

Environment Protection Licence

Licence - 21146

Licence Details	
Number:	21146
Anniversary Date:	09-January

Licensee
CLEAN TEQ SUNRISE PTY LTD
PO BOX 227
MULGRAVE VIC 3170

Premises
CLEAN TEQ - SUNRISE PROJECT
WILMATHA ROAD
FIFIELD NSW 2875

Scheduled Activity
Concrete works
Crushing, grinding or separating
Extractive activities

Fee Based Activity	Scale
Concrete works	> 50000 m3 annual production capacity
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Land-based extractive activity	> 500000-2000000 T annual capacity to extract, process or store

Region
Central West
L102, 346 PANORAMA AVENUE
BATHURST NSW 2795
Phone: (02) 6333 3800
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PO Box 1388
BATHURST NSW 2795



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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:

CLEAN TEQ SUNRISE PTY LTD
PO BOX 227
MULGRAVE VIC 3170

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 development work listed below at the premises listed in A2:

The schedule development works are listed in A1.2.

A1.2 The licence permits schedule development work listed below at the premises listed in condition A2.

- site establishment and earthworks;
- construction of site access roads and haul roads;
- processing facility earthworks;
- establishment of temporary facilities required for construction activities (e.g. offices, laydown areas, communication infrastructure);
- construction of the mine infrastructure area including the offices, workshops, warehouse, laboratory and amenities building, fuel storage areas, potable water treatment plant and car parking facilities.
- construction of the tailing storage facility;
- construction of water management infrastructure including raw water dam, water storage dam and sediment dams;
- construction and operation of the concrete batch plant;
- development of gravel and clay borrow pits;
- installation of appropriate fencing and barriers to ensure public safety and security for mining and construction; and
- other associated minor infrastructure, plant, equipment and activities.

A1.3 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
Concrete works	Concrete works	> 50000 m3 annual production capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Land-based extractive activity	> 500000 - 2000000 T annual capacity to extract, process or store

A1.4 The licensee must not carry on scheduled activities until the scheduled development works are completed, except as elsewhere provided in this licence.

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A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
CLEAN TEQ - SUNRISE PROJECT
WILMATHA ROAD
FIFIELD
NSW 2875
MINING LEASE 1770

A3 Information supplied to the EPA

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

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

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Air quality monitoring		Dust deposition gauge DG1 as indicated in Air Quality and Meteorological Monitoring Sites figure dated 23 November 2018 (EPA reference DOC18/911073)

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2	Air quality monitoring		Dust deposition and particulate monitoring point labelled as DG2/ PM2 in Air Quality and Meteorological Monitoring Sites figure dated 23 November 2018 (EPA reference DOC18/911073)
3	Air quality monitoring		Dust deposition gauge DG3 as indicated in Air Quality and Meteorological Monitoring Sites figure dated 23 November 2018(EPA reference DOC18/911073)
4	Air quality monitoring		Dust deposition and particulate monitoring point labelled as DG4/ PM4 in Air Quality and Meteorological Monitoring Sites figure dated 23 November 2018 (EPA reference DOC18/911073)
54	Air emissions monitoring	Air emissions monitoring	Sulphuric Acid stack monitoring/discharge description and location (GPS coordinates) to be determined following the completion of the Air Quality Verification Report.
55	Air emissions monitoring	Air emissions monitoring	Diesel power plant stack monitoring/discharge description and location (GPS coordinates) to be determined following the completion of the Air Quality Verification Report.
56	Air emissions monitoring	Air emissions monitoring	Diesel fired auxiliary boiler monitoring/discharge description, location (GPS coordinates) to be determined following the completion of the Air Quality Verification Report.

