

Licence Variation

Licence - 1548



HYDRO ALUMINIUM KURRI KURRI PTY LTD
ABN 55 093 266 221 ACN 093 266 221
PO BOX 1
KURRI KURRI NSW 2327

By Email: richard.brown@hydro.com

Attention: Mr Richard Brown

Notice Number 1598512
File Number DOC20/766925, SF18/107454
Date 13-Oct-2020

NOTICE OF VARIATION OF LICENCE NO. 1548

BACKGROUND

- A. Hydro Aluminium Kurri Kurri Pty Ltd (Hydro Aluminium) holds Environment Protection Licence No. 1548 (the Licence) issued under the *Protection of the Environment Operations Act 1997* (the Act). The Licence authorises scheduled activities to be carried on at Hart Road, Loxford NSW 2327 (the Premises).
- B. On 18 August 2014, the Environment Protection Authority (EPA) issued Notice No. 1524069, under section 58 of the Act, varying the Licence. The variation amended the premises description under condition A2.1 following the cessation of aluminium production. The varied premises description was considered to include the areas likely to be the subject of remediation activities.
- C. On 19 July 2020, the EPA received your application to vary the Licence (the Application). The Application requested amending the premises description under condition A2.1 to generally reinstate the entire landholdings of Hydro Aluminium (which were licensed prior to 18 August 2014) for the purpose of including all land associated with the former smelter requiring post-operational activities.
- D. On 6 August 2020, the EPA wrote to you requesting further information in support of the Application.
- E. On 27 August 2020, the EPA received an email from Ramboll Australia Pty Ltd, providing an amended plan of the Premises.
- F. On 28 August 2020, the EPA received an email from Ramboll Australia Pty Ltd, providing GIS spatial files in support of the amended plan of the Premises provided on 27 August 2020.
- G. The EPA has considered all relevant material and section 45 of the Act and varies the Licence as requested by the Application.

Licence Variation



- H. This Notice does not authorise a significant increase in the environmental impact of the activities authorised or controlled by the Licence.

VARIATION OF LICENCE NO. 1548

1. By this notice the EPA varies the Licence. The attached licence document contains all variations that are made to the Licence by this notice.
2. The following variations have been made to the Licence:
 - Condition A2.1 - Amended to premises description to reference the updated plan of the premises, and supporting shape files.

A handwritten signature in blue ink, appearing to read 'Steven James'.

.....
Steven James
Unit Head Regulatory Operations Metro North
Environment Protection Authority
(by Delegation)

INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

Appeals against this decision

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

When this notice begins to operate

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

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Licence Details

Number:	1548
Anniversary Date:	31-December

Licensee

HYDRO ALUMINIUM KURRI KURRI PTY LTD
 PO BOX 1
 KURRI KURRI NSW 2327

Premises

HYDRO ALUMINIUM REMEDIATION PROJECT
 HART ROAD
 LOXFORD NSW 2327

Scheduled Activity

Chemical storage

<u>Fee Based Activity</u>	<u>Scale</u>
Chemical storage waste generation	> 100 T annual volume of waste generated or stored

Region

Metropolitan North - Newcastle
 Ground Floor, NSW Govt Offices, 117 Bull Street
 NEWCASTLE WEST NSW 2302
 Phone: (02) 4908 6800
 Fax: (02) 4908 6810
 PO Box 488G
 NEWCASTLE NSW 2300

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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:

HYDRO ALUMINIUM KURRI KURRI PTY LTD

PO BOX 1

KURRI KURRI NSW 2327

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
Chemical storage	Chemical storage waste generation	> 100 T annual volume of waste generated or stored

A2 Premises or plant to which this licence applies

- A2.1 The licence applies to the following premises:

