

# Environment Protection Licence

Licence - 944

## Licence Details

Number:	944
Anniversary Date:	28-January

## Licensee

BORAL CEMENT LIMITED  
 PO BOX 6041  
 NORTH RYDE NSW 2113

## Premises

MARULAN SOUTH LIMESTONE MINE AND LIME PLANT  
 HUME STREET  
 MARULAN SOUTH NSW 2579

## Scheduled Activity

Cement or lime works  
 Mining for minerals

## Fee Based Activity

## Scale

Cement or lime production	> 100000-250000 T annual production capacity
Mining for minerals	> 2000000-5000000 T annual production capacity

## Contact Us

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 10 Darcy Street  
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## Information about this licence

### Dictionary

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

### Responsibilities of licensee

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

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

### Variation of licence conditions

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

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

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

### Duration of licence

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

### Licence review

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

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

For each licence fee period you must pay:

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



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

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

## Transfer of licence

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

## Public register and access to monitoring data

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

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

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

## This licence is issued to:

<b>BORAL CEMENT LIMITED</b>
<b>PO BOX 6041</b>
<b>NORTH RYDE NSW 2113</b>

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
Cement or lime works	Cement or lime production	> 100000 - 250000 T annual production capacity
Mining for minerals	Mining for minerals	> 2000000 - 5000000 T annual production capacity

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

A2.1 The licence applies to the following premises:

Premises Details
MARULAN SOUTH LIMESTONE MINE AND LIME PLANT
HUME STREET
MARULAN SOUTH
NSW 2579
SHIRE OF MULWAREE, PARISH OF MARULAN, COUNTY OF ARGYLE

A2.2 Additional Premises Description:

Lot 1 DP 23030; Lot 130 A/C 15310-179; Lot 186 A/C 15310-179; Lot 189 A/C 15310-179; Lot 193 A/C 15310-179; Lot 4 DP 216767; Lot 82 DP 750029; Lot 114 DP 750029; Lot 115 DP 50029; Lot 131 DP 750029; Lot 132 DP 750029; Lot 154 DP 750029; Lot 156 DP 750029; Lot 165 DP 750029; Lot 197 DP 750029; Lot 196 DP 750029; Lot 6 DP 111641; Lot 7 DP 111641; Lot 1 DP 527500; Lot 2 DP 527500; Lot 3 DP 527500; Lot 1701 DP 610507; Lot 1702 DP 610507; Lot 1 DP 617992; Lot 3 DP 617992; Lot 14 DP 111641; Lot 15 DP 111641; Lot 16 DP 111641; Lot 9 DP 111645; Lot 1 DP 371167; Lot 113 DP 830458; Lot 1 DP 860561; Lot 2 DP 860561; Lot A DP 368922; Lot B DP 368922; Lot 2 DP 536838; Lot 22 DP 867667; Lot 1 DP 1124189; Lot 2 DP 1124189; Lot 12 DP 881240; Lot 23 DP 867667; Lot 3 DP 203290; Lot 4 DP 203290; Lot 282 DP 750029; Lot 32 DP 750029; Lot 193 DP 750029; Lot 115 DP 750029; Lot 186 DP 750029; Lot 179 DP 750029; Lot 83 DP 750029; Lot 155 DP 750029; Lot 87 DP 750029; Lot 98 DP 750029; Lot 187 DP 750029; Lot 191 DP 750029; Lot 7303 DP 1149129; Lot 7301 DP 1149129; Lot 7302 DP 1149129; Lot 7300 DP 1149129; Lot 24 DP 867667; Lot 1 DP 860561; Lot 2 DP 860561; Lot 1 DP 261615; Lot 2 DP 527500; Lot 1 DP 527500; Lot 1 DP 106569; Lot 2 DP 106569; Lot

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100 DP 1064794; Lot 12 DP 570616; Lot 111 DP 830458; Lot 114 DP 830458; Lot 112 DP 830458; Lot 113 DP 830458; Lot 2 DP 1186554; Lot 1 DP 132244; Lot 2 DP 132244; Lot 3 DP 106569; Lot 3 DP 527501; Lot 4 DP 106569 and Lot 21 DP 657523.

