

Environment Protection Licence

Licence - 4885

Licence Details

Number:	4885
Anniversary Date:	01-December

Licensee

AQC DARTBROOK MANAGEMENT PTY LTD
 PO BOX 517
 MUSWELLBROOK NSW 2333

Premises

DARTBROOK MINE
 STAIR STREET
 MUSWELLBROOK NSW 2333

Scheduled Activity

Coal works
 Mining for coal

Fee Based Activity

Scale

Coal works	> 5000000 T annual handing capacity
Mining for coal	> 5000000 T annual production capacity

Contact Us

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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:

AQC DARTBROOK MANAGEMENT PTY LTD
PO BOX 517
MUSWELLBROOK NSW 2333

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

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

Note: In relation to this licence, the licensee must comply with:

- the activity scale limits imposed by this licence;
- the activity scale limits which apply for the reporting period specified in this licence; and
- the activity scale limits imposed by other legal instruments, such as approvals currently in force under the *Environmental Planning and Assessment Act 1979*.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
DARTBROOK MINE
STAIR STREET
MUSWELLBROOK
NSW 2333
PLAN OF PREMISES DEFINED IN PLAN TITLED 'DARTBROOK MINE PLAN SHOWING DETAILS OF EPL LICENCE AREA' DRG. 100178 REVISION A, DATED 18 DECEMBER 2023 (DOC24/17351).

A3 Other activities

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

Ancillary Activity
Reject disposal (bi-product of coal processing) into designated reject area

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Sewage Treatment Systems

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:

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

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

- P1.1 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.
- P1.2 For the purpose of the monitoring/discharge points tables below, the "the Plan" refers to the plan titled 'Environmental Monitoring Network - Figure 1' dated 19 January 2024 (DOC24/35176-5).
- P1.3 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
5	Effluent irrigation area soil quality monitoring.		Monitoring of the effluent irrigation area, shown as "EPA5" on the plan titled 'Dartbrook Mine Plan Showing Details of EPL Licence Water Monitoring Points', dated 18 December 2023 (DOC24/17351).
6	Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS); Discharge water quality and volume monitoring.	Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS); Discharge water quality and volume monitoring.	Monitoring in the bypass line from the 1200 mm concrete line, shown as "EPA6" on the plan titled 'Dartbrook Mine Plan Showing Details of EPL Licence Water Monitoring Points', dated 18 December 2023 (DOC24/17351).

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7	Groundwater monitoring	At locations representative of where any predicted groundwater impacts caused by mining operations may occur. As detailed in the plan titled 'Dartbrook Mine Plan Showing Details of EPL Licence Water Monitoring Points', dated 18 December 2023 (DOC24/17351)
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P1.4 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
21	Particulate Matter Monitoring		Monitoring Station "MAC Airstrip" at coordinates 296039, 6438158 (Easting, Northing) as shown on "the Plan".
22	Particulate Matter Monitoring		Monitoring Station "Fan Site 1" at coordinates 297334, 6436691 (Easting, Northing) as shown on "the Plan".
23	Particulate Matter Monitoring		Monitoring Station "Standings" at coordinates 298532, 6435522 (Easting, Northing) as shown on "the Plan".
24	Particulate Matter Monitoring		Monitoring Station "ESMS" at coordinates 301564, 6436961 (Easting, Northing) as shown on "the Plan".
25	Particulate Matter Monitoring		Monitoring Station "Hulbert" at coordinates 301295, 6435043 (Easting, Northing) as shown on "the Plan".

P1.5 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.

<i>Noise/Weather</i>		
EPA identification no.	Type of monitoring point	Location description
8	Meteorological Station	Monitoring Station "MET 01" at coordinates 295954, 6437466 (Easting, Northing) as shown on "the Plan".
9	Meteorological Station	Monitoring Station "MET 02" at coordinates 301500, 6437040 (Easting, Northing) as shown on "the Plan".
10	Noise monitoring	Monitoring Station "A1" at coordinates 298840, 6436870 (Easting, Northing) as shown on "the Plan".
11	Noise monitoring	Monitoring Station "A2" at coordinates 297730, 6436989 (Easting, Northing) as shown on "the Plan".

