figure 1.
52	Effluent quality monitoring		STPD2 Discharge Monitoring at the STP at co-ordinates 313294 6393219 (Easting, Northing) shown as STP2 on Figure 1.

P1.3 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

Noise/Weather

EPA identification no.	Type of monitoring point	Location description
10	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor BM02 at coordinates 314120 6394560 (Easting Northing) shown as EPA10 on Figure 1.
11	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor BM05 at coordinates 305984 6399794 (Easting Northing) shown as EPA11 on Figure 1.
12	Air blast overpressure & ground vibration peak particle velocity monitoring	Blast monitor BM07 at coordinates 304496 6398655 (Easting Northing) shown as EPA12 on Figure 1.
17	Meteorological Station – to determine meteorological conditions for noise monitoring	Weather Station at co-ordinates 312535 6393111 (Easting, Northing) shown as EPA17 on Figure 1.

Environment Protection Licence



Licence - 529

20	Noise monitoring	Noise monitoring point in NMG1 at co-ordinates 306000, 6399785 (Easting, Northing) shown as N16 on Figure 1.
21	Noise monitoring	Noise monitoring point in NMG2 at co-ordinates 304461, 6398713 (Easting, Northing) shown as N20A on Figure 1.
22	Noise monitoring	Noise monitoring point in NMG3 at co-ordinates 310491, 6390223 (Easting, Northing) shown as N21 on Figure 1.
23	Noise monitoring	Noise monitoring point in NMG4 at co-ordinates 304172, 6398160 (Easting, Northing) shown as N26 on Figure 1.

P1.4 For the purposes of Condition P1.1, P1.2 and P1.3 Figure 1 refers to the plan titled "Wambo Mine Environment Protection Licence 529 Plan of Premises Monitoring Sites dated 19/3/2020 EPA Reference DOC19/1117899-6.

P1.5 The datum for grid references in this Licence is the Geodetic Datum of Australia 1994 (GDA94), Zone 56.

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

Environment Protection Licence

Licence - 529

POINT 4,19

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5 to 9.5
Total suspended solids	milligrams per litre				120

L3 Volume and mass limits

- L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
- liquids discharged to water; or;
 - solids or liquids applied to the area;
- must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
4,19	megalitres per day	250

- L3.2 The licensee must not discharge more than a combined total of 250 megalitres per day from the discharge points specified by Condition L3.1.

L4 Waste

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

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

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

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

Code	Waste	Description	Activity	Other Limits
NA	Compost (The compost exemption 2016-NSW EPA)	To be used as soil ameliorant in mine rehabilitation	-	The Licensee must comply with the Compost exemption 2016
NA	Gypsum plaster board	To be used as soil ameliorant in mine rehabilitation	-	The Licensee must comply with the Recovered

Environment Protection Licence

Licence - 529

				plasterboard exemption 2014
NA	Certain organics	Pasteurised garden organics to be used as soil ameliorant in mine rehabilitation	-	The Licensee must comply with the Pasteurised garden organics exemption 2016
NA	Recovered aggregate	To be used on the mine for road making, building, landscape and construction	-	The Licensee must comply with the Recovered aggregate exemption 2014

L4.2 The Licensee must not dispose of waste generated on the premises, on the premises, unless authorised to do so by a condition of this Licence.

L4.3 The Licensee is authorised to receive mine water from United Mine to be stored and used on the premises for activities authorised by the Licence.

L5 Noise limits

L5.1 Noise generated at the premises must not exceed the noise limits presented in the table below. The noise limits in the table below represent the noise contribution from the premises.

Receiver Land Number	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LA1(1 minute)
EPA Point 20 in NMG1	40	40	40	50
EPA Point 21 in NMG2	40	40	40	50
EPA Point 22 in NMG3	40	40	40	50
EPA Point 23 in NMG4	38	38	38	50
Residence 019	59	59	59	
Residence 003 and 025 in NMG3	40	40	40	50
Residence 016 and 039 in NMG1	40	40	40	50
Residence 029, 042 and 345 in NMG4	40	40	40	50
Residence 033 and 320 in NMG2	40	40	40	50
Residence 006 and 007 in NMG3	39	39	39	50