A2.3 The premises is identified by the most recently approved premises map held on EPA electronic file as DOC23/6902-2.

## 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	Dust monitoring		High Volume Air Sampler labelled as "EPL1" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
11	Discharge to air; Air emissions monitoring	Discharge to air; Air emissions monitoring	Kiln Stack labelled as "EPL11" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
12	Discharge to air; Air emissions monitoring	Discharge to air; Air emissions monitoring	Lime Hydration Plant Stack labelled as "EPL12" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
16	Dust Monitoring		Dust Deposition Gauge located within the premises labelled as "EPL16" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
17	Dust monitoring		Dust deposition gauge at Sub station. Dust monitoring station located within the premises labelled as "EPL17" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)

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18	Dust monitoring	Dust deposition gauge at Freddy's hill. Dust monitoring station located within the premises labelled as "EPL18" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)
21	Weather monitoring	Weather monitoring station located within the premises labelled as "EPL21" on map titled "230109 EPL944 Premise Map" (DOC23/6902-2)

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

### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
13	Groundwater Monitoring		Groundwater Monitoring Point labelled as "MW05" on map entitled 'EPL 944 Groundwater Monitoring Point Location Change- December 2020" (DOC20/1014984)

## 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 Load limits

L2.1 The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.

L2.2 The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol.

Assessable Pollutant	Load limit (kg)
Coarse Particulates (Air)	8050.00
Fine Particulates (Air)	5050.00
Lead (Air)	6.00
Mercury (Air)	2.00
Nitrogen Oxides (Air)	91680.00



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Sulfur Oxides (Air)	170.00
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Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

Note: Lead and Mercury load limits were derived from 5 years of annual returns and discussion with the licensee. Load limits are to be reviewed in 2025.

## L3 Concentration limits

L3.1 For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

### L3.2 Air Concentration Limits

#### POINT 1

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
PM10	micrograms per cubic metre	25(Annual) 50(24hr)			
PM2.5	micrograms per cubic metre	8(Annual) 25(24hr)			
Total suspended particles	micrograms per cubic metre	90			Annual

#### POINT 11

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Nitrogen Oxides	milligrams per cubic metre	2000			

#### POINT 12

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Solid Particles	milligrams per cubic metre	100			

Note: Point 1 sampling limits for PM10 are:

- 25 micrograms per meter squared over an averaging Annual period; and
- 50 micrograms per meter squared over an averaging 24 hour period.

Note: Point 1 sampling limits for PM2.5 are:

- 8 micrograms per meter squared over an averaging Annual period; and
- 25 micrograms per meter squared over an averaging 24 hour period.

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## L4 Noise limits

L4.1 Noise generated at the premises must not exceed the noise limits at times and locations specified in the table below. The locations referred to in the table below are indicated by "Marulan South Limestone Mine Continued Operations - Environmental Impacts Statement prepared for Boral Cement March 2019 - Appendix F Noise and Blasting Assessment - Figure 5.1".

Assessment Location	Day	Evening	Night	Night
-	LAeq(15min)	LAeq(15min)	LAeq(15min)	LAF(max)
R9	40	36	36	52
Other privately owned residences	40	35	35	52

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

- Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.
- Evening means the period from 6pm to 10pm.
- Night means the period from 10pm to 7am Monday to Saturday and the period from 10pm to 8am Sunday and public holidays.

L4.3 a) The noise limits set out in Condition L4.1 apply under the following meteorological conditions listed in the table below.

b) For those meteorological condition not referred to in condition L4.3(a), the noise limits that apply are the noise limits in Condition L4.1 plus 5dB.

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level
Evening	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level
Night	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level

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

- The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as 'EPL21' on the most recently approved premises map held on EPA electronic file as DOC23/6902-2.
- Stability category adopted by the licensee is 'Use of sigma thete data' in accordance with the Noise Policy for Industry (NSW EPA, 2017).

