

Environment Protection Licence

Licence - 11879

Licence Details	
Number:	11879
Anniversary Date:	01-January

Licensee
ASHTON COAL OPERATIONS PTY LIMITED
PO BOX 699
SINGLETON NSW 2330

Premises
ASHTON COAL MINE
GLENNIES CREEK ROAD AND NEW ENGLAND HIGHWAY
CAMBERWELL NSW 2330

Scheduled Activity
Coal works
Mining for coal

Fee Based Activity	Scale
Coal works	> 5000000 T annual handling capacity
Mining for coal	> 5000000 T annual production capacity

Region
North - Hunter
Ground Floor, NSW Govt Offices, 117 Bull Street
NEWCASTLE WEST NSW 2302
Phone: (02) 4908 6800
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NEWCASTLE NSW 2300

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Information about this licence

Dictionary

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

Responsibilities of licensee

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

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

Variation of licence conditions

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

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

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

Duration of licence

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

Licence review

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

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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

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

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

Transfer of licence

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

Public register and access to monitoring data

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

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

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

This licence is issued to:

ASHTON COAL OPERATIONS PTY LIMITED
PO BOX 699
SINGLETON NSW 2330

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Coal works	Coal works	> 5000000 T annual handing capacity
Mining for coal	Mining for coal	> 5000000 T annual production capacity

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
ASHTON COAL MINE
GLENNIES CREEK ROAD AND NEW ENGLAND HIGHWAY
CAMBERWELL
NSW 2330
ML 1533

A3 Information supplied to the EPA

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

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

- the applications for any licences (including former pollution control approvals) which this licence

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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
9	Particulate Matter Monitoring		Monitor at coordinates 318060, 6407586 (Easting Northing) identified as Site 7 on Figure 1.
10	Particulate Matter Monitoring		Monitor at coordinates 320853, 6407223 (Easting Northing) identified as Point 9 on Figure 1.
11	Particulate Matter Monitoring		Monitor at coordinates 320030, 6405703 (Easting Northing) identified as Point 10 on Figure 1.
16		Discharge to Air	Gas Flares at coordinates 319135, 6405675 (Easting, Northing) identified as CGDP Flares on Figure 1.

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

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

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
2	Ambient surface water monitoring		Monitoring u/s Bowmans Creek at coordinates 318011, 6407623 (Easting, Northing) identified as SM03 on Figure 1.

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3	Ambient surface water monitoring		Monitoring Bowmans Creek near NE Hghwy at coordinates 318507, 6406607 (Easting, Northing) identified as SM04 on Figure 1.
4	Ambient surface water monitoring.		Monitoring Bowmans Creek near Longwall Panels at coordinates 317625, 6405580 (Easting, Northing) identified as SM05 on Figure 1.
5	Ambient surface water monitoring		Monitoring Bowmans Creek at Hunter River Confluence at coordinates 317124, 6404172 (Easting, Northing) identified as SM06 on Figure 1.
6	Ambient surface water monitoring.		Monitoring Hunter River u/s Bowmans Creek Confluence at coordinates 316484, 6404147 (Easting, Northing) identified as SM09 on Figure 1.
7	Ambient surface water monitoring		Monitoring Hunter River d/s Bowmans Creek Confluence at coordinates 317438, 6403869 (Easting, Northing) identified as SM10 on Figure 1.
8	Groundwater monitoring		At locations identified in the current development consent and most current approved groundwater monitoring plan.
17	Discharge to utilisation area Effluent quality monitoring	Discharge to utilisation area Effluent quality monitoring	STP monitoring and discharge at coordinates 319380, 6406765 (Easting, Northing) identified as STP - U/G on Figure 1.
18	Discharge to utilisation area Effluent quality monitoring	Discharge to utilisation area Effluent quality monitoring	STP monitoring and discharge at coordinates 318765, 6406765 (Easting, Northing) identified as STP - CHPP on Figure 1.
19	Discharge to utilisation area Effluent quality monitoring	Discharge to utilisation area Effluent quality monitoring	STP monitoring and discharge at coordinates 319355, 6406945 (Easting, Northing) identified as STP - O/C on Figure 1.

P1.4 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
12	Meteorological Station	Meteorological Monitoring at coordinates 319955, 6406288 (Easting, Northing) identified as Repeater on Figure 1.