Environment Protection Licence



Licence - 529

Residence 048 and 343	39	39	39	50
Residence 017 in NMG1	38	38	38	50
Residence 030, 035, 049, 075 and 379	38	38	38	50
Residence 346 and 348 in NMG4	38	38	38	50
Residence 344 in NMG2	37	37	37	50
Residence 043, 163, 380 and 381	37	37	37	50
All other privately owned residences in Appendix 4 of DA 305-7-2003 29 August 2019	35	35	35	50

- L5.2 Limits and Residences referenced in condition L5.1 are from Appendix 4 and Table 3 - Phase 1 in DA 305-7-2003 dated 29 August 2019 (EPA Reference DOC19/1117963).
- L5.3 Noise monitoring groups (NMG) referenced in Condition 5.1 are from the document titled "*Wambo Coal Mine Noise Monitoring Groups Noise Modelling Evaluation*" Global Acoustics dated 16 August 2019, EPA Reference DOC19/704212.
- L5.4 For the purpose of Condition L5.1:
- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
 - Evening is defined as the period from 6pm to 10pm; and
 - Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.
- L5.5 The noise limits set out in condition L5.1 apply under all meteorological conditions except for the following:
- Wind speeds greater than 3 metres/second at 10 metres above the ground level;
 - Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
 - Stability category G temperature inversion conditions.
- L5.6 For the purposes of condition L5.5:
- Data recorded by the closest and most representative meteorological station installed on the premises at EPA Identification Point 17 must be used to determine meteorological conditions; and
 - Temperature inversion conditions (stability category) are to be determined by the methods referred to in Fact Sheet D of the Noise Policy for Industry (2017).

L6 Blasting

Environment Protection Licence



Licence - 529

- L6.1 Blasting in or on the premises must only be carried out between 0900 hours and 1700 hours, Monday to Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.
- L6.2 The airblast overpressure level from blasting operations in or on the premises must not exceed: 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; at either monitoring point 10, 11 or 12 in Condition P1.3.
- L6.3 The airblast overpressure level from blasting operations in or on the premises must not exceed: 120 dB (Lin Peak) at any time; at either monitoring point 10, 11 or 12 in Condition P1.3.
- L6.4 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 5 mm/second for more than 5% of the total number of blasts during each reporting period; at either monitoring point 10, 11 or 12 in Condition P1.3.
- L6.5 The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed: 10 mm/second at any time; at either monitoring point 10, 11 or 12 in Condition P1.3.
- L6.6 Offensive blast fume must not be emitted from the premises.

Definition:

Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:

1. *are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or*
2. *interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.*

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.

Environment Protection Licence



Licence - 529

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.

Sewage Treatment System

- O2.2 The licensee is responsible for the correct operation of the sewage treatment system on their premises.
- O2.3 Correct operation involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.
- O2.4 The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.
- O2.5 The licensee must record each inspection and any actions required or recommended by the technician including all results of tests performed on the sewage treatment system by the technician as required in Condition O2.4.
- O2.6 The licensee must prepare a sewage treatment system maintenance program. The program must include:
- Certification from the system provider that the sewage treatment system is operating within its capacity;
 - Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and
 - Provide written records of each quarterly inspection.

O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 All trafficable areas, coal storage areas and vehicle manoeuvring areas in or on the premises must be maintained, at all times, in a condition that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.
- O3.3 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O4 Effluent application to land

- O4.1 Effluent application must not occur in a manner that causes ponding or surface runoff.
- O4.2 Spray from effluent application must not drift beyond the boundary of the effluent discharge utilisation

Environment Protection Licence

Licence - 529

area.

- O4.3 The quantity of effluent/solids applied to the utilisation area must not exceed the capacity of the area to effectively utilise the effluent/solids.

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

- O4.4 The licensee must ensure that the effluent discharge utilisation area perimeter is fenced and signposted "Effluent Re-Use Area Keep Out" and controlled in a manner to ensure exclusion of persons from that area.

O5 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The licensee must develop a Pollution Incident Response Management Plan in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations.