L4.5 To assess compliance:

- with the LAeq(15minute) or the LAmox noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:
  - approximately on the property boundary, where any residence is situated 30 meters or less from the property boundary closest to licensed premises; or where applicable;

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(ii) in an area within 30 meters of a residence façade, but not closer than 3 meters where any residence on the property is situated more than 30 meters from the property boundary closest to the licensed premises; or, where applicable;

(iii) in an area within 50 meters of the boundary of the premises; or, where applicable;

(iv) at any other location identified in Condition L4.1.

b) with the LAeq(15 minute) or the LAmax noise limits in condition L4.1 and L4.3, the noise measurement equipment must be located:

(i) at the reasonably most affected point at a location where there is no residence at the location; or,

(ii) at the reasonably most affected point within an area at a location prescribed by condition L4.5(a).

L4.6 A non-compliance of condition L4.1 and L4.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most effected point at the locations referred to in condition L4.5(a) or L4.5(b).

Note: Note to L4.5 and L4.6: The reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest noise generated from the premises.

L4.7 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) should be applied, as appropriate, to the noise measurement by the noise monitoring equipment.

L4.8 Noise measurement must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

L4.9 Where it can be demonstrated that direct measurement of noise from the premises is impractical at location/s nominated in L4.1, the EPA may accept alternative means of determining compliance. See Chapter 7 of the *Noise Policy for Industry*.

Note: Definitions

For the purpose of this license the following definitions apply:

- *Noise* - 'sound pressure levels' for the purposes of conditions L4.1 to L4.9.

- *LAeq(15 minute)* - the value of the A-weighted sound pressure level of a continuous steady sound that, over 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (AS1055.1-1997).

- *LAfmax* - the maximum sound pressure level of an event measured with a sound level meter satisfying AS IEC 61672.1-2004 set to 'A' frequency weighting and fast time weighting.

## L5 Blasting

L5.1 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.

L5.2 The airblast overpressure level from blasting operations at the licensed premises must not exceed 120dB (Lin Peak) at any one 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.

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- L5.3 The airblast overpressure level from blasting operations at the licensed 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 be taken into account in determining whether or not the limit has been exceeded.
- L5.4 Ground vibration peak particle velocity from the blasting operations at the licensed 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.
- L5.5 Ground vibration peak particle velocity from the blasting operations at the licensed premises must not exceed 5mm/sec at any time 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 Blasting at the licensed premises may only take place between 9:00am-5:00pm Monday to Friday. Blasting is not permitted on weekends or public holidays.
- L5.7 Blasting outside of the hours specified in L5.6 can only take place with the written approval of the EPA.
- L5.8 The airblast overpressure and ground vibration levels in conditions L5.1 to L5.4 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 the land owner.

## 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.

### 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 prevent and or minimise the emission of air pollutants, including dust, from the premises.

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- O3.2 Trucks transporting materials from the premises must be covered as soon as practicable after loading prior to leaving 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:
- 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

Pollutant	Units of measure	Frequency	Sampling Method
PM10	milligrams per cubic metre	Special Frequency 2	AM-18

#### POINT 11

Pollutant	Units of measure	Frequency	Sampling Method
Nitrogen Oxides	grams per cubic metre	Yearly	TM-11
Solid Particles	milligrams per cubic metre	Yearly	TM-15

#### POINT 12

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Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	milligrams per cubic metre	Yearly	TM-15

**POINT 16**

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

**POINT 17**

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

**POINT 18**

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

Note: For the purposes of the table(s) above:

Special Frequency 2 means the collection of samples on a one day in six cycle using HVAS fitted with size selective inlet for PM10.

