

# Licence Variation

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Licence - 13213

CEAL LIMITED  
PO BOX 4  
AUSTRAL NSW 2171

Attention: Mr Stephen Wall

Notice Number 1634471  
File Number EF13/5224  
Date 10-Nov-2023

## NOTICE OF VARIATION OF LICENCE NO. 13213

### BACKGROUND

- A. CEAL LIMITED Trading as MULTQUIP QUARRIES ("the licensee") is the holder of Environment Protection Licence No. 13213 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at 5152 OALLEN FORD ROAD, BUNGONIA, NSW, 2580 ("the premises").
- B. On 03-Nov-2023 the Environment Protection Authority (EPA) received an application for the variation of the licence.
- C. Condition U1 of the licence permitted the licensee to trial an eight month discharge point in order to empty the quarry pit of water, which would allow the licensee to operate in the Old Pit.
- D. On 9 August 2023, the discharge trial concluded. Following a discussion between the EPA and the licensee, and an inspection of the premises on 6 November 2023, it was agreed that the licensee could apply for a short-term continuance of the discharge trial to remove the remaining water from the Old Pit.
- E. This licence variation application proposes for the short-term continuance of the discharge trial to be for four months.
- F. The EPA has considered the application and has varied the licence as requested.
- G. The EPA has also removed Condition U2 from the licence as the Reuse Options Assessment PRP was completed in May 2023.

### VARIATION OF LICENCE NO. 13213

1. By this notice the EPA varies licence No. 13213. 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:

# Licence Variation

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- Condition U1.7 - Added condition to permit a four month continuance of discharge trial.
- Condition U2 - Removed Reuse Options Assessment PRP.

*Janine Goodwin*  
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**Janine Goodwin**

**Unit Head**

**Environment Protection Authority**

(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.

## **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

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## Licence Details

Number:	13213
Anniversary Date:	21-August

## Licensee

CEAL LIMITED

PO BOX 4

AUSTRAL NSW 2171

## Premises

"ARDMORE PARK" QUARRY

5152 OALLEN FORD ROAD

BUNGONIA NSW 2580

## Scheduled Activity

Crushing, grinding or separating

Extractive activities

## Fee Based Activity

## Scale

Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Extractive activities	> 100000-500000 T annually extracted or processed

## Contact Us

NSW EPA

6 Parramatta Square

10 Darcy Street

PARRAMATTA NSW 2150

Phone: 131 555

Email: [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)

Locked Bag 5022

PARRAMATTA NSW 2124



# Environment Protection Licence

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## Information about this licence

### Dictionary

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

### Responsibilities of licensee

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

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

### Variation of licence conditions

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

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

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

### Duration of licence

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

### Licence review

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

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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



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

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

## Transfer of licence

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

## Public register and access to monitoring data

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

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

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

## This licence is issued to:

<b>CEAL LIMITED</b>
<b>PO BOX 4</b>
<b>AUSTRAL NSW 2171</b>

subject to the conditions which follow.

# Environment Protection Licence

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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
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed

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

A2.1 The licence applies to the following premises:

Premises Details
"ARDMORE PARK" QUARRY
5152 OALLEN FORD ROAD
BUNGONIA
NSW 2580
LOT 24 DP 1001312

### 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 replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.



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## 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.

#### *Air*

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Dust Monitoring Point		"Inverary Park" 40 Broadhead Lane, Bungonia, NSW 2580
2	Dust Monitoring Point		"The Osiers" 5028 Oallen Ford Road, Bungonia, NSW 2580
3	Dust Monitoring Point		"Lochmoor Lodge" 5046 Oallen Ford Road, Bungonia, NSW 2580
4	Dust Monitoring Point		Ardmore Park Quarry - Front Entrance

Note: Monitoring points 1 to 4 are shown in the document "Environmental Monitoring Locations Ardmore Park Quarry | EPL 13213", prepared by CEAL Limited, July 2020, and held on file by the EPA as DOC20/616852.

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

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

#### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
5	Groundwater monitoring point. Hard rock bore.		BHAP1
6	Groundwater monitoring point. Hard rock bore.		BHAP5
7	Groundwater monitoring point. Hard rock bore.		BHAP6
8	Groundwater monitoring point. Hard rock bore.		BHAP10
14	Groundwater monitoring point. Shallow sand bore.		BH6
15	Surface water monitoring point.		Phil's Spring
16	Surface water monitoring point.		Southern Spring
17	Surface water monitoring point.		Western Spring