Premises Details
HYDRO ALUMINIUM REMEDIATION PROJECT
HART ROAD
LOXFORD
NSW 2327

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LOT 789 DP 39701, LOT 1 DP 62332, LOT 2 DP 62332, LOT 3 DP 62332, LOT 4 DP 62332, LOT 5 DP 62332, LOT 1 DP 71130, LOT 1 DP 73597, LOT 1 DP 166625, LOT 1 DP 194662, LOT 2 DP 233125, LOT 3 DP 233125, LOT 1 DP 311804, LOT 1 DP 456769, LOT 2 DP 456769, LOT 3 DP 456769, LOT 1 DP 456946, LOT 2 DP 456946, LOT 3 DP 456946, LOT 4 DP 456946, LOT 5 DP 456946, LOT 6 DP 456946, LOT 7 DP 456946, LOT 8 DP 456946, LOT 9 DP 456946, LOT 10 DP 456946, LOT 11 DP 456946, LOT 1 DP 502196, LOT 2 DP 502196, LOT 1 DP 543057, LOT 1 DP 547715, LOT 10 DP 553542, LOT 11 DP 553542, LOT 3 DP 560471, LOT 1 DP 589169, LOT 1 DP 654206, LOT 809 DP 728982, LOT 316 DP 755231, LOT 317 DP 755231, LOT 318 DP 755231, LOT 319 DP 755231, LOT 351 DP 755231, LOT 352 DP 755231, LOT 353 DP 755231, LOT 356 DP 755231, LOT 361 DP 755231, LOT 411 DP 755231, LOT 412 DP 755231, LOT 413 DP 755231, LOT 414 DP 755231, LOT 415 DP 755231, LOT 416 DP 755231, LOT 417 DP 755231, LOT 418 DP 755231, LOT 419 DP 755231, LOT 420 DP 755231, LOT 421 DP 755231, LOT 422 DP 755231, LOT 423 DP 755231, LOT 424 DP 755231, LOT 425 DP 755231, LOT 426 DP 755231, LOT 427 DP 755231, LOT 428 DP 755231, LOT 429 DP 755231, LOT 434 DP 755231, LOT 435 DP 755231, LOT 436 DP 755231, LOT 437 DP 755231, LOT 438 DP 755231, LOT 439 DP 755231, LOT 444 DP 755231, LOT 447 DP 755231, LOT 448 DP 755231, LOT 449 DP 755231, LOT 450 DP 755231, LOT 451 DP 755231, LOT 453 DP 755231, LOT 454 DP 755231, LOT 456 DP 755231, LOT 458 DP 755231, LOT 459 DP 755231, LOT 460 DP 755231, LOT 461 DP 755231, LOT 462 DP 755231, LOT 463 DP 755231, LOT 536 DP 755231, LOT 682 DP 755231, LOT 769 DP 755231, LOT 3 DP 821167, LOT 111 DP 833367, LOT 54 DP 975994, LOT 55 DP 975994, LOT 58 DP 975994, LOT 60 DP 975994, LOT 61 DP 975994, LOT 63 DP 975994, LOT 69 DP 975994, LOT 70 DP 975994, LOT 71 DP 975994, LOT 1 DP 976895, LOT 2 DP 976895, LOT 1 DP 976896, LOT 1 DP 998275, LOT 1 DP 998540, LOT 32 DP 1040139, LOT 10 DP 1082569, LOT 11 DP 1082569, LOT 12 DP 1082569, LOT 13 DP 1082569, LOT 14 DP 1082569, LOT 15 DP 1082569, LOT 16 DP 1082569, LOT 17 DP 1082569, LOT 18 DP 1082569, LOT 19 DP 1082569, LOT 20 DP 1082569, LOT 21 DP 1082569, LOT 22 DP 1082569, LOT 38 DP 1082569, LOT 39 DP 1082569, LOT 40 DP 1082569, LOT 48 DP 1082569, LOT 49 DP 1082569, LOT 50 DP 1082569, LOT 52 DP 1082569, LOT 10 DP 1082775, LOT 11 DP 1082775, LOT 12 DP 1082775, LOT 13 DP 1082775, LOT 14 DP 1082775, LOT 15 DP 1082775, LOT 16 DP 1082775, LOT 17 DP 1082775, LOT 18 DP 1082775, LOT 20 DP 1082775, LOT 21 DP 1082775, LOT 22 DP 1082775, LOT 23 DP 1082775, LOT 70 DP 1087121, LOT 16 DP 1102156, LOT 17 DP 1102156, LOT 7314 DP 1139384, LOT 1 DP 1149176, LOT 2 DP 1149176, LOT 100 DP 1158546, LOT 101 DP 1159325, LOT 102 DP 1160801, LOT 103 DP 1161547, LOT 1000 DP 1169278, LOT 12 DP 1172285, LOT 21 DP 1181574, LOT 22 DP 1181574, LOT 1 DP 1190465, LOT 1 DP 1206034, LOT 607 DP 1245051, LOT 608 DP 1245051, LOT 610 DP 1245051, LOT 402 DP 1251684, LOT 403 DP 1251684, LOT 404 DP 1251684, LOT 405 DP 1251684, LOT 406 DP 1251684, LOT 407 DP 1251684, LOT 408 DP 1251684, LOT 409 DP 1251684, LOT 410 DP 1251684, LOT 411 DP 1251684, LOT 412 DP 1251684, LOT 430 DP 1251684, LOT 515 DP 1251686, LOT 516 DP 1251686, LOT 517 DP 1251686