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12	Noise monitoring	Monitoring Station "A3" at coordinates 298531, 6435522 (Easting, Northing) as shown on "the Plan".
13	Noise monitoring	Monitoring Station "A4" at coordinates 299180, 6435156 (Easting, Northing) as shown on "the Plan".
14	Noise monitoring	Monitoring Station "A5" at coordinates 298938, 6435141 (Easting, Northing) as shown on "the Plan".
15	Noise monitoring	Monitoring Station "A6" at coordinates 300947, 6437860 (Easting, Northing) as shown on "the Plan".
16	Noise monitoring	Monitoring Station "A7" at coordinates 301262, 6438032 (Easting, Northing) as shown on "the Plan".
17	Noise monitoring	Monitoring Station "A8" at coordinates 301208, 6437074 (Easting, Northing) as shown on "the Plan".
18	Noise monitoring	Monitoring Station "A9" at coordinates 301457, 6434709 (Easting, Northing) as shown on "the Plan".
19	Noise monitoring	Monitoring Station "A10" at coordinates 299083, 6434975 (Easting, Northing) as shown on "the Plan".
20	Noise monitoring	Monitoring Station "A11" at coordinates 301687, 6437758 (Easting, Northing) as shown on "the Plan".

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

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

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

L2.4 Water and/or Land Concentration Limits

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POINT 6

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-9.5
Total suspended solids	milligrams per litre				120

L3 Volume and mass limits

- L3.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:
- liquids discharged to water; or;
 - solids or liquids applied to the area;
- must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
6	megalitres	30

L4 Noise limits

- L4.1 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.

POINT 10,11,12,13,14,19

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Evening	LAeq (15 minute)	Monthly	40
Night	LAeq (15 minute)	Monthly	35
Night	LAm _{ax}	Monthly	52
Day	LAeq (15 minute)	Monthly	40

POINT 15,16,20

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
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Day	LAeq (15 minute)	Monthly	49
Evening	LAeq (15 minute)	Monthly	42
Night	LAeq (15 minute)	Monthly	41
Night	LAmix	Monthly	52

POINT 17

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Evening	LAeq (15 minute)	Monthly	50
Night	LAeq (15 minute)	Monthly	41
Night	LAmix	Monthly	52
Day	LAeq (15 minute)	Monthly	50

POINT 18

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	Monthly	50
Evening	LAeq (15 minute)	Monthly	50
Night	LAeq (15 minute)	Monthly	42
Night	LAmix	Monthly	52

L4.2 For the purposes of condition L3.1:

- Day is defined as the period from 7am to 6pm
- Evening is defined as the period 6pm to 10pm; and
- Night is defined as the period from 10pm to 7am

L4.3 For the purposes of determining the noise generated at the Premises, the modification factors in Table C1 in Fact Sheet C of the Noise Policy for Industry (NSW EPA, 2017) must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L4.4 Noise measurements must not be undertaken during rain or where wind speed at microphone level will affect the acquisition of valid sound pressure level measurements.

L5 Blasting

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L5.1 The air blast overpressure level from blasting operations in or on the premises must not exceed:

- (a) 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; and
- (b) 120 dB (Lin Peak) at any time.

At any residence or noise sensitive location that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative overpressure level.

L5.2 The ground vibration peak velocity from blasting operations carried out in or on the premises must not exceed:

- (a) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each reporting period; and
- (b) 10mm/s at any time.

At any residence or noise sensitive location that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee as to an alternative ground vibration level.

L5.3 Blasting in or on the premises must only be carried out between 0900 hours and 1700 hours, Monday to Saturday. Blasting in or on the premises must not take place on Sundays or Public Holidays without the prior approval of the EPA.

L5.4 Blasting at the premises is limited to 1 blast on each day on which blasting is permitted.