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18	Groundwater monitoring point. Shallow sand bore.	BHS1
19	Groundwater monitoring point. Shallow sand bore.	BHS2
20	Groundwater monitoring point. Shallow sand bore.	BHS3
21	Groundwater monitoring point. Shallow sand bore.	BHS4
22	Groundwater monitoring point. Shallow sand bore.	BHS5
23	Groundwater monitoring point. Shallow sand bore.	BHS6
24	Water quality monitoring	'Old Pit' labelled "S1" - Figure 1, in document titled "Statement of Environmental Effects" 16 November 2022 (DOC22/1025421)
25	Volume monitoring	Volumetric flow meter labelled "M2" Figure 8 in document titled "Statement of Environmental Effects" 16 November 2022 (DOC22/1025421)
26	Discharge to Waters	Point where discharge from 'Old pit' crosses premises boundary labelled "D1"- Figure 1 in document titled "Statement of Environmental Effects" 16 November 2022 (DOC22/1025421)
27	Ambient Water Quality Monitoring	Upstream ambient monitoring point labelled "US" - Figure 7, in document titled "Statement of Environmental Effects" 16 November 2022 (DOC22/1025421)
28	Ambient Water Quality Monitoring	Representative downstream ambient water quality monitoring - location to be advised by licensee
29	Ambient Water Quality Monitoring	Discharge Channel Dam labelled "DCD" in Figure 5, in document titled "Statement of Environmental Effects" 16 November 2022 (DOC22/1025421)

Note: Monitoring points 5-8 and 14-23 are shown in the document "Environmental Monitoring Locations Ardmore Park Quarry | EPL 13213", prepared by CEAL Limited, July 2020, and held on file by the EPA as DOC20/616852.

## 3 Limit Conditions

### L1 Pollution of waters

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

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## L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table/s 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/s.
- L2.4 Water and/or Land Concentration Limits

### POINT 26

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Electrical conductivity	deciSiemens per metre				500
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				30

## L3 Waste

- L3.1 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	Virgin excavated natural material	As defined in Schedule 1 of the POEO Act, in force from time to time.	Waste disposal (application to land) Waste storage	

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## L4 Noise limits

L4.1 Noise generated at the premises must not exceed the noise limits presented in the table below:

Noise Assessment Location	Address	LAeq (15 minute)
Residence 1	"Reevesdale" 346 Inverary Road, Bungonia, NSW 2580	35
Residence 2	"Inverary" 590 Inverary Road, Bungonia, NSW 2580	35
Residence 3	"Inverary Park" 40 Broadhead Lane, Bungonia, NSW 2580	35
Residence 4	"Damar Lodge" 5025 Oallen Ford Road, Bungonia, NSW 2580	35
Residence 5	"The Osiers" 5028 Oallen Ford Road, Bungonia, NSW 2580	35
Residence 6	"Lochmoor Lodge" 5046 Oallen Ford Road, Bungonia, NSW 2580	36
Residence 8	"Lumley Park" Bungonia, NSW 2580	35
Residence 9	The primary private residence at 5194 Oallen Ford Road, Bungonia, NSW 2580	36

Note: The Noise Assessment Locations as shown in the table above are shown in the document "Neighbouring Receivers Ardmore Park Quarry | EPL 13213", prepared by CEAL Limited, July 2020, and held on file by the EPA as DOC20/616844.

L4.2 Noise generated by the project is to be measured in accordance with the relevant requirements of the NSW Industrial Noise Policy.

## L5 Hours of operation

L5.1 The licensee must comply with the operating hours in the Table below:

Activity	Day	Time
Construction Work	Monday - Friday	7.00am to 6.00pm
	Saturday	8.00am to 1.00pm
	Sunday and Public Holidays	None
Quarrying, processing (including overburden removal) and product transportation	Monday - Friday	7.00am to 6.00pm
	Saturday	7.00am to 1.00pm
	Sunday and Public Holidays	None

## 4 Operating Conditions

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

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

This includes:

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

## **O2 Maintenance of plant and equipment**

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

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

## **O3 Dust**

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

## **O4 Processes and management**

O4.1 The activities carried out at the premises must be undertaken in accordance with the "Ardmore Park Quarry Water Management Plan", prepared by R.W. Corkery & Co. Pty Limited, Strategic Environmental and Engineering Consulting and Larry Cook & Associates Pty Ltd August, 2010.

