

Environment Protection Licence

Licence - 11968

Licence Details

Number:	11968
Anniversary Date:	16-September

Licensee

BORAL RECYCLING PTY LIMITED

PO BOX 6041

NORTH RYDE NSW 2113

Premises

BORAL RECYCLING

1/24 EGRET STREET

KOORAGANG NSW 2304

Scheduled Activity

Resource recovery

Waste storage

Fee Based Activity

Scale

Recovery of general waste	Any general waste recovered
Waste storage - other types of waste	Any other types of waste stored

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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:

BORAL RECYCLING PTY LIMITED
PO BOX 6041
NORTH RYDE NSW 2113

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Resource recovery	Recovery of general waste	Any general waste recovered
Waste storage	Waste storage - other types of waste	Any other types of waste stored

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
BORAL RECYCLING
1/24 EGRET STREET
KOORAGANG
NSW 2304
PART LOT 12 DP 1032146
LICENSED AREA IS SHOWN ON THE MAP TITLED "SITE PLAN - BORAL RECYCLING KOORAGANG" AS THE PROJECT FOOTPRINT - DOC19/803507.

A3 Other activities

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

Ancillary Activity
Concrete Batching

A4 Information supplied to the EPA

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

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

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- 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 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
2	Discharge and Water Monitoring	Discharge and Water Monitoring	Basin overflow location as shown on the plan titled "Kooragang Recycling EPL 11968 - Water Monitoring Locations - September 2023" (EPA reference, DOC23/879417).
3	Ground Water Monitoring		Groundwater Monitoring Bore R2 as shown on the plan titled "Kooragang Recycling EPL 11968 - Water Monitoring Locations - September 2023" (EPA reference, DOC23/879417).
4	Ground Water Monitoring		Groundwater Monitoring Bore R1 as shown on the plan titled "Kooragang Recycling EPL 11968 - Water Monitoring Locations - September 2023" (EPA reference, DOC23/879417).
5	Ground Water Monitoring		Groundwater Monitoring Bore R3 as shown on the plan titled "Kooragang Recycling EPL 11968 - Water Monitoring Locations - September 2023" (EPA reference, DOC23/879417).
6	Ground Water Monitoring		Groundwater Monitoring Bore R4 as shown on the plan titled "Kooragang Recycling EPL 11968 - Water Monitoring Locations - September 2023" (EPA reference, DOC23/879417).

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7	Ground Water Monitoring	Groundwater Monitoring Bore C2 as shown on the plan titled "Kooragang Recycling EPL 11968 - Water Monitoring Locations - September 2023" (EPA reference, DOC23/879417).
8	Ground Water Monitoring	Groundwater Monitoring Bore C3 as shown on the plan titled "Kooragang Recycling EPL 11968 - Water Monitoring Locations - September 2023" (EPA reference, DOC23/879417).

P1.2 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

Noise/Weather

EPA identification no.	Type of monitoring point	Location description
1	Meteorological Station	Weather station located on the western side of the weighbridge building (refer to DOC21/644869-1).

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 Waste

L2.1 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	General solid waste (non-putrescible)	Excavated Natural Material that meets the chemical and physical	Resource recovery Waste storage	

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		contamination requirements of "The excavated natural material order 2014".	
NA	General solid waste (non-putrescible)	Glass that meets the chemical and physical contamination requirements of "The recovered glass sand order 2014".	Resource recovery Waste storage
NA	General solid waste (non-putrescible)	Building and demolition waste, asphalt waste, concrete waste from concrete batching plants, virgin excavated natural material, and soils (meeting the CT1 levels for general solid waste in Table 1 of the EPA's Waste Classification Guidelines 2014).	Resource recovery Waste storage
NA	General solid waste (non-putrescible)	Blast Furnace Slag that meets the chemical and physical contamination requirements of "The blast furnace slag order 2014".	Resource recovery Waste storage
NA	General solid waste (non-putrescible)	Power Station Fly ash that meets the chemical and physical contamination requirements of "The coal ash order 2014".	Resource recovery Waste storage
NA	General solid waste (non-putrescible)	Basic Oxygen Steel Slag that meets the chemical and physical contamination requirements of "The steel furnace slag order 2017".	Resource recovery Waste storage

Note: Waste received at the premises that meets the chemical and physical contamination requirements of any of the above Resource Recovery Orders are classified as general solid waste.