L6 Potentially offensive odour

L6.1 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:

- 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.

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

O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.
- O3.2 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.
- O3.3 Water sprays must be operated on all coal stockpiles, coal transfer areas and coal-load out areas to prevent and minimise the emission into the air of particulate matter.

O4 Effluent application to land

- O4.1 The licensee must ensure that the effluent discharge utilisation area perimeter is fenced and signposted and controlled in a manner to ensure exclusion of persons from that area.
- O4.2 The licensee must ensure that sprays or mists from irrigation do not drift beyond the boundary of the effluent discharge utilisation area and that no ponding occurs.
- O4.3 Effluent application to the utilisation area(s) must not occur in a manner that causes surface run-off from the utilisation area(s).
- O4.4 Irrigation of wastewater must not be carried out if soil moisture conditions are such that surface runoff or ponding is likely to occur.
- O4.5 No irrigation, application or storage of sewage effluent or sludge must be undertaken within 50 metres of any water course, or on any other area except the defined irrigation area.

O5 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must be developed in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations (POEO) Act 1997 and POEO regulations. The licensee must keep the incident response plan on the premises at all times. The incident response plan must document systems and procedures to deal with all types of incidents (e.g. spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. The PIRMP must be tested at least annually or following a pollution incident.

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O6 Processes and management

- O6.1 All runoff from the stockpiles and tailings cells and the area utilised for the operation of the stockpiles and tailings cells must be directed to the saline water management system.
- O6.2 All above ground tanks and containers containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place. Bunds must:
- have wall and floors constructed of impervious materials;
 - be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
 - have floors graded to a collection sump; and
 - not have a drain valve incorporated in the bund structure, or be constructed and operated in a manner that achieves the same environmental outcome.

O7 Other operating conditions

- O7.1 The proponent must ensure that any item of non-road mobile diesel equipment commissioned into service and operating at the Premises after June 30 2020:
- complies with the US EPA Tier 4 final or equivalent exhaust emission standard; or
 - is otherwise approved, in writing, by the NSW EPA for use on the Premises

Note: 1 - 'commissioned into service' is defined as the act of using the item of non-road mobile diesel equipment for commercial or industrial activities for the first time in Australia.

2 - US EPA Tier 4 final is defined by US EPA (2016), Non-road Compression-Ignition Engines: Exhaust Emission Standards, EPAA-420-B-16-022, March 2016, U.S. Environmental Protection Agency, Office of Transport and Air Quality (6401A), 1200 Pennsylvania Avenue, NW, Washington, DC 20460, United States. <https://www.epa.gov/emission-standards-reference-guide/nonroad-engines-and-vehicles-emission-standards>. Acceptable equivalent standards include EU stage V and any other international non-road emission standard with emission limits equal to or lower than the applicable US EPA Tier 4 standard.

3 - For the purpose of this condition, non-road mobile diesel equipment means: i) equipment fitted with a diesel (compression ignition) engine, that is either self-propelled or portable and transportable as indicated by the presence of wheels, skids, lifting handles/points, dolly, trailer or platform mounted; and ii) which is primarily designed for off-road use; and iii) is not an eligible vehicle under the NSW Road Transport (Vehicle Registration) Regulation 2007, but may be conditionally registered for the purpose of moving from one off-road work site to another; but does not include:

- equipment primarily designed to be operated on public roads for the transportation of freight or passengers
- diesel locomotives
- diesel generators
- equipment principally designed and intended for use underground

Sewage Treatment System

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- O7.2 The licensee is responsible for the correct operation of the sewage treatment system on the premises.
- O7.3 Correct operation involves regular supervision and system maintenance. The licensee must be aware of the system management requirements and must ensure that the necessary service contracts are in place.
- O7.4 The sewage treatment system must be serviced by a suitably qualified and experienced wastewater technician at least once in each quarterly period and a minimum of four times per year.
- O7.5 In relation to condition O8.3, the Proponent must record details of each inspection undertaken (date and time), the actions required or recommended following each inspection, the date those actions were completed or detail the reasons if they were not completed and the results of any test performed on the wastewater management system by the technician.
- O7.6 The licensee must prepare a sewage treatment system maintenance program. The program must include:
- Certification from the system provider that the sewage treatment system is operating within its capacity;
 - Date, time and results of all routine maintenance procedures undertaken to the sewage treatment system; and
 - Provide written records of each quarterly inspection.