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
23	Surface water quality monitoring		Construction surface water monitoring point SW4 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)
25	Surface water quality monitoring		Construction surface water monitoring point SW6 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)

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26	Stormwater discharge quality monitoring	Stormwater discharge quality monitoring	Construction surface water monitoring point SD3 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)
27	Stormwater discharge quality monitoring	Stormwater discharge quality monitoring	Construction surface water monitoring point SD4 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)
28	Stormwater discharge quality monitoring	Stormwater discharge quality monitoring	Construction surface water monitoring point SD5 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)
57	Stormwater discharge quality monitoring	Stormwater discharge quality monitoring	Construction surface water monitoring point SD6 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)
58	Stormwater discharge quality monitoring	Stormwater discharge quality monitoring	Construction surface water monitoring point SD7 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)
59	Stormwater discharge quality monitoring	Stormwater discharge quality monitoring	Construction surface water monitoring point SD8 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)
60	Stormwater discharge quality monitoring	Stormwater discharge quality monitoring	Construction surface water monitoring point SD9 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)
61	Stormwater discharge quality monitoring	Stormwater discharge quality monitoring	Construction surface water monitoring point SD10 as shown in 'Surface Water Monitoring Locations - Mine Site' figure dated 12 December 2018 (EPA reference DOC18/965413)

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.

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Noise/Weather

EPA identification no.	Type of monitoring point	Location description
19	Meteorological Station	AWS - adjacent the "Sunrise" Homestead

3 Limit Conditions

L1 Pollution of waters

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

L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table.

Note: 100 percentile air concentration limits for licence points 54, 55 and 56 are to be added following the completion of the Air Quality Verification Report.

L2.4 Water and/or Land Concentration Limits

POINT 23,25,26,27,28,57,58,59,60,61

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Conductivity	microsiemens per centimetre				2,200

POINT 23,25

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit

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Iron	milligrams per litre	3.7
Nickel	milligrams per litre	0.008

POINT 23,25,26,27,28,57,58,59,60,61

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5 - 8.5
TSS	milligrams per litre				50

POINT 26,27,28,57,58,59,60,61

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Turbidity	nephelometric turbidity units				50

L2.5 The limits specified under Condition L2.4 for the sediment basins identified as EPA licence discharge points 26, 27, 28, 57, 58, 59, 60 and 61 do not apply when the discharge occurs solely as a result of rainfall measured at the premises which exceeds;

- a total of 50.7 millimetres of rainfall over any consecutive 5 day period.

Note: A 50.7 mm rainfall depth is defined by the publication *Managing Urban Stormwater: Soils and Construction (Landcom 2006)* as the rainfall depth in millimetres for a 95th percentile 5 day rainfall event for the Dubbo region consistent with the storage capacity (recommended minimum design criteria) for Type D or F sediment retention basins defined in the publication *Managing Urban Stormwater Volume 2E: Mines and Quarries (DECC 2008)*.

L2.6 The concentration limit for total suspended solids stipulated by condition L2.4 for EPA identification points 26, 27, 28, 57, 58, 59, 60 and 61 is deemed not to have been breached where:

a) the water sample complies with the turbidity limit at the time of the discharge; and

b) the EPA is advised, within 3 working days of completion of total suspended solids testing, of any total suspended solids results that are above the licence limit.

Note: The purpose of this condition is to expedite the assessment and subsequent discharge of the clarified water from the sediment basins.

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L3 Waste

- L3.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

L4 Noise limits

Construction noise limits

- L4.1 Noise from the premises must not exceed the limits specified in the table below at a noise sensitive location except as expressly provided by this licence.

Time period	Measurement parameter	Measurement frequency	Noise Level dB(A)
Day	LAeq (15 minute)	-	40
Evening	LAeq (15 minute)	-	35
Night	LAeq (15 minute)	-	35
Night	Night-LA1 (1 minute)	-	45

Note: 'Noise sensitive locations' include buildings used as a residence, hospital, school, child care centre, places of public worship and nursing homes. A noise sensitive location includes the land within 30 metres of the building.

Note: The above noise limits do not apply at properties where the licensee has a written agreement with the landowner to exceed the noise limits.

- L4.2 For the purpose of Condition L4.1:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday 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 The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:

- Wind speeds greater than 3 metres/second at 10 metres above ground level; or
- Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- Stability category G temperature inversion conditions.