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13	Noise monitoring	Attended noise monitoring at coordinates 320554, 6405839 (Easting, Northing) identified as N3 on Figure 1.
14	Noise monitoring	Attended noise monitoring at coordinates 320297, 6405670 (Easting, Northing) identified as N2 on Figure 1.
15	Noise monitoring	Attended noise monitoring at coordinates 319776, 6404101 (Easting, Northing) identified as N4 on Figure 1.

P1.5 For the purposes of condition P1.1, P1.3 and P1.4 Figure 1 refers to the plan titled *"Ashton Underground Mine Environment Protection Licence 11879 Premises Boundary, Monitoring & Infrastructure"* dated 1/6/17 EPA Ref DOC17/375653-02.

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 Flares must be operated by the licensee such that there is no visible emission other than for a total period of no more than 5 minutes in any 2 hours, except for heat haze.

L3 Waste

L3.1 The licensee must not cause, permit or allow any waste to be received at the premises unless specified in this licence.

L4 Noise limits

L4.1 Noise from the premises must not exceed the limits specified in the table below:

Location	Day LAeq(15 minute)	Evening LAeq(15 minute)	Night LAeq(15 minute)	Night LAeq(1 minute)
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Any residence not owned by the licensee or not subject to an agreement between the licensee and the residence owner as to an alternative noise limit.	38	38	36	46
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- L4.2 For the purpose of Condition L2.1:
- 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
- L4.3 Noise from the premises must be measured at the most affected point on or within the residential boundary or at the most affected point within 30m of the dwelling where the dwelling is more than 30m from boundary to determine compliance with the LAeq(15 minute) noise limits in condition L2.1. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise level where applicable.
- L4.4 Noise from the premises is to be measured or computed at 1m from the dwelling facade to determine compliance with condition L2.1 (LA1 (1 minute) noise limit).
- L4.5 The noise emission limits identified in condition L2.1 apply under the following meteorological conditions:
- wind speeds up to 3m/s at 10m above ground level; and
 - temperature inversion conditions up to 3 degrees C/100m.
- L4.6 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.

POINT 13,14,15

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	Day-LAeq (15 minute)	-	38
Evening	Evening-LAeq (15 minute)	-	38
Night	Night-LAeq (15 minute)	-	36
Night	Night-LA1 (1 minute)	-	46

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4 Operating Conditions

O1 Activities must be carried out in a competent manner

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

This includes:

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

O2 Maintenance of plant and equipment

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

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

Sewage Treatment System

O2.2 The licensee is responsible for the correct operation of the sewage treatment system on the 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:

- a) Certification from the system provider that the sewage treatment system is operating within its capacity;
- b) Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and
- c) Provide written records of each quarterly inspection.

O3 Dust

O3.1 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.

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- 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.

O4 Effluent application to land

- O4.1 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.
- O4.2 The licensee must ensure that sprays or mists from irrigation do not drift beyond the boundary of the effluent discharge utilisation area and that no ponding occurs.
- O4.3 Application of wastewaters must only be applied at a rate that can be assimilated by the effluent discharge utilisation area and its evapotranspiration capacity.

O5 Emergency response

- O5.1 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 Processes and management

- O6.1 Banks, channels and similar works must be constructed and maintained to divert stormwater away from disturbed or contaminated land surfaces such as mine workings, haul roads, overburden disposal areas, coal handling areas and wastewater treatment facilities. All diversion banks, channels and points of discharge must be constructed or stabilised so as to minimise erosion and scouring.

O7 Waste management

- O7.1 A water management system must be constructed and utilised to manage the collection, storage, treatment, use and disposal of minewater, sewage effluent and other wastewater.
- O7.2 Bund(s) must be installed around areas in which fuels, oils and chemicals are stored. Bunds must:
- have walls and floors constructed of impervious materials;
 - be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
 - have walls not be less than 250 millimetres high;

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- d) have floors graded to a collection sump; and
- e) not have a drain valve incorporated in the bund structure.

O7.3 A wastewater treatment facility with oil separator and sediment trap must be installed to treat drainage from the hardstand, vehicle servicing and general workshop areas.

O8 Other operating conditions

O8.1 There must be no incineration or open burning of any material(s) on the premises, except as specifically authorised by the EPA.