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,

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specified opposite in the other columns:

M2.2 Air Monitoring Requirements

POINT 21,22,23,24,25

Pollutant	Units of measure	Frequency	Sampling Method
PM10	micrograms per cubic metre	Every 6 days	AM-18

M2.3 Water and/ or Land Monitoring Requirements

POINT 5

Pollutant	Units of measure	Frequency	Sampling Method
Available phosphorus	milligrams per kilogram	Yearly	Composite sample prepared from area profile samples
Conductivity	microsiemens per centimetre	Yearly	Composite sample prepared from area profile samples
Exchangeable sodium percentage	milligrams per kilogram	Yearly	Composite sample prepared from area profile samples
Nitrate	milligrams per kilogram	Yearly	Composite sample prepared from area profile samples
Nitrogen (total)	milligrams per kilogram	Yearly	Composite sample prepared from area profile samples
pH	pH	Yearly	Composite sample prepared from area profile samples
Phosphorus (total)	milligrams per kilogram	Yearly	Composite sample prepared from area profile samples

POINT 6

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous during discharge	A probe designed to measure the range 0 to 10,000 uS/cm
pH	pH	Daily during any discharge	Grab sample
Total suspended solids	milligrams per litre	Daily during any discharge	Grab sample

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POINT 7

Pollutant	Units of measure	Frequency	Sampling Method
Depth	metres	Quarterly	Grab sample
pH	pH	Quarterly	Grab sample
Salinity	millisiemens per centimetre	Quarterly	Grab sample

M2.4 The Licensee is not required to undertake soil quality monitoring at the effluent irrigation area (EPA Point 5) until the recommencement of effluent application at the premises.

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.

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

M3.2 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.

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.

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POINT 8,9

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

M4.2 The meteorological stations at Point 8 and 9 must be maintained so as to be capable of continuously monitoring the parameters specified in condition M4.1.

M4.3 The Licensee must develop and implement a calibration, quality assurance, quality control and audit program for the meteorological monitoring station. The program must be approved by the EPA prior to the installation of any new monitoring equipment.

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:

- 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.

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

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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 Requirement to monitor volume or mass

M7.1 For each discharge point or utilisation area specified below, the licensee must monitor:

- a) the volume of liquids discharged to water or applied to the area;
- b) the mass of solids applied to the area;
- c) the mass of pollutants emitted to the air;

at the frequency and using the method and units of measure, specified below.

POINT 6

Frequency	Unit of Measure	Sampling Method
Continuous during discharge	megalitres per day	Magnetic flow meter

M8 Blasting

M8.1 To determine compliance with condition(s) L5.1 and L5.2

- a) Airblast overpressure and ground vibration levels must be measured at the nearest residence or noise sensitive location that is most likely to be most affected by the blast and that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee for all blasts carried out in or on the premises; and
- b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard 2187.2 of 1993.

M9 Other monitoring and recording conditions

HRSTS Monitoring

M9.1 The Licensee must continuously operate and maintain communication equipment which makes the conductivity and flow measurements, taken at Point 6 available to the "Service Coordinator" within one hour of those measurements being taken and makes them available in the format specified in the report titled "Hunter River Salinity Trading Scheme Discharge Point Telemetry Specification - Rev V1.0 Released 4 October 2018" as published by WaterNSW.

M9.2 The licensee must ensure that all monitoring data is within a margin of error of 5% for conductivity measurements and 10% for discharge flow measurement.