# **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.

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## 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 1,2,3,4

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	Australian Standard 3580.10.1-2003

### M2.3 Water and/ or Land Monitoring Requirements

#### POINT 5,6,7,8

Pollutant	Units of measure	Frequency	Sampling Method
Calcium	milligrams per litre	Yearly	Grab sample
Chloride	milligrams per litre	Yearly	Grab sample
Electrical conductivity	deciSiemens per metre	Yearly	Grab sample
Iron	milligrams per litre	Yearly	Grab sample
Magnesium	milligrams per litre	Yearly	Grab sample
Manganese	milligrams per litre	Yearly	Grab sample
pH	pH	Yearly	Grab sample
Potassium	milligrams per litre	Yearly	Grab sample
Sodium	milligrams per litre	Yearly	Grab sample
Sulfate	milligrams per litre	Yearly	Grab sample
Total dissolved solids	milligrams per litre	Yearly	Grab sample

#### POINT 5,6,7,8,14,18,19,20,21,22,23

Pollutant	Units of measure	Frequency	Sampling Method
Standing Water Level	metres (Australian Height Datum)	Monthly	In situ

#### POINT 14,15,16,18,19,20,21,22,23

Pollutant	Units of measure	Frequency	Sampling Method
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Benzene	milligrams per litre	Quarterly	Grab sample
Calcium	milligrams per litre	Quarterly	Grab sample
Chloride	milligrams per litre	Quarterly	Grab sample
Electrical conductivity	deciSiemens per metre	Quarterly	Grab sample
Ethyl benzene	milligrams per litre	Quarterly	Grab sample
Iron	milligrams per litre	Quarterly	Grab sample
Manganese	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Potassium	milligrams per litre	Quarterly	Grab sample
Sodium	milligrams per litre	Quarterly	Grab sample
Sulfate	milligrams per litre	Quarterly	Grab sample
Toluene	milligrams per litre	Quarterly	Grab sample
Total dissolved solids	milligrams per litre	Quarterly	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Quarterly	Grab sample
Xylene	milligrams per litre	Quarterly	Grab sample

**POINT 15,16**

Pollutant	Units of measure	Frequency	Sampling Method
Flow	litres per day	Monthly	In situ

**POINT 17**

Pollutant	Units of measure	Frequency	Sampling Method
Benzene	milligrams per litre	Special Frequency 1	Grab sample
Calcium	micrograms per litre	Special Frequency 1	Grab sample
Chloride	milligrams per litre	Special Frequency 1	Grab sample
Electrical conductivity	deciSiemens per metre	Special Frequency 1	Grab sample
Ethyl benzene	milligrams per litre	Special Frequency 1	Grab sample
Flow	litres per day	Special Frequency 2	In situ
Iron	milligrams per litre	Special Frequency 1	Grab sample
Manganese	milligrams per litre	Special Frequency 1	Grab sample
Potassium	milligrams per litre	Special Frequency 1	Grab sample
Sodium	milligrams per litre	Special Frequency 1	Grab sample
Sulfate	milligrams per litre	Special Frequency 1	Grab sample
Toluene	milligrams per litre	Special Frequency 1	Grab sample
Total dissolved solids	milligrams per litre	Special Frequency 1	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Special Frequency 1	Grab sample
Xylene	milligrams per litre	Special Frequency 1	Grab sample

**POINT 24**

Pollutant	Units of measure	Frequency	Sampling Method
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Chemical oxygen demand	milligrams per litre	Monthly during discharge	Grab sample
Electrical conductivity	deciSiemens per metre	Monthly during discharge	Grab sample
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
TSS	milligrams per litre	Monthly during discharge	Grab sample

**POINT 25**

Pollutant	Units of measure	Frequency	Sampling Method
Volumetric flowrate	kilolitres per day	Continuous during discharge	Continuously

**POINT 27**

Pollutant	Units of measure	Frequency	Sampling Method
Chemical oxygen demand	milligrams per litre	Monthly during discharge	Grab sample
Electrical conductivity	deciSiemens per metre	Monthly during discharge	Grab sample
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
TSS	milligrams per litre	Monthly during discharge	Grab sample

**POINT 28,29**

Pollutant	Units of measure	Frequency	Sampling Method
Chemical oxygen demand	milligrams per litre	Monthly during discharge	Grab sample
Electrical conductivity	deciSiemens per metre	Monthly during discharge	Grab sample
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
TSS	milligrams per litre	Monthly during discharge	Grab sample

M2.4 Special Frequency 1 for Point 17 in the table above requires quarterly measurement of the pollutants during periods of flow.

M2.5 Special Frequency 2 for Point 17 in the table above requires monthly measurement of the pollutants during periods of flow.



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## 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 2022* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

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

## M4 Weather monitoring

- M4.1 The licensee shall ensure that a meteorological station is in operation at the premises which is capable of continuously recording the meteorological parameters in the following table:

Measured Parameter	Unit	Sample interval
Average temperature	Degrees	10 minutes
Average relative humidity	Percent	10 minutes
Rainfall (10 minute)	mm	10 minutes
Aggregate rainfall	mm	10 minutes
Average wind speed	km/h	10 minutes
Std wind speed	km/h	10 minutes
Average wind direction	Degrees	10 minutes
Sigma Theta	Degrees	10 Minutes

## 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;



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

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.

