

Environment Protection Licence

Licence - 12407

Licence Details

| | |
|-------------------|------------|
| Number: | 12407 |
| Anniversary Date: | 11-January |

Licensee

BOGGABRI COAL OPERATIONS PTY LTD

PO BOX 12

BOGGABRI NSW 2382

Premises

BOGGABRI COAL MINE

386 LEARD FOREST ROAD

BOGGABRI NSW 2382

Scheduled Activity

Coal works

Crushing, grinding or separating

Mining for coal

Fee Based Activity

Scale

| | |
|----------------------------------|---|
| Coal works | > 5000000 T annual handing capacity |
| Crushing, grinding or separating | > 500000-2000000 T annual processing capacity |
| Mining for coal | > 5000000 T annual production capacity |

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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:

| |
|---|
| BOGGABRI COAL OPERATIONS PTY LTD |
| PO BOX 12 |
| BOGGABRI NSW 2382 |

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 |
| Crushing, grinding or separating | Crushing, grinding or separating | > 500000 - 2000000 T annual processing capacity |
| Mining for coal | Mining for coal | > 5000000 T annual production capacity |

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

| Premises Details |
|--|
| BOGGABRI COAL MINE |
| 386 LEARD FOREST ROAD |
| BOGGABRI |
| NSW 2382 |
| THE LAND SHOWN ON THE MAP TITLED 'FIGURE 1 EPL BOUNDARY AND ENVIRONMENTAL MONITORING LOCATIONS' DATED 11/09/24 (DOC24/658197). |

A3 Other activities

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

| Ancillary Activity |
|--------------------|
| Chemical storage |

A4 Information supplied to the EPA

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- 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 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 |
| 24 | Ambient air quality monitoring | | Deposited dust gauge labelled D4 on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 25 | Ambient air quality monitoring | | Deposited dust gauge labelled D5 on Plan No. 1 titled 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 26 | Ambient air quality monitoring | | Deposited dust gauge labelled D6 on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 45 | Ambient air quality monitoring | | High Volume Air Sampler on the 'Glenhope' Property, labelled PM10. As shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |

- P1.2 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

- P1.3 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

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| EPA Identification no. | Type of Monitoring Point | Type of Discharge Point | Location Description |
|------------------------|---|---|---|
| 1 | Wet weather discharge Discharge water quality monitoring | Wet weather discharge Discharge water quality monitoring | Sediment dam SD6, as shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 3 | Wet weather discharge Discharge water quality monitoring | Wet weather discharge Discharge water quality monitoring | Discharge point from sediment dam for controlled drainage from coal mining emplacements labelled SD3 on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 4 | Wet weather discharge Discharge water quality monitoring | Wet weather discharge Discharge water quality monitoring | Discharge point from sediment dam for controlled drainage from Coal Train Loading Facility labelled SD4 on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 5 | Ambient Water Quality Monitoring | | SW1 - On Nagero Creek downstream of discharge from premises labelled SW1 on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 6 | Ambient water quality monitoring | | SW2 - on map titled 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 7 | Groundwater monitoring | | Monitoring bore GW003115 on property "Merriown" downgradient of minesite as shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 12 | Groundwater monitoring | | Monitoring bore IBC2110 within Mine Lease Area located in Volcanics aquifer downgradient of mine site as shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 13 | Groundwater monitoring | | Monitoring bore IBC2111 within Mine Lease Area located in weathered volcanics downgradient of minesite shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 18 | Groundwater monitoring | | Monitoring Bore MW6 located on the Merriown Property in weathered volcanics. As shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |

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| | | |
|----|---|--|
| 36 | Surface water quality monitoring | Sediment dam SD6, as shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 38 | Surface water quality monitoring | Sediment dam for controlled drainage from coal mining emplacements labelled SD3 shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 39 | Surface water quality monitoring | Sediment dam for controlled drainage from Coal Train Loading Facility labelled SD4 shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 18/3/24 (DOC24/658197). |
| 46 | Surface water quality monitoring | Sediment dam for controlled drainage from Coal Train Loading Facility labelled SD12 shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 47 | Surface water quality monitoring | Mine Water dam labelled MW3 shown on 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |
| 48 | Ambient water quality monitoring point. | SW3 - Approximately 1km downstream of EPA ID 5 (SW1) on Nagero Creek. 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197). |

P1.4 Weather monitoring

The following point(s) in the table are identified in this licence for the purpose of the monitoring of weather parameters at the point.

| EPA Identification Number | Type of Monitoring Point | Description of Location |
|---------------------------|--------------------------|---|
| W1 | Weather Analysis | Weather station located on the property "Nagero" labelled "MS" shown on the map titled "EPL Boundary and Environmental Monitoring locations" dated 05/03/2019 (DOC19/227801). |

3 Limit Conditions

L1 Pollution of waters

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- 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