PREMISES MARKED AND SHOWN AS "SCHEDULED PREMISE AREA" IN THE PLAN TITLED "FIGURE 1 - EPL SCHEDULED PREMISES" ATTACHED TO THE LETTER FROM RAMBOLL AUSTRALIA PTY LTD DATED 27/08/2020, TITLED "ENVIRONMENT PROTECTION LICENCE 1548 - LICENCE VARIATION APPLICATION: RESPONSE ON EPA COMMENTS" (EPA REF. DOC20/634310-2), AND THE SPATIAL FILES TITLED "HYDRO_EPL_SCHEDULED_PREMISES_V03.ZIP" EMAILED TO THE EPA ON 28/08/2020 (EPA REF. DOC20/634310-5).

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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.

Note: Page Break.

- A3.2 Any other document and/or management plan is not to be taken as part of the documentation in condition A3.1, other than those documents and/or management plans specifically referenced in 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 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
11		Discharge to utilisation area	Irrigation area

3 Limit Conditions

L1 Pollution of waters

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

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L2 Waste

- L2.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

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.

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 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.
- O3.3 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

Note: Condition O3.3 does not apply solely to transportation of waste tyres or scrap metal in accordance with Clause 70(2) of the Protection of the Environment Operations (Waste) Regulation 2014.

O4 Effluent application to land

- O4.1 Effluent application must not occur in a manner that causes surface runoff.

- O4.2 Spray from effluent application must not drift beyond the boundary of the premises.

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- O4.3 Livestock access to any effluent application area must be denied during effluent application and until the applied effluent area has dried.
- O4.4 The quantity of effluent/solids applied to the utilisation area must not exceed the capacity of the area to effectively utilise the effluent/solids.

For the purpose of this condition, 'effectively utilise' include the use of the effluent/solids for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic material.

O5 Processes and management

- O5.1 The licensee must ensure that any liquid and/or non-liquid waste generated and/or stored and/or processed at the premises is assessed and classified in accordance with the EPA's Waste Classification Guidelines as in force from time to time.

O6 Waste management

- O6.1 The area(s) used for the storage of hazardous or restricted solid waste at the premises must be provided with physical security to prevent unauthorised access to those wastes.
- O6.2 The licensee must ensure that hazardous or restricted solid waste is stored or contained in a secure manner so as to prevent any hazard and the escape of waste and/or leachate.
- O6.3 The licensee must ensure incompatible wastes are not mixed and transported together on any vehicle used by any person to transport the waste.
- O6.4 The licensee must ensure that a suitable enclosed area is provided at the loading point of any hazardous or restricted solid waste which will effectively contain any spillage of such waste.
Notwithstanding this precautionary measure, the licensee must co-operate with any waste transporter to ensure that loading operations are carried out in such a way as to prevent the spillage of the waste.
- O6.5 The licensee must ensure that arrangements are made with any waste transporter to ensure that the recyclable materials are collected and removed to a lawful facility where the waste will be recycled or re-used.
- O6.6 Before disposing of any used anode butt wastes, the licensee must prepare, to the satisfaction of the EPA, a written protocol describing the procedures that will be followed for the treatment, storing, transporting, assessing, record keeping and reporting on the management of used anode butt wastes.

5 Monitoring and Recording Conditions

M1 Monitoring records

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

M2 Recording of pollution complaints

- M2.1 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.
- M2.2 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.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M3 Telephone complaints line

- M3.1 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.
- M3.2 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.
- M3.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

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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.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or

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b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R1.8 A Waste Management Report is to be provided with the Annual Return. The Waste Management Report must contain the following information:

- a) the quantity and the production and process sources of hazardous and/or restricted solid wastes kept on the premises during the licence year;
- b) the quantity and the production and process sources of hazardous and/or restricted solid wastes generated at the premises during the licence year;
- c) details of investigations into methods of recycling and treatment of hazardous and restricted solid wastes carried out by the Licensee or reported by others on behalf of the Licensee during the licence year;
- d) the amount of hazardous and/or restricted solid waste disposed of during the licence year;
- e) details of the disposal method and location of disposal for hazardous and/or restricted solid wastes;
- f) the results of any monitoring carried out to detect the occurrence of environmental contamination potentially resulting from the disposal of any hazardous or restricted solid waste; and
- g) any other details required by this licence

R2 Notification of environmental harm

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

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

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

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

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

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

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;

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- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

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.