- L4.4 For the purpose of condition L4.3:

- Data recorded by the meteorological station identified as EPA Licence Point 19 must be used to

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determine meteorological conditions; and

b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L4.5 To determine compliance:

a) with the Leq(15 minute) noise limits in condition L4.1, the noise measurement equipment must be located:

- i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
- ii) within 30 metres of a dwelling façade, but not closer than 3 metres where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or, where applicable
- iii) within approximately 50 metres of the boundary of a National Park or Nature Reserve.

b) with the LA1(1 minute) noise limits in condition L4.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.

c) with the noise limits in condition L4.1, the noise measurement equipment must be located:

- i) at the most affected point at a location where there is no dwelling at the location; or
- ii) at the most affected point within an area at a location prescribed by conditions L4.5(a) or L4.5(b).

L4.6 A non-compliance of L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- (a) at a location other than an area prescribed by condition L4.5(a) and L4.5(b); and/or
- (b) at a point other than the most affected point at a location.

L4.7 For the purposes of determining the noise generated at the premises the modification factors in Fact Sheet C of the *Noise Policy for Industry* must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L5 Blasting

L5.1 Construction blasting shall only be carried out at the premises between 9am and 4pm Monday to Friday and 9am to 1pm Saturdays where the overpressure and ground vibration levels are designed and predicted to not exceed 95 dB(A) and 1 mm/sec respectively at all privately owned buildings. No construction blasting is permitted on Sundays or Public Holidays.

L5.2 Operation blasting at the premises is limited to 1 blast per day, unless an additional blast is required following a blast misfire.

L5.3 The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to

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be taken into account in determining whether or not the limit has been exceeded.

- L5.4 The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.5 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.6 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

Note: 1. The airblast overpressure and ground vibration levels in conditions L5.3 to L5.6 do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and land owner.
 2. "Noise sensitive locations" includes buildings used as a residence, hospitals, school, child care centres, places of public worship and nursing homes. A noise sensitive location includes the land within 30 metres of the building.

- L5.7 Offensive blast fume must not be emitted from the premises.

Definition:

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

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

L6 Potentially offensive odour

- L6.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

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 All areas in or on the premises must be maintained in a condition that prevents or minimises the emission into the air of air pollutants (which includes dust).

O3.2 Any activity in or on the premises must be carried out by such practicable means as to prevent or minimise the emission into the air of air pollutants (which includes dust).

O3.3 Any plant in or on the premises must be operated by such practicable means as to prevent or minimise the emission into the air or air pollutants (which includes dust).

O4 Other operating conditions

Bunding requirements

O4.1 All above-ground storage facilities containing flammable and combustible liquids must be banded in accordance with Australian Standard AS 1940-2004.

All Toxic chemicals must be stored in accordance with the requirements of AS/NZS 4452 - The Storage and Handling of Toxic Substances.

Sediment basin maintenance

O4.2 The sediment basins identified as EPA identification no. (licence discharge points) 26, 27, 28, 57, 58, 59, 60 and 61 under condition P1.3 must be drained or pumped out as necessary to maintain each basins design storage capacity, within 5 days following rainfall.

O4.3 Water discharged to comply with condition O4.2 may only be discharged to waters from sediment basins

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identified as licence discharge points 26, 27, 28, 57, 58, 59, 60 and 61 where the water complies with the discharge limits specified under condition L2.4 for licenced discharge points 26, 27 and 28.

- O4.4 The licensee must undertake maintenance as necessary to desilt the storage basins identified at EPA identification points 26, 27, 28, 57, 58, 59, 60 and 61 in order to retain each basins design storage capacity.

5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
 - kept for at least 4 years after the monitoring or event to which they relate took place; and
 - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
 - the time(s) at which the sample was collected;
 - the point at which the sample was taken; and
 - the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Air Monitoring Requirements

POINT 1,2,3,4

Pollutant	Units of measure	Frequency	Sampling Method
Particulates - Deposited Matter	grams per square metre per month	Monthly	AM-19

Note: Continuous particulate matter monitoring at licence point numbers 2 and 4 will be added prior to the commencement of construction activities at the premises.