L2.2 The premises may accept up to 130,000 tonnes of general solid waste (non-putrescible) per annum.

Authorised Amount

L2.3 Notwithstanding any limit specified in the above table, the licensee shall not exceed the authorised amount specified in this licence. Where the authorised amount is less than the total of all wastes listed above, the authorised amount will take precedent.

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- L2.4 The authorised amount of waste permitted on the premises cannot exceed 100,000 tonnes at any one time.
- L2.5 Stockpiles of processed and/or unprocessed waste at the premises must not be more than 15 metres in height when measured from the finished ground level of the site.

L3 Hours of operation

L3.1 Hours of operation

ACTIVITY	DAY	TIME
Construction	Monday - Friday	7 a.m. to 6 p.m.
Construction	Saturday	8 a.m. to 1 p.m.
Operation	Monday - Saturday	24 hours
Operation	Sunday	6 a.m. to 6 p.m. Maintenance Only

- L3.2 Works outside the hours identified in condition L3.1 may be undertaken in the following circumstances:
- the works are inaudible at the nearest sensitive receivers; or
 - for delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons; or
 - where it is required in an emergency to avoid the loss of lives, property or to prevent environment harm.

L4 Potentially offensive odour

- L4.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.
This includes:
- the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

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O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
- must be maintained in a proper and efficient condition; and
 - must be operated in a proper and efficient manner.

O3 Dust

- O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the generation of dust at the premises; and prevent the emission of dust from the premises.
- O3.2 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.
- O3.3 No material, including sediment is permitted to be tracked from the premises.

O4 Emergency response

- O4.1 A copy of the current version of the Pollution Incident Response Management plan (PIRMP) for the premises must be kept at the premises.

Note: A PIRMP is required under Part 5.7A of the *Protection of the Environment Operations Act 1997* and its regulations. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The PIRMP must be tested at least annually or following a pollution incident.

O5 Processes and management

Bunding

- O5.1 All above ground tanks or containers containing material capable of causing harm to the environment must be stored within a bund or within an alternative spill containment system that achieves the same outcome.
- O5.2 Bunds must:
- have walls and floors constructed of impervious materials;
 - be of sufficient capacity to contain 110% of the volume of the tank or container (or 110% volume of the largest tank or container where a group of tanks or containers are installed);
 - have floors graded to a collection sump; and
 - not have a drain valve incorporated in the bund structure.

O6 Other operating conditions

Protective and Low Permeability Sub-base Layers to Prevent Groundwater Pollution

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Note: Pollution Reduction Program 3 requires(ed) the installation of a suitable low permeability sub-base across the premises to protect groundwater from pollution. In order to protect water quality the licensee proposed in it's report "Kooragang RRF Surface Water Mitigation and Monitoring Plan" EMM, July 2023 (the SWMMP) that it install:

- 1) a 400 mm deep low permeability "Stabilised Layer" sub-base (referred to in this licence as the "Stabilised Layer"); and
- 2) a 300 mm deep "Protective Layer" of compacted road base, that sits above the Stabilised Layer (referred to in this licence as the "Protective Layer")

- O6.1 The licensee must maintain the Protective Layer at the premises at a suitable thickness that ensures the integrity of the low permeability Stabilised Layer at all times.
- O6.2 The licensee must maintain the low permeability Stabilised Layer at the premises at a minimum depth of 400mm at all times.
- O6.3 The licensee must ensure that the 400mm low permeability Stabilised Layer has a permeability of 1×10^{-9} m/s at all times.
- O6.4 The Licensee must install and maintain an appropriate depth marker system in the Protective Layer that ensures that the integrity and design depth of the low permeability Stabilised Layer is maintained at all times.

Flyash and Slag Storage

- O6.5 The licensee must only store flyash or slag (excluding blended slag) on a dedicated concrete hardstand.