O6 Other operating conditions

- O6.1 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;

Environment Protection Licence

Licence - 529

- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

M2.2 Air Monitoring Requirements

POINT 13,14,15,16

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Continuous	AM-22

M2.3 Water and/ or Land Monitoring Requirements

POINT 4,19

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous during discharge	A probe designed to measure the range 0 to 10,000 uS/cm
pH	pH	Continuous during discharge	In line instrumentation
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample
Turbidity	nephelometric turbidity units	Continuous during discharge	In line instrumentation

POINT 18,42,52

Pollutant	Units of measure	Frequency	Sampling Method
Faecal Coliforms	colony forming units per 100 millilitres	Quarterly during discharge	Grab sample
pH	pH	Quarterly during discharge	Grab sample

POINT 24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41

Environment Protection Licence



Licence - 529

Pollutant	Units of measure	Frequency	Sampling Method
Electrical conductivity	microsiemens per centimetre	Monthly	Grab sample
pH	pH	Monthly	Grab sample
Total suspended solids	milligrams per litre	Monthly	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.
- M3.2 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

M4 Weather monitoring

- M4.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

Environment Protection Licence

Licence - 529

POINT 17

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Rainfall	AM-4	millimetres	1 hour	Continuous
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous
Temperature at 2 metres	AM-4	Celsius	15 minutes	Continuous
Temperature at 10 metres	AM-4	Celsius	15 minutes	Continuous
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous
Total Solar Radiation	AM-4	Watts per square metre	15 minutes	Continuous

M5 Recording of pollution complaints

- M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M5.2 The record must include details of the following:
- the date and time of the complaint;
 - the method by which the complaint was made;
 - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - the nature of the complaint;
 - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M6 Telephone complaints line

- M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

Environment Protection Licence

Licence - 529



M7 Requirement to monitor volume or mass

M7.1 For each discharge point or utilisation area specified below, the licensee must monitor:

- the volume of liquids discharged to water or applied to the area;
- the mass of solids applied to the area;
- the mass of pollutants emitted to the air;

at the frequency and using the method and units of measure, specified below.

POINT 4,19

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

M8 Blasting

M8.1 To determine compliance with conditions L6.2, L6.3, L6.4 and L6.5:

- Airblast overpressure and ground vibration levels must be measured and electronically recorded for monitoring points 10, 11 and 12 for the parameters specified in Column 1 of the table below; and
- The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.

Parameters	Units of Measure	Frequency	Sampling Method
Airblast Overpressure	Decibels (Linear Peak)	All Blasts	Australian Standard AS 2187.2-2006
Ground Vibration Peak Particle Velocity	millimetres/second	All Blasts	Australian Standard AS 2187.2-2006

M9 Other monitoring and recording conditions

HRSTS Monitoring

- M9.1 The Licensee must continuously operate and maintain communication equipment which makes the conductivity and flow measurements, taken at Points 4 and 19 available to the "Service Coordinator" within one hour of those measurements being taken and makes them available in the format specified in the report titled "Hunter River Salinity Trading Scheme Discharge Point Telemetry Specification - Rev V1.0 Released 4 October 2018" as published by WaterNSW.
- M9.2 The licensee must ensure that all monitoring data is within a margin of error of 5% for conductivity measurements and 10% for discharge flow measurement.
- M9.3 The licensee must mark monitoring point(s) number 4 and 19, with a sign which clearly indicates the name of the licensee, whether the monitoring point is up or down stream of the discharge point(s) and that it is a monitoring point for the Hunter River Salinity Trading Scheme.

Environment Protection Licence



Licence - 529

Requirement to Monitor Particulate Matter

M9.4 The Licensee must record the average PM10 concentration at Monitoring Points 13,14,15 and 16 at intervals of 10 minutes. This data must be made available upon request to any EPA Authorised Officer who requests to see it.

M10 Noise monitoring

M10.1 To assess compliance with the noise limits specified within this licence, the licensee must undertake operator attended noise monitoring at each specified noise monitoring point in accordance with the table below.

POINT 20,21,22,23

Assessment period	Minimum frequency in a reporting period	Minimum duration within assessment period	Minimum number of assessment period
Night	Monthly	15 minutes	1 operation day

M10.2 To assess compliance with condition L5.1, attended noise monitoring must be undertaken in accordance with Conditions L5.4 to L5.6:

- a) at the EPA points 20,21,23 and 23 identified in P1.3;
- b) occur every calendar month in a reporting period; and
- c) occur during one night time period as defined in the Noise Policy for Industry 2017 for a minimum of 15 minutes at each location from a), and when relevant b) during the night.