M9.3 The licensee must mark monitoring Point 6, with a sign which clearly indicates the name of the licensee,

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whether the monitoring point is up or downstream of the discharge point and that it is a monitoring point for the Hunter River Salinity Trading Scheme.

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.

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.

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- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- the licence holder; or
 - by a person approved in writing by the EPA to sign on behalf of the licence holder.
- R1.8 The licensee must report any exceedance of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.

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:
- 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

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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.

Reporting of Exceedances of Blasting Limits

- R3.5 The licensee must report any exceedance of the licence blasting limits to the EPA at info@epa.nsw.gov.au as soon as practicable after the exceedance becomes known to the licensee or to one of the licensee's employees or agents.

HRSTS Reporting

- R3.6 The licensee must compile a written report of the activities under the Scheme for each scheme year. The scheme year shall run from 1 July to 30 June each year. The written report must be submitted to the EPA's regional office within 60 days after the end of each scheme year and be in a form and manner approved by the EPA. The information will be used by the EPA to compile an annual scheme report.

R4 Other reporting conditions

- R4.1 The Licensee must notify the EPA by telephoning the Environment Line service on 131555 immediately after the Licensee becomes aware of any contravention or potential contravention of Condition L1 of the Licence.
- R4.2 The Licensee must provide written details of the notification to the EPA at info@epa.nsw.gov.au within 7 days of the date of the notification.

Annual Groundwater Monitoring Report

- R4.3 The Licensee must provide a Groundwater Monitoring Report each year, which must include the following information during the respective monitoring period:
- Standalone sections with regard to groundwater at the Premises
 - The date, time, location and results of all monitoring undertaken in accordance with the document titled '*Dartbrook Mine Site Water Management Plan*' (DOC23/740736) (the SWMP).
 - An analysis of the monitoring results and overall trends of the current reporting period against the previous reporting period, in addition to the parameters given the SWMP
 - an explanation for changes in parameter concentrations with a summary of any investigations or mitigation actions undertaken in accordance with the SWMP.

Sewage Treatment System Maintenance Report

- R4.4 The sewage treatment system maintenance program report required by Condition O7.5 must be submitted annually to the EPA with the Annual Return.
- R4.5 The licensee must retain a copy of each report required by Condition O7.4 for 3 years from the date each

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record is made.

7 General Conditions

G1 Copy of licence kept at the premises or plant

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

8 Pollution Studies and Reduction Programs

U1 Coal Mine Particulate Matter Control Best Practice

- U1.1 The Licensee must conduct a site specific Best Management Practice (BMP) determination to identify the most practicable means to reduce particle emissions.
- U1.2 The Licensee must prepare a report which includes, but is not necessarily limited to, the following:
- identification, quantification and justification of existing measures that are being used to minimise particle emissions;
 - identification, quantification and justification of best practice measures that could be used to minimise particle emissions;
 - evaluation of the practicability of implementing these best practice measures; and
 - a proposed timeframe for implementing these best practice measures.

In preparing the report, the Licensee must utilise the document entitled *Coal Mine Particulate Matter Control Best Practice – Site Specific Determination Guideline – November 2011*.

- U1.3 All cost related information is to be included as Appendix 1 of the Report required by condition U1.2 above.
- U1.4 The Report required by condition U1.2 must be submitted by the Licensee to the EPA, at info@epa.nsw.gov.au by 30 July 2025.
- U1.5 The report required by condition U1.2 above, except for cost related information contained in Appendix 1 of the Report, must be made publicly available by the Licensee on the Licensee's website by 31 August 2025.

9 Special Conditions

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E1 Hunter River Salinity Trading Scheme

- E1.1 This licence authorises the discharge of saline water into the Hunter River Catchment from an authorised discharge point (or points), in accordance with the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.
- E1.2 For the purposes of Clauses 23 and 29 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002 the licensee must apply the conversion factor of 0.6.
- E1.3 Saline water with an electrical conductivity greater than 400 microSiemens must only be discharged through Discharge Point 6 and in accordance with the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation 2002.
- E1.4 During the licensee's next discharge under the rules of the Hunter River Salinity Trading Scheme (the Scheme) the licensee must monitor salinity levels at least at the following location, provided it is safe to do so:
- at the nearest downstream irrigation offtake point.