Note: Note: The requirements of Conditions O6.1, O6.2, O6.3, O6.4 and O6.5 do not come into effect until completion of works as specified in Table 4.1 and 4.4 of the SWMMP.

Reuse of Contaminated Stormwater

- O6.6 The licensee must reuse as much of the collected stormwater as possible within the adjacent concrete batch plant, so as to prevent discharges of polluted water from the premises.

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;

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

M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Water and/ or Land Monitoring Requirements

POINT 2

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium	milligrams per litre	Daily during any discharge	Grab sample
Chromium (total)	milligrams per litre	Daily during any discharge	Grab sample
Copper	milligrams per litre	Daily during any discharge	Grab sample
Cyanide	milligrams per litre	Daily during any discharge	Grab sample
Electrical conductivity	microsiemens per centimetre	Daily during any discharge	Grab sample
Nitrate + nitrite (oxidised nitrogen)	milligrams per litre	Daily during any discharge	Grab sample
Nitrogen (total)	milligrams per litre	Daily during any discharge	Grab sample
pH	pH	Daily during any discharge	Grab sample
Zinc	milligrams per litre	Daily during any discharge	Grab sample

POINT 3,4,5,6,7,8

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium	milligrams per litre	2 Times a year	Grab sample
Chromium (total)	milligrams per litre	2 Times a year	Grab sample
Copper	micrograms per litre	2 Times a year	Grab sample
Cyanide	milligrams per litre	2 Times a year	Grab sample
Depth	metres (Australian Height Datum)	2 Times a year	Grab sample
Electrical conductivity	microsiemens per centimetre	2 Times a year	Grab sample
Nitrate + nitrite (oxidised nitrogen)	milligrams per litre	2 Times a year	Grab sample

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Nitrogen (total)	milligrams per litre	2 Times a year	Grab sample
pH	pH	2 Times a year	Grab sample
Zinc	milligrams per litre	2 Times a year	Grab sample

Note: The monitoring requirements for monitoring points 3,5,6 and 8 do not come into effect until Stage 1 works, as detailed in the document titled "Kooragang RRF, Surface Water Mitigation and Monitoring Plan" EMM, July 2023 (EPA Reference DOC23/662105), are completed.

M3 Testing methods - concentration limits

M3.1 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 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 1

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	-	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	-	Continuous
Temperature at 10 metres	AM-2 & AM-4	degrees Celsius	-	Continuous

M4.2 The licensee must ensure that the meteorological station on the premises complies with the requirements in the latest version of the *Approved Methods of Sampling of Air Pollutants in New South Wales*.

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

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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.

M7 Other monitoring and recording conditions

Note: Pollution Reduction Program 3 requires(ed) the installation of a suitable low permeability sub-base across the premises to protect groundwater from pollution. In order to protect water quality the licensee proposed in it's report "Kooragang RRF Surface Water Mitigation and Monitoring Plan" EMM, July 2023 (the SWMMP) that it install:

1) a 400 mm deep low permeability "Stabilised Layer" sub-base (referred to in this licence as the "Stabilised Layer") and

2) a 300 mm deep "Protective Layer" of compacted road base that sits above the Stabilised Layer (referred to in this licence as the "Protective Layer").

Pavement Monitoring and Survey

M7.1 The licensee must undertake monthly monitoring of the Protective Layer that ensures that an adequate thickness is maintained to protect the integrity of the Stabilised Layer depth and permeability.

M7.2 The licensee must conduct a yard pavement survey every 6 months. The survey levels must be compared to the originally installed finished pavement levels of the Protective Layer and underlying low permeability Stabilised Layer to identify areas where the Protective Layer depth may have been reduced. The survey must validate both the Protective Layer and low permeability Stabilised Layer depths at each survey round and make statements as to whether their respective required depths have been maintained. The surveys must be undertaken by a registered surveyor.

A copy of each survey report must be provided to the EPA within three months of the survey being undertaken.