5 Monitoring and Recording Conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

M1.2 All records required to be kept by this licence must be:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

- a) the date(s) on which the sample was taken;
- b) the time(s) at which the sample was collected;
- c) the point at which the sample was taken; and
- d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Air Monitoring Requirements

POINT 9,10,11

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

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M2.3 Water and/ or Land Monitoring Requirements

POINT 2,3,4,5,6,7

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Once a month (min. of 4 weeks)	A probe designed to measure the range 0 to 10,000 uS/cm
pH	pH	Once a month (min. of 4 weeks)	Grab sample
Total suspended solids	milligrams per litre	Once a month (min. of 4 weeks)	Grab sample

POINT 8

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Every 6 months	Grab sample
Standing Water Level	metres	Every 6 months	In line instrumentation

POINT 17,18,19

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

M3 Testing methods - concentration limits

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

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

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain

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purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

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

M4 Weather monitoring

- M4.1 The licensee must collect and analyse meteorological data at monitoring point 12 for the parameters, at a frequency, averaging period and using a method as specified in the table below.

Meteorological Monitoring

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Atmospheric inversion	0C/100m	Continuous		Instrumental
Temperature @ 1.2m	C	Continuous	1 hour	AM-4
Rainfall	mm		24 hours	Standard rain gauge
Wind direction @ 10m		Continuous	10 minutes	AM-2 & AM-4
Wind speed @ 10m	m/sec	Continuous	10 minutes	AM-2 & AM-4

Note: All methods are specified in the *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales* and all monitoring must be conducted strictly in accordance with the requirements outlined in this document.

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.

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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.

M7 Other monitoring and recording conditions

Requirement to Monitor Particulate Matter

M7.1 The Licensee must record the average PM10 concentration at monitoring points 9,10 and 11 at intervals of 10 minutes. This data must be made available upon request by any Authorised Officer of the EPA who asks to see them.

M8 Noise monitoring

M8.1 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 13,14,15

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

6 Reporting Conditions

R1 Annual return documents

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

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

At the end of each reporting period, the EPA will provide to the licensee 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.

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R2 Notification of environmental harm

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

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

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

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not 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

Noise Exceedance Notification

R4.1 The licensee must report any exceedance of licence noise limits to the EPA Hunter at

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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

Noise Compliance Assessment Report

- R5.1 A noise compliance assessment report must be submitted to the EPA on an annual basis with the Annual Return as set out in Condition R1. The report must be prepared by an accredited acoustical consultant and determine compliance with noise limits at noise monitoring points specified in Condition (s) P1.4 and L4.6.

Water Quality Monitoring Report

- R5.2 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.

Sewage Treatment Systems

- 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.

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.

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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 Contact number for incidents and responsible employees

- G2.1 The licensee must operate one 24-hour telephone contact line for the purpose of enabling the EPA:
- a) to contact the licensee or a representative of the licensee who can respond at all times to incidents relating to individual premises, and
 - b) to contact the licensee's senior employees or agents authorised at all times to:
 - i) speak on behalf of the licensee, and
 - ii) provide any information or document required under licence.

G3 Other general conditions

G3.1 Completed Programs

Program	Description	Completed Date
Report comparing actual measured noise levels gene	Provide a report comparing actual measured noise levels generated by the Licensee with those predicted in the EIS under all conditions incl inversions & enhancing winds, & list measures taken to ensure noise from mine is not in excess of predict or limit. To prevent excessive noise levels at sensitive receptors (partpculariy in Camberwell Village).(+))	22-July-2009
Coal Mine Particulate Matter Control Best Practice	Requires the licensee to conduct a site specific Best Management Practice (BMP) determination to identify ways to reduce particle emissions.	29-June-2012

8 Special Conditions

E1 Noise Assesment Groups

- E1.1 The Licensee must provide the EPA Director Hunter at hunter.region@epa.nsw.gov.au a report prepared by an appropriately qualified and experienced acoustic consultant by 24 May 2019. The report must include:
- a) a plan of the premises that includes an outline of the noise assessment groups (NAG) and an attended noise monitoring point (NMP) within each noise assessment group that represents the most noise affected location in the NAG, including its easting and northing;
 - b) the noise limits applied to the NAG and the NMP;

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- c) justification of the noise limits within the NAG and the location of the NMP with reference to the approved Development Consent; and
- d) an additional plan of the land ownership to compare to the NAGs.