**M2.3 Water and/ or Land Monitoring Requirements****POINT 13**

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	milligrams per litre	Quarterly	Grab sample
Total suspended solids	milligrams per litre	Quarterly	Grab sample

**M3 Testing methods - concentration limits**

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

a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or

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- b) 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
- c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

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

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2022* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

## M4 Testing methods - load limits

Note: Division 4 of the *Protection of the Environment Operations (General) Regulation 2022* requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.

## M5 Weather monitoring

M5.1 The meteorological weather station identified in Condition L4.4(a) must be maintained so as to be capable of continually monitoring the parameters specified in Condition M5.2.

M5.2 For each monitoring point specified in the table below the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Parameter	Units of measure	Frequency	Averaging period	Sampling Method
Air temperature	°C	Continuous	1 hour	AM-4
Wind direction	°	Continuous	15 minute	AM-2 and AM-4
Wind speed	m's	Continuous	15 minute	AM-2 and AM-4
Sigma theta	°	Continuous	15 minute	AM-2 and AM-4
Rainfall	mm	Continuous	15 minute	AM-4
Relative humidity	%	Continuous	1 hour	AM-4

## M6 Recording of pollution complaints

M6.1 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.

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M6.2 The record must include details of the following:

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

M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M7 Telephone complaints line

M7.1 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.

M7.2 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.

M7.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## 6 Reporting Conditions

### R1 Annual return documents

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:



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- 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 later than 60 days after the date the transfer was granted (the 'due date').

R1.6 Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:

- a) the assessable pollutants for which the actual load could not be calculated; and
- b) the relevant circumstances that were beyond the control of the licensee.

R1.7 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.

R1.8 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.

# Environment Protection Licence

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## R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
  - where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- the cause, time and duration of the event;
  - the type, volume and concentration of every pollutant discharged as a result of the event;
  - the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
  - the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
  - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
  - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
  - any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## 7 General Conditions

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

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

# Environment Protection Licence

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## Dictionary

### General Dictionary

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

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

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

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 25-August-2000

# Environment Protection Licence

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## End Notes

- 1 Licence varied by notice 1002259, issued on 18-Oct-2000, which came into effect on 12-Nov-2000.
- 2 Licence varied by change to Common Name field, issued on 31-May-2001, which came into effect on 31-May-2001.
- 3 Licence transferred through application 140465, approved on 15-Jun-2001, which came into effect on 15-Jun-2001.
- 4 Licence varied by notice 1008757, issued on 27-Nov-2001, which came into effect on 22-Dec-2001.
- 5 Licence varied by notice 1017662, issued on 21-Jun-2002, which came into effect on 16-Jul-2002.
- 6 Licence varied by notice 1026529, issued on 30-Apr-2003, which came into effect on 25-May-2003.
- 7 Licence varied by notice 1030085, issued on 21-Aug-2003, which came into effect on 15-Sep-2003.
- 8 Licence varied by notice 1038040, issued on 14-Jul-2004, which came into effect on 08-Aug-2004.
- 9 Licence varied by change to record due to LGA amalgamation, issued on 01-Dec-2004, which came into effect on 01-Dec-2004.
- 10 Licence varied by notice 1044343, issued on 15-Mar-2005, which came into effect on 09-Apr-2005.
- 11 Licence varied by notice 1054428, issued on 24-Feb-2006, which came into effect on 21-Mar-2006.
- 12 Licence varied by notice 1057796, issued on 03-Apr-2006, which came into effect on 28-Apr-2006.
- 13 Licence varied by correction to DEC File number, issued on 07-Mar-2007, which came into effect on 07-Mar-2007.
- 14 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 15 Licence varied by notice 1095801, issued on 09-Feb-2009, which came into effect on 09-Feb-2009.
- 16 Licence varied by notice 1502865 issued on 06-Dec-2011
- 17 Licence varied by notice 1506039 issued on 29-Jun-2012
- 18 Licence varied by notice 1521469 issued on 07-Aug-2014
- 19 Licence varied by notice 1603582 issued on 24-Dec-2020
- 20 Licence varied by notice 1625174 issued on 14-Mar-2023



# Environment Protection Licence

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