M10.3 For the purposes of compliance monitoring and determining the noise generated at the premises the modification factors in the EPA's Fact Sheet C of the Noise Policy for Industry (2017) must be applied, as appropriate, to the noise levels measured by noise monitoring equipment.

Definitions

Noise refers to 'sound pressure levels' for the purpose of conditions L5.1 to L5.6 and condition M10.

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,

Environment Protection Licence



Licence - 529

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 a copy of the form that must be completed and returned to the EPA.

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

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

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

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

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

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

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

R1.5 The Annual Return for the reporting period must be supplied to the EPA 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:

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

R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

Environment Protection Licence



Licence - 529

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 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.

R4 Other notifications

Notification of Pollution of Waters

R4.1 The Licensee must notify the EPA by telephoning the Environment Line service on 131 555 immediately after the Licensee becomes aware of any contravention or potential contravention of Condition L1 of the Licence.

R4.2 The Licensee must provide written details of the notification to the EPA Director Hunter at

Environment Protection Licence

Licence - 529



hunter.region@epa.nsw.gov.au within 7 days of the date of the notification.

Blast Exceedance Reporting

- R4.3 The licensee must report any exceedance of licence blasting limits to the EPA Hunter at hunter.region@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.

Noise Exceedance Reporting

- R4.4 The licensee must report any exceedance of licence noise limits to the EPA Hunter at hunter.region@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents

R5 Other reporting conditions

HRSTS Reporting

- R5.1 The licensee must compile a written report of the activities under the Scheme for each scheme year. The scheme year shall run from 1 July to 30 June each year. The written report must be submitted to the EPA's regional office within 60 days after the end of each scheme year and be in a form and manner approved by the EPA. The information will be used by the EPA to compile an annual scheme report.
- R5.2 The Licensee must include graphical analysis of turbidity measured at EPA Point 25 for the length of any discharges from EPA Point 1 within the HRSTS Report that includes the two hour period prior to the commencement of any discharge from EPA Point 1 and the two hour period after any discharge from EPA Point 1.

Sewage Treatment System Report

- R5.3 The sewage treatment system maintenance program required by Condition O2.6 must be submitted annually to the EPA with the Annual Return.
- R5.4 The licensee must retain a copy of each report required by Condition O2.5 for 3 years from the date each record is made.

Blast Monitoring Report

- R5.5 The results of the blast monitoring required by the licence must be submitted to the EPA, with each Annual Return, at the end of each reporting period. The monitoring results must identify any exceedance of licence limits.

Noise Compliance Assessment Report

- R5.6 The Licensee must provide the EPA with its Annual Return an annual noise compliance assessment report prepared by an appropriately qualified acoustic consultant. The report must include an assessment of any exceedance of noise limits and justification that the noise monitoring points identified in Condition

Environment Protection Licence



Licence - 529

P1.4 are still representative of the sensitive receivers within the noise monitoring groups identified in Condition L5 of the Licence.

Water Quality Monitoring Report

R5.7 The licensee must provide the EPA with its Annual Return an annual water quality monitoring report prepared by an appropriately qualified and experienced person that includes the following:

a) for the monitoring required by the licence during the reporting period to which the Annual Return relates:

- (i) a summary of results for all ambient water quality monitoring required by the licence in table form and graphical form;
- (ii) total daily rainfall records from the premises meteorological monitoring required by the licence on the day that the sampling was undertaken in table form;
- (iii) total daily continuous rainfall records in graphical form; and
- (iv) a plan with the monitoring locations.

b) A graphical presentation of the trends of monitoring results required by the licence for the reporting period to which the Annual Return relates and the preceding data for the period of record the licensee has monitoring results for the licensed location.

c) A graphical representation of total daily continuous rainfall records required by the licence for the record that matches the ambient water quality results, if available.