As far as practicable it should be timed to coincide with the peak flow of discharge water. The results of this monitoring must be reported to the EPA at info@epa.nsw.gov.au within 30 days of being collected. The report should detail the exact location, time and method of monitoring.

Note:

- a handheld salinity probe is considered an adequate method of undertaking the monitoring,
- this monitoring can be carried out in conjunction with other discharging participants in the Scheme.

- E1.5 The licensee must not exceed the hourly volume discharge limit calculated using the following formula, at all discharge point(s) on this licence titled "Discharge of saline water under the Hunter River Salinity Trading Scheme (HRSTS)":

$$H = V / RRT$$

Where:

H is the hourly volume discharge limit (in megalitres per hour);

V is the licence holder's volume discharge limit for the block (in megalitres) calculated in accordance with clause 23 of the Protection of the Environment Operations (Hunter River Salinity Trading Scheme) Regulation (2002); and

RRT is the difference between the discharge stop and start times shown on the river register for that block (in hours)

Note 1: The intent of this condition is to prevent spikes of saline water in the Hunter River as a result of discharges of less than the duration permitted by the river register.

Note 2: A river register is issued by the Service Co-ordinator and allows participants of the Hunter River Salinity Trading Scheme (HRSTS) to discharge saline to the Hunter River during a discharge period.



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E1.6 If the Services Coordinator provides an updated river register while the licensee is actively discharging, the licensee will react to any changes required in a reasonably practicable timeframe.

E2 Greenhouse Gas Emissions and Climate Change Adaptation

Note: Activities at the premises will be the subject of future licence conditions addressing greenhouse gas emissions and climate change adaptation issues. The EPA intends adding conditions to the licence as part of implementing initiatives under the EPA's Climate Change Policy and Climate Change Action Plan: 2023–26.

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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.

Ms Debbie Maddison

Environment Protection Authority

(By Delegation)

Date of this edition: 31-July-2000

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End Notes

- 1 Licence varied by notice 1003003, issued on 06-Dec-2000, which came into effect on 31-Dec-2000.
- 2 Licence varied by notice 1012865, issued on 28-Nov-2001, which came into effect on 03-Dec-2001.
- 3 Condition HRSTS Dis Note varied by notice issued on <issue date> which came into effect on <effective date>
- 4 Licence varied by notice 1013447, issued on 07-Dec-2001, which came into effect on 01-Jan-2002.
- 5 Licence varied by notice 1016939, issued on 13-May-2002, which came into effect on 07-Jun-2002.
- 6 Licence varied by notice 1018878, issued on 12-Aug-2002, which came into effect on 06-Sep-2002.
- 7 Licence varied by notice 1025669, issued on 16-May-2003, which came into effect on 10-Jun-2003.
- 8 Licence varied by notice 1031281, issued on 28-Nov-2003, which came into effect on 23-Dec-2003.
- 9 Licence varied by notice 1044827, issued on 04-Apr-2005, which came into effect on 29-Apr-2005.
- 10 Licence varied by notice 1067164, issued on 21-Nov-2006, which came into effect on 21-Nov-2006.
- 11 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 12 Licence varied by notice 1104274, issued on 27-Nov-2009, which came into effect on 27-Nov-2009.
- 13 Licence varied by notice 1502064 issued on 27-Jan-2012
- 14 Licence varied by notice 1534035 issued on 09-Oct-2015
- 15 Licence varied by notice 1548286 issued on 30-Mar-2017
- 16 Licence varied by notice 1569898 issued on 15-Mar-2019
- 17 Licence varied by notice 1587972 issued on 29-Nov-2019
- 18 Licence varied by notice 1628953 issued on 08-Feb-2024