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Note: Air monitoring requirements for licence points 54, 55 and 56 will be added following the completion of the Air Quality Verification Report.

M2.3 Water and/ or Land Monitoring Requirements

POINT 23,25

Pollutant	Units of measure	Frequency	Sampling Method
Iron	milligrams per litre	Weekly during any discharge	Grab sample
Nickel	milligrams per litre	Weekly during any discharge	Grab sample

POINT 23,25,26,27,28,57,58,59,60,61

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Weekly during any discharge	Grab sample
pH	pH	Weekly during any discharge	Grab sample
Total suspended solids	milligrams per litre	Weekly during any discharge	Grab sample

POINT 26,27,28,57,58,59,60,61

Pollutant	Units of measure	Frequency	Sampling Method
Turbidity	nephelometric turbidity units	Weekly during any discharge	Probe

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 meteorological weather station must be maintained so as to be capable of continuously monitoring the parameters specified in condition M4.2.

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

POINT 19

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous
Rainfall	AM-4	millimetres	15 minutes	Continuous
Temperature at 10 metres	AM-4	degrees Celsius	1 hour	Continuous
Relative humidity	AM-4	percent	1 hour	Continuous

M5 Recording of pollution complaints

M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M5.2 The record must include details of the following:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and

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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.

M7 Blasting

M7.1 To determine compliance with conditions L5.3, L5.4, L5.5 and L5.6:

a) Airblast overpressure and ground vibration levels must be measured and electronically recorded for the parameters specified in Column 1 of the table below; and

b) The licensee must use the units of measure, sampling method, and sample at the frequency specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Sampling Method
Airblast Overpressure	Decibels (linear Peak)	All blasts	Australian Standard AS2187.2-2006
Ground Vibration Peak Velocity	Millimetres/second	All blasts	Australian Standard AS2187.2-2006

M8 Noise monitoring

M8.1 To determine compliance with the noise limits contained in condition L4.1 noise monitoring must be conducted in accordance with the document *"Noise Management Plan November 2018"* (as amended from time to time) prepared for the premises.

6 Reporting Conditions

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R1 Annual return documents

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

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

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

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.

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

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 reporting conditions

R4.1 Prior to the commissioning of the sulphuric acid plant and power generation facilities the applicant must provide an Air Quality Verification Report to the EPA for approval, (the Verification Report). The

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Verification Report must:

1. Demonstrate that all feasible and reasonable best practice mitigation measures have been incorporated into the design of the sulphuric acid plant and power generation facilities;
2. Include manufacturers specifications or emission performance guarantees for each emission discharge point associated with the sulphuric acid plant and power generation facilities;
3. Confirm that all emission discharges will comply with the prescribed concentrations contained in the *Protection of the Environment Operations (Clean Air) Regulation 2010* and benchmarked best practice emission concentrations; and
4. Include an Air Quality Impact Verification Assessment (the Verification Assessment) based on final design and emission performance of the sulphuric acid plant and power generation facilities. The Verification Assessment must:
 - i. be conducted in strict accordance with the *Approved Methods for Modelling and Assessment of Air Pollutants in NSW*
 - ii. assess all potential point and fugitive air pollutant emission sources associated with the sulphuric acid plant and power generation facilities at the premises.
 - iii. confirm predicted impacts will comply with the impact assessment criteria contained in the *Approved Methods for Modelling and Assessment of Air Pollutants in NSW*.
 - iv. Propose air emission limits and monitoring requirements for all significant air emission points.

Note: The information contained in the Air Quality Verification Report will be used to inform relevant Environment Protection licence conditions, including but not limited to emission limits and monitoring requirements.

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.

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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

Ms Sheridan Ledger

Environment Protection Authority

(By Delegation)

Date of this edition: 09-January-2019

End Notes