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
Saline water discharge dispersion investigation	Saline water discharge dispersion investigation. Minimise risk of saline discharge to downstream irrigators.	08-July-2005

Environment Protection Licence

Licence - 529

Provide comprehensive site water balance.	Provide comprehensive site water balance.. Gain insight into licensee's ability to contain a significant rainfall event.(@)	04-March-2011
Groundwater Trend Report	Provide statistical analysis and report on historical trends in groundwater monitoring data.. Streamline reporting requirements.(@)	04-March-2011
Water Spray Evaporator Report	Licensee must investigate & provide a report regarding any potential environmental impacts from the use of mine water spray/evaporators.	07-November-2011
Groundwater Investigation	Licensee must investigate and provide a report regarding the identification of possible sources of elevated electrical conductivity in groundwater on the premises.	06-October-2011
Coal Mine Particulate Matter Control Best Practice	Requires licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	03-September-2012
Mine Water Seepage Mitigation Report	Licensee to provide report with proposed works that ensure the structural integrity of C11 dam and mitigates mine water seepage to receiving environment.	03-October-2012
Mine Water Seepage Mitigation Strategy	Licensee to undertake actions to mitigate mine seepage from C11 dam to receiving environment as identified in report entitled "Wambo Coal Mine C11 Dam Seepage Assessment" completed for PRP 11.	21-August-2013
Particulate Matter Control Best Practice Implementation – Wheel Generated Dust	Implementation of particulate matter best management practices to address wheel-generated dust.	15-August-2014
Particulate Matter Control Best Practice Implementation - Disturbing and Handling Overburden under Adverse Weather Conditions	Implementation of particulate matter best management practices to address the handling of overburden during adverse weather.	15-August-2014
North Wambo Creek Diversion Works	Licensee must complete mitigation works to ensure that the North Wambo Creek diversion operates in an environmentally satisfactory manner.	10-December-2013
Particulate Matter Control Best Practice Implementation - Wheel Generated Dust.	Implementation of best practice measures to address wheel-generated dust	15-August-2014
Particulate Matter Control Best Practice – Disturbing & Handling Overburden under Adverse Weather Conditions	Implementation of best practice measures to address the handling of overburden during adverse weather	15-August-2014

Environment Protection Licence



Licence - 529

Particulate Matter Control Best Practice - Trial of Best Practice Measures for Disturbing & Handling Overburden	Investigation to establish best practice measures for the handling of overburden	31-July-2014
Coal Mine Wind Erosion of Exposed Land Assessment	Assessment of predicted vs actual exposed lands	09-October-2015

8 Pollution Studies and Reduction Programs

U1 Dredging of HRSTS Staged Discharge Dam to prevent scouring of coal fines to Wollombi Brook during HRSTS Discharge

U1.1 The Licensee must undertake a dredging or desilting and maintenance program of the HRSTS staged discharge dam that discharges through EPA point 4 (this dam is known as the Eagles Nest Dam). The dredging:

- a) must be undertaken before any water is discharged from EPA Point 4;
- b) be sufficient enough to ensure that the off-take point within the dam that discharges to Wollombi Brook is clear of coal fines, silt and sediment to prevent release of these pollutants to Wollombi Brook during discharge.

U1.2 The Licensee must implement condition U1.1 by 1 August 2020 and provide the EPA with a report on completion of the dredging, desilting and maintenance. The Report must include:

- a) an estimate of volume of material dredged since the 31 December 2019;
- b) evidence of the clearance of coal fines, silt and sediment from the water off-take and;
- c) justification of how the Licensee will maintain this dam do prevent build up of coal fines and silt from building up at the off-take.

9 Special Conditions

E1 Hunter River Salinity Trading Scheme

E1.1 This licence authorises the discharge of saline water into the Hunter River Catchment from an authorised discharge point (or points), in accordance with the *Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002*.

E1.2 For the purposes of Clauses 23 and 29 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002 the licensee must apply the conversion factor of 0.6.

E1.3 Under this licence the licensee may only discharge saline water into Wollombi Brook when the flow in the brook exceeds 500 ML/day, measured at the Bulga gauging station.

E1.4 The licensee must not exceed the hourly volume discharge limit calculated using the following formula, at

Environment Protection Licence

Licence - 529



all discharge point(s) on this licence titled "Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS)":

$$H = V / RRT$$

Where:

H is the hourly volume discharge limit (in megalitres per hour);

V is the licence holder's volume discharge limit for the block (in megalitres) calculated in accordance with clause 23 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation (2002); and

RRT is the difference between the discharge stop and start times shown on the river register for that block (in hours)

Note 1: The intent of this condition is to prevent spikes of saline water in the Hunter River as a result of discharges of less than the duration permitted by the river register.