## 6 Reporting Conditions

### R1 Annual return documents

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

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

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

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

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

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- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
- 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
  - the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - 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:
- the licence holder; or
  - by a person approved in writing by the EPA to sign on behalf of the licence holder.

## R2 Notification of environmental harm

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.

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which they became aware of the incident.

## R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
  - where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of

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the event.

- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- the cause, time and duration of the event;
  - the type, volume and concentration of every pollutant discharged as a result of the event;
  - the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
  - the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## 7 General Conditions

### G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

## 8 Pollution Studies and Reduction Programs

### U1 Licensed Discharge Trial

- U1.1 An eight (8) month Pollution Reduction Study (PRS) will commence from the date of notification by the licensee to the EPA, with the discharge to waters from the licenced premises going no longer than eight (8) months from this notification date.
- U1.2 The discharge trial must be undertaken in accordance with:
- the Statement of Environmental Effects dated 16 November 2022, received by the EPA on 16 November 2022 (DOC22/1025421);
  - and
  - in compliance with the conditions of the licence.

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- U1.3 The licensee must cease discharging from Point 26 at the end of the eight (8) month trial.
- U1.4 By end of the eight (8) month PRS trial, if the licensee intends to use turbidity (NTU) in place of Total Suspended Solids (TSS) to determine compliance with Condition L2.4, the licensee must:
- develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the 'Old pit' in order to determine the NTU equivalent of 30mg/L TSS before its use;
  - the licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results; and
  - the licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.
- U1.5 Every two months from the commencement of the trial, until its completion, the licensee must submit a report to the EPA which includes:
- an analysis of the environmental monitoring results, including but not limited to, discharge water quality, ambient water quality monitoring and creek integrity monitoring;
  - volume of water released to the environment over the two (2) month trial period;
  - if the licensee's trigger action management plan is enacted, detail what actions the licensee took;
  - If the licensed discharge breaches a condition of the licence, detail what actions the licensee took to return to compliance;
  - if the licensee is proposing any modifications to the discharge program following the two month period.

Within 6 weeks of the completion of the trial, the licensee must submit a final report to the EPA outlining an assessment of the trial's compliance with the conditions of the EPL.

- U1.6 At end of PRP trial period, the EPA will consider a short term continuance of the trial whilst it considers the reported findings. This will be dependant on a demonstration by the licensee during the trial of the capacity of the discharge program in meeting the conditions of the licence. Should this short term continuance occur, the EPA advises that during this period the project must meet all the requirements of the trial and licence conditions.

Note: An ongoing discharge to waters will be considered by the EPA following submission of the report as required by Condition U1.5.

- U1.7 The licensee is permitted a four month short term continuance of the discharge trial, commencing from the date of notification by the licensee to the EPA, with the discharge to waters from the licenced premises going no longer than four months from this notification date.

## U2 Dust Management Capacity Assessment

- U2.1 By no later than 27 October 2023, the licensee must engage a suitably qualified person/s to access the capacity of the Premises to prevent or minimise the generation and movement of dust emissions and identify options for improving dust control at the Premises (the assessment).

- U2.2 The assessment must (but is not limited to) include:

- A detailed description of all existing pollution controls, structures, procedures and systems associated with

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the control and management of air emissions associated with the licensed premise;

b) A risk assessment of the condition, capacity and adequacy of these controls in maintaining, minimising and monitoring air emissions, and their capacity to prevent air pollution;

c) Evaluate options for further control/mitigate emissions, identify feasible options and nominate timeframes for implementation;

d) Where deficiencies are identified through this assessment, nominate reasonable short-term, medium-term and long-term recommendations to resolve these deficiencies. This must include nominating timeframes for implementation of all recommended actions.

U2.3 By 8 December 2023, the licensee must submit the independent report to the EPA, detailing the findings of the assessment and recommendations to resolve these deficiencies (the assessment report). The licensee must also make a submission to the EPA, advising how it proposes to implement these recommendations and the timeframes required.

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## Dictionary

### General Dictionary

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

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



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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste
<b>Wellhead</b>	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Julian Thompson

Environment Protection Authority

(By Delegation)

Date of this edition: 21-August-2013

## End Notes

2	Licence varied by notice	1535192 issued on 23-Dec-2015
3	Licence varied by notice	1539795 issued on 13-Apr-2016
4	Licence varied by notice	1565174 issued on 06-Aug-2018
5	Licence varied by notice	1574831 issued on 11-Mar-2019
6	Licence varied by notice	1588284 issued on 17-Dec-2019
7	Licence varied by notice	1598042 issued on 18-Aug-2020
8	Licence varied by notice	1620651 issued on 28-Nov-2022
9	Licence varied by notice	1628445 issued on 26-Apr-2023
10	Licence varied by notice	1633359 issued on 27-Sep-2023