G2 Contact number for incidents and responsible employees

- G2.1 The licensee must operate 24-hour telephone contact lines for the purpose of enabling the EPA to directly contact one or more representatives of the licensee who can:
 - a) respond at all times to incidents relating to the premises; and
 - b) contact the licensee's senior employees or agents authorised at all times to:
 - i) speak on behalf of the licensee; and
 - ii) provide any information or document required under this licence.

8 Special Conditions

E1 Groundwater interception and monitoring - Capped Waste Stockpile

- E1.1 The licensee is to continue operating the groundwater interception trench and leachate management system for the Capped Waste Stockpile.
- E1.2 The licensee is to continue the groundwater monitoring program in accordance with the "Groundwater Water Monitoring Program, Capped Waste Stockpile" plan as provided to the EPA on 15 April 2014.
- E1.3 The licensee must submit a groundwater monitoring report to the EPA with each Annual Return. This

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report must included, but need not be limited to:

- a) aquifer characterisation, including aquifer behaviour;
- b) a trend analysis of monitored parameters in key wells; and
- c) any recommendations arising from a review of the groundwater data.

E2 Removal of Spent Pot Lining (Works & Programs)

- E2.1 The licensee must remove or treat all spent pot lining (SPL) that is stored on the premises by 31 December 2021 (excluding any SPL within the capped waste stockpile) and ensure that:
- a) any SPL that is removed from the premises must be moved to a premises that is lawfully able to receive it;
 - b) any SPL that is treated at the premises must be treated to a standard suitable for its intended lawful end use or disposal; and
 - c) if the licensee intends to treat SPL on the premises, all necessary approvals must be obtained to allow treatment to occur.
- E2.2 Nothing in condition E2.1 permits the licensee to act otherwise than in accordance with a licence issued under the Environmentally Hazardous Chemicals Act 1985.
- E2.3 The licensee must provide a written report to the EPA with each Annual Return that details:
- a) the amount of SPL (excluding the capped waste stockpile) that remains stored at the premises;
 - b) the amount of SPL that has been removed from the premises; and
 - c) details of the premises where the removed SPL was taken to (name, address, relevant environment protection licence number) and for what purpose.

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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

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 31-January-2000

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End Notes

- 1 Licence varied by notice V/M upgrade, issued on 08-Jul-2000, which came into effect on 08-Jul-2000.
- 2 Licence transferred through application 140008, approved on 18-Sep-2000, which came into effect on 16-Oct-2000.
- 3 Licence varied by notice Prem.Change, issued on 01-Dec-2000, which came into effect on 16-Oct-2000.
- 4 Licence varied by notice Prem.change, issued on 01-Dec-2000, which came into effect on 16-Oct-2000.
- 5 Licence varied by notice 1004851, issued on 07-Mar-2001, which came into effect on 01-Apr-2001.
- 6 Licence varied by notice 1015709, issued on 27-Mar-2002, which came into effect on 21-Apr-2002.
- 7 Licence varied by notice 1017479, issued on 26-Feb-2003, which came into effect on 23-Mar-2003.
- 8 Licence varied by notice 1036145, issued on 14-Apr-2004, which came into effect on 09-May-2004.
- 9 Licence varied by notice 1042130, issued on 09-Nov-2004, which came into effect on 12-Nov-2004.
- 10 Licence varied by notice 1061583, issued on 09-Aug-2006, which came into effect on 09-Aug-2006.
- 11 Licence varied by notice 1084666, issued on 28-Apr-2008, which came into effect on 28-Apr-2008.
- 12 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 13 Licence varied by notice 1097917, issued on 31-Mar-2009, which came into effect on 31-Mar-2009.
- 14 Licence varied by admin. corrections to archived record, issued on 01-Apr-2009, which came into effect on 01-Apr-2009.
- 15 Licence varied by notice 1102749, issued on 28-Jul-2009, which came into effect on 28-Jul-2009.
- 16 Licence varied by notice 1105168, issued on 21-Aug-2009, which came into effect on 21-Aug-2009.
- 17 Licence varied by notice 1118364, issued on 24-Sep-2010, which came into effect on 24-Sep-2010.
- 18 Licence varied by notice 1501281 issued on 17-Nov-2011

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19 Licence varied by notice 1505741 issued on 11-Oct-2012

20 Licence varied by notice 1524069 issued on 18-Aug-2014

21 Licence varied by notice 1543354 issued on 30-Jul-2018