Note 2: A river register is issued by the Service Co-ordinator and allows participants of the Hunter River Salinity Trading Scheme (HRSTS) to discharge saline to the Hunter River during a discharge period.

Environment Protection Licence

Licence - 529

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

Environment Protection Licence

Licence - 529

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> .

Environment Protection Licence



Licence - 529

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

Mr Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 27-September-2000

Environment Protection Licence



Licence - 529

End Notes

- 1 Licence varied by notice 1003035, issued on 06-Dec-2000, which came into effect on 31-Dec-2000.
- 2 Licence varied by notice 1004883, issued on 19-Jul-2001, which came into effect on 13-Aug-2001.
- 3 Licence varied by notice 1012237, issued on 05-Nov-2001, which came into effect on 30-Nov-2001.
- 4 Condition HRSTS Dis Note varied by notice issued on <issue date> which came into effect on <effective date>
- 5 Licence varied by notice 1013420, issued on 07-Dec-2001, which came into effect on 01-Jan-2002.
- 6 Licence varied by Change of Contact, issued on 10-Jan-2002, which came into effect on 10-Jan-2002.
- 7 Licence varied by notice 1025562, issued on 25-Mar-2003, which came into effect on 19-Apr-2003.
- 8 Licence varied by notice 1033342, issued on 06-Aug-2004, which came into effect on 31-Aug-2004.
- 9 Licence varied by notice 1040601, issued on 01-Dec-2004, which came into effect on 16-Dec-2004.
- 10 Licence varied by notice 1043278, issued on 03-Feb-2005, which came into effect on 28-Feb-2005.
- 11 Licence varied by notice 1045879, issued on 19-May-2005, which came into effect on 13-Jun-2005.
- 12 Licence varied by notice 1053155, issued on 27-Feb-2006, which came into effect on 24-Mar-2006.
- 13 Licence varied by notice 1070157, issued on 13-Mar-2007, which came into effect on 13-Mar-2007.
- 14 Licence varied by notice 1070979, issued on 21-May-2007, which came into effect on 21-May-2007.
- 15 Licence varied by notice 1075603, issued on 31-Jul-2007, which came into effect on 31-Jul-2007.
- 16 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 17 Licence varied by notice 1099792, issued on 03-Jun-2009, which came into effect on 03-Jun-2009.

Environment Protection Licence

Licence - 529

18	Licence varied by notice 1104176, issued on 18-Nov-2009, which came into effect on 18-Nov-2009.
19	Licence varied by notice 1119500, issued on 22-Nov-2010, which came into effect on 22-Nov-2010.
20	Licence varied by notice 1501497 issued on 10-Oct-2011
21	Licence varied by notice 1502467 issued on 02-Dec-2011
22	Licence varied by notice 1504505 issued on 23-Feb-2012
23	Licence varied by notice 1507485 issued on 20-Jul-2012
24	Licence varied by notice 1507752 issued on 31-Aug-2012
25	Licence varied by notice 1509790 issued on 28-Nov-2012
26	Licence varied by notice 1510444 issued on 21-Mar-2013
27	Licence varied by notice 1516122 issued on 05-Sep-2013
28	Licence varied by notice 1518780 issued on 16-Oct-2014
29	Licence fee period changed by notice 1527138 on 11-Dec-2014
30	Licence varied by notice 1529809 issued on 13-Apr-2015
31	Licence varied by notice 1531512 issued on 13-Jul-2015
32	Licence varied by notice 1535895 issued on 24-Oct-2016
33	Licence varied by notice 1551053 issued on 03-Aug-2017
34	Licence varied by notice 1555279 issued on 17-Aug-2017
35	Licence varied by notice 1569885 issued on 05-Mar-2019
36	Licence varied by notice 1577742 issued on 01-Apr-2019
37	Licence varied by notice 1578160 issued on 26-Apr-2019
38	Licence varied by notice 1579003 issued on 19-Jul-2019
39	Licence varied by notice 1585659 issued on 13-Dec-2019