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Annual Infiltration Monitoring

M7.3 Annual infiltration tests of the low permeability Stabilised Layer must be undertaken at two representative positions within the yard and/or trafficable area's. The infiltration tests must be undertaken using a Double-Ring Infiltrometer and be undertaken in accordance with the Standard titled, "Standard Test Method for Field Measurement of Infiltration Rate Using a Double-Ring Infiltrometer with a Sealed Inner Ring" ASTM International (D 5093-02). The monitoring must determine the in-situ permeability of the Stabilised Layer in metres per second.

Note: Note: The requirements of Conditions M7.1, M7.2 and M7.3 do not come into effect until completion of works as specified in Table 4.1 and 4.4 of the SWMMP.

6 Reporting Conditions

R1 Annual return documents

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

1. a Statement of Compliance,
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.

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:

- 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.

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

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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.

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.

R2 Notification of environmental harm

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

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

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

R3 Written report

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

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

R3.3 The request may require a report which includes any or all of the following information:
a) the cause, time and duration of the event;
b) the type, volume and concentration of every pollutant discharged as a result of the event;
c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

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- 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

Annual Water Management Review Report

- R4.1 The licensee must prepare an annual Water Quality and Discharge Report that provides the following information for each Annual Return reporting period:
- a) the number of surface water overflows from the premises compared to the design overflow regime of around 2 overflows per year, as provided in the document titled "Kooragang RRF, Surface Water Mitigation and Monitoring Plan" prepared by EMM Consulting dated July 2023 (EPA reference DOC23/662105) (hereafter referred to as the (SWMMP));
 - b) a summary of the rainfall data that preceded and contributed to each surface water discharge and where rainfall was less than the 120-170 mm predicted in the SWMMP to cause an overflow, reasons why such a discharge occurred;
 - c) the volume of collected stormwater reused in the adjacent concrete batch plant on a monthly basis;
 - d) a review of the water balance model provided in the SWMMP, including design rainfall, against actual site conditions;
 - e) a review of any water quality data collected in accordance with the licence and the premises Water Management Plan as committed to in the SWMMP, including: a review of trends in water quality since monitoring began; and identification of any threshold exceedances of ANZG (2018) criteria for further investigation;
 - f) the results of the annual yard pavement survey and any actions taken in response to this survey; and
 - g) the results of the annual infiltration monitoring, undertaken to check on the permeability of the Stabilised Layer. Included with this information must be a plan showing the testing locations of the current year's infiltration monitoring, plus all previous year's monitoring locations. The licensee must also document actions it has taken to address any situation where the in-situ permeability of the Stabilised Layer has fallen below 1 x 10⁻⁹ m/s.

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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G2 Other general conditions

G2.1 Completed Programs

Program	Description	Completed Date
Pollution Reduction Study (PRS) 1 - Surface Water Discharge Characterisation Assessment	The purpose of the Surface Water Discharge Characterisation Assessment is to inform the Licensee of the pollutants generated at the Premises so that appropriate mitigation measures to limit potential impacts on the receiving environment can be designed and implemented.	21-November-2019
PRS 2 - Surface Water Mitigation and Monitoring Report	The Surface Water Mitigation and Monitoring Plan (SWMMP) will be used to inform stage 1 and stage 2 construction at the Premises including identification of mitigation measures and monitoring requirements for the management of stormwater and groundwater at the premises. The SWMMP will be based on the results of the completed Surface Water Characterisation Plan.	26-July-2023

8 Pollution Studies and Reduction Programs

U1 Pollution Reduction Program 3 - Water Pollution Mitigation and Monitoring Upgrades

- U1.1 The Licensee must complete all water pollution mitigation and monitoring upgrade works as specified in Table 4.1 (Proposed Works and Management Measures) of the document titled "Kooragang RRF, Surface Water Mitigation and Monitoring Plan" EMM, July 2023 (EPA Reference DOC23/662105). These works must be completed by no later than 21 December 2024.

The works to install the Stabilised Layer and the Protective Layer (as defined at O6 of this licence) must be overseen by a suitably qualified civil engineer.