E1.2 The noise assessment groups (NAG) in condition E1.1 must include all private land and public land, not owned by the mine where noise limits apply, as assessed in the noise impact assessment in the approved Development Consent.

E1.3 The licensee must also provide to the EPA at hunter.region@epa.nsw.gov.au by 24 May 2019:

- a) georeferenced polygon shapefiles of the NAGs compatible with the ESRI shapefile format, labelled with the NAG referenced in the licence; and
- b) georeferenced point shape files of the NMP compatible with the ESRI shapefile format, labelled with the NMP referenced in the licence.

Note: The objective of the NAGs is that noise limits apply within the NAG and at the NMP. The NMP will be monitored nightly on a monthly basis to determine compliance with limits.

E2 Groundwater Monitoring

E2.1 The Licensee must provide the EPA Director Hunter at hunter.region@epa.nsw.gov.au a list of groundwater monitoring points consistent with the Development Consent and its Plans for the premises by 24 May 2019. The points must include sentinel monitoring points to detect any seepage from tailings facilities and sentinel monitoring points to represent upgradient and downgradient from longwalls, in order to provide early indication of impacts on groundwater. The points must be provided as:

- a) a table that includes:
 - (i) the easting and northing for each point;
 - (ii) the naming convention for the point;
 - (iii) a georeferenced shape file compatible with ESRI Format; and
- b) a plan of the premises that includes the groundwater monitoring points and a legend that includes the easting and northing for each point.

E3 Plan of the Premises

E3.1 The licensee must provide the EPA's Manager Hunter an updated plan of the premises prepared and signed by a registered surveyor by 24 May 2019. The plan (s) must include:

- a) clear delineation of the premises boundary including points of reference on the boundary in eastings and northings on major corners;
- b) be restricted to the footprint that the scheduled activity is being carried on or intended to be carried on, which may include areas of gas drainage;
- c) the location of air, water, weather, and noise monitoring points;

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- d) the location of flares and gas plant;
- e) the location of major plant and facilities that are fixed;
- f) the location of any groundwater sentinel monitoring bores;
- g) the location of sewage treatment plant (s) and a monitoring point at the completion of treatment from the plant and/or discharge to a utilisation area; and
- h) a legend with the easting and northings of all these monitoring points and/or discharge points and flares related to the EPA identification number in the Licence, or another numbering system.

The Licensee must ensure that:

- i) connectivity is maintained between surface operations on the premises and exclude any public roads from the premises. Connectivity between surface operations can be via overland conveyor, private haul road or pipe infrastructure, but is not limited to this;
- j) the boundary of the premises is within the lawful mining lease and valid development consent; and
- k) a separate plan of the premises is provided for underground workings that defines mining for coal in the respective seams, and identifies any bores where water is pumped to underground storages.

The Licensee may provide up to three plans for the premises in legible form to the EPA. The plans must be provided in digital format to enable printing at A3, A1 and A0 sizes. Georeferenced shape polygon and point files in the ESRI format must be provided for the premises boundary and monitoring points.

The plan (s) and files must be provided to the EPA at hunter.region@epa.nsw.gov.au

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Dictionary

General Dictionary

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

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

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

Mr Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 02-September-2003

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End Notes

- 1 Licence varied by notice 1032190, issued on 10-Nov-2003, which came into effect on 05-Dec-2003.
- 2 Licence varied by notice 1043742, issued on 28-Feb-2005, which came into effect on 25-Mar-2005.
- 3 Licence varied by notice 1051915, issued on 17-Nov-2005, which came into effect on 12-Dec-2005.
- 4 Licence varied by notice 1066832, issued on 20-Nov-2006, which came into effect on 20-Nov-2006.
- 5 Licence varied by notice 1078274, issued on 27-Dec-2007, which came into effect on 27-Dec-2007.
- 6 Licence varied by notice 1093983, issued on 28-Apr-2009, which came into effect on 28-Apr-2009.
- 7 Licence varied by notice 1104322, issued on 17-Nov-2009, which came into effect on 17-Nov-2009.
- 8 Licence varied by notice 1500513 issued on 02-Dec-2011
- 9 Licence fee period changed by notice 1527486 on 22-Dec-2014
- 10 Licence varied by notice 1536107 issued on 24-Oct-2016
- 11 Licence varied by notice 1553714 issued on 17-Aug-2017
- 12 Licence varied by notice 1555646 issued on 27-Mar-2019