The Licensee must provide a report to the EPA within 2 weeks of the completion of the above works, detailing all works completed under this PRP, via email to info@epa.nsw.gov.au. Included with this report must be a certification from the suitably qualified civil engineer that:

- the Stabilised Layer and the Protective Layer have been installed at a uniform depth across the premises;
- the Stabilised Layer is not less than 400 mm thick across the premises;
- the Protective Layer is not less than 300 mm thick across the premises; and
- measures were employed during the installation of the layers to prevent the development of pooling and / or preferential pathways over and through the Stabilised Layer.

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9 Special Conditions

E1 Financial Assurance

E1.1 A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as “Authorised Deposit-taking Institutions” under the *Banking Act 1959* of the Commonwealth of Australia and supervised by the Australian Prudential regulatory Authority (APRA) must be provided to the EPA.

The financial assurance must be in favour of the EPA in the amount of five hundred thousand dollars (\$500,000). The financial assurance is required to secure or guarantee funding for works or programs required by or under this licence.

The licensee must provide to the EPA the financial assurance of \$500,000 by no later than 5.00 p.m. on Tuesday 31 March 2020.

E1.2 The licensee must provide to the EPA, along with the original counterpart guarantee, confirmation in writing that the financial institution providing the guarantee is subject to supervision by the Australian Prudential Regulatory Authority (APRA).

E1.3 The financial assurance must contain a term that provides that any money claimed can be paid to the EPA or, at the direction of the EPA, to any other person.

E1.4 The financial assurance must be maintained during the operation of the facility, and thereafter, until such time as the EPA is satisfied the premises is environmentally secure.

E1.5 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.

E1.6 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.

E1.7 The licensee must provide to the EPA the original counterpart guarantee within five working days of the issue of:

- a) the financial assurance required by condition E1.1, and
- b) the adjusted financial assurance as required by condition E1.5 and E1.6.

E1.8 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.

E2 Environmental Obligations of Licensee

- E2.1 While the licensee’s premises are being used for the purpose to which the licence relates, the licensee must:
- a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee’s employees or agents.
 - b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
 - c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.

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- E2.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:
- a) make all efforts to contain all firewater on the licensee's premises,
 - b) make all efforts to control air pollution from the licensee's premises,
 - c) make all efforts to contain any discharge, spill or run-off from the licensee's premises,
 - d) make all efforts to prevent flood water entering the licensee's premises,
 - e) remediate and rehabilitate any exposed areas of soil and/or waste,
 - f) lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of,
 - g) at the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises,
 - h) at the request of the EPA monitor surface water leaving the licensee's premises; and
 - i) ensure the licensee's premises is secure.
- E2.3 After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:
- a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
 - b) rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.

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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
Wellhead	Has the same meaning as in Schedule 1 to the Protection of the Environment Operations (General) Regulation 2021.

Mr Mitchell Bennett

Environment Protection Authority

(By Delegation)

Date of this edition: 16-September-2003

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End Notes

- 1 Licence transferred through application 144239, approved on 28-Jun-2006, which came into effect on 03-Apr-2006.
- 2 Licence varied by notice 1080136, issued on 30-Nov-2007, which came into effect on 30-Nov-2007.
- 3 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 4 Licence varied by notice 1090743, issued on 18-Dec-2008, which came into effect on 18-Dec-2008.
- 5 Licence varied by notice 1097529, issued on 31-Mar-2009, which came into effect on 31-Mar-2009.
- 6 Licence varied by a change to the DECCW region, issued on 01-Sep-2010, which came into effect on 01-Sep-2010.
- 7 Licence varied by notice 1528596 issued on 27-Oct-2015
- 8 Licence varied by notice 1564670 issued on 25-May-2018
- 9 Licence varied by notice 1572207 issued on 08-Nov-2018
- 10 Licence varied by notice 1575707 issued on 06-Feb-2019
- 11 Licence varied by notice 1577691 issued on 25-Mar-2019
- 12 Licence varied by notice 1581195 issued on 23-Dec-2019
- 13 Licence varied by notice 1611165 issued on 11-Oct-2021
- 14 Licence varied by notice 1632252 issued on 13-Oct-2023