POINT 1,3,4

| Pollutant | Units of Measure | 50 percentile concentration limit | 90 percentile concentration limit | 3DGM concentration limit | 100 percentile concentration limit |
|------------------------|----------------------|-----------------------------------|-----------------------------------|--------------------------|------------------------------------|
| Oil and Grease | milligrams per litre | - | - | - | 10 |
| pH | pH | - | - | - | 6.5-8.5 |
| Total suspended solids | milligrams per litre | - | - | - | 50 |

- L2.5 The Total Suspended Solids concentration limits specified for Points 1, 3, 4 may be exceeded for water discharged provided that:
- (a) the discharge occurs solely as a result of rainfall measured at the premises that exceeds 38.4 millimetres over any consecutive 5 day period immediately prior to the discharge occurring; and
- (b) all practical measures have been implemented to dewater all sediment dams within 5 days of rainfall such that they have sufficient capacity to store run off from a 38.4 millimetre, 5 day rainfall event.

Note: 38.4 mm equates to the 5 day 90%ile rainfall depth for Gunnedah sourced from Table 6.3a Managing Urban Stormwater: Soils and Construction Volume 1: 4th edition, March 2004.

L3 Waste

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- L3.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.
- L3.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.
- L3.3 The licensee may dispose of up to 300 end-of-life mining heavy plant tyres on the premises in each annual return year period up until 11 January 2023.

Should the report provided in accordance with condition R3.5:

1. be submitted to the EPAs satisfaction at intervals of 2 years; and
2. find that recycling options are not feasible;

then the onsite disposal of the end-of life heavy mining plant tyres may continue for the subsequent 2 annual reporting periods.

Only waste tyres generated at the premises may be disposed of in accordance with this condition.

L4 Noise limits

- L4.1 Noise generated at the premises must not exceed the noise limits in the table below.

| Locality and Location | Day- LAeq(15 minute) | Evening- LAeq(15 minute) | Night- LAeq(15 minute) | Night- LA1(1 minute) |
|--------------------------------|----------------------|--------------------------|------------------------|----------------------|
| All privately owned residences | 35 dB(A) | 35 dB(A) | 35 dB(A) | 45 dB(A) |

- L4.2 The noise limits identified in the above table do not apply at privately owned residences that are:
- a) identified as residences subject to acquisition or noise mitigation on request within the Project Approval Conditions (09_0182); or
 - b) subject to a private agreement, relating to the noise levels, between the licensee and the land owner.
- L4.3 For the purpose of condition L4.2(a) above, those properties identified as residences subject to acquisition or noise mitigation on request within the Project Approval Conditions (PA 09_0182) are:

| Property No. | Lot/ DP |
|--------------|--------------------|
| 48 | Lot 22/ DP 618032 |
| 44 | Lot 11/ DP 775513 |
| 90 | Lot 143/ DP 754926 |

- L4.4 For the purpose of the table above:

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- a) Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays and Public Holidays;
- b) Evening is defined as the period from 6pm to 10pm;
- c) Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sundays and Public Holidays.

L4.5 The noise limits set out in the Noise Limits table apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level.

For the purposes of this condition:

- a) Data recorded by the meteorological station identified as EPA Identification Point(s) W1 must be used to determine meteorological conditions; and
- b) Temperature inversion conditions (stability category) are to be determined by the sigma-theta method referred to in Part E4 of Appendix E to the NSW Industrial Noise Policy.

L4.6 For the purposes of determining the noise generated at the premises the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L4.7 Determining Compliance

To determine compliance:

- a) with the Leq(15 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located:
 - i) approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the premises; or
 - ii) within 30 metres of a dwelling façade, but not closer than 3m, where any dwelling on the property is situated more than 30 metres from the property boundary closest to the premises; or on any suitable alternate location.
 - iii) within approximately 50 metres of the boundary of a National Park or a Nature Reserve.
- b) with the LA1(1 minute) noise limits in the Noise Limits table, the noise measurement equipment must be located at any suitable alternate location.
- c) with the noise limits in the Noise Limits table, the noise measurement equipment must be located:
 - i) at the most affected point at a location where there is no dwelling at the location; or
 - ii) at the most affected point within an area at a location prescribed by part (a) or part (b) of this condition.

L5 Blasting

L5.1 The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

L5.2 The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to

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measure this are not to be taken into account in determining whether or not the limit has been exceeded.

- L5.3 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.4 Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.5 Blasting operations at the premises may only take place between 9:00am-5:00pm Monday to Saturday. Blasting is not permitted on public holidays.

Blasting outside the hours specified above can only take place with the written approval of the EPA.

- L5.6 Blasting at the premises is limited to 1 blast on each day on which blasting is permitted.

Note: Additional blasts are permitted where it is demonstrated to be necessary for safety reasons and the EPA and neighbours have been notified of the intended blast prior to the additional blast being fired.

- L5.7 Condition L5.6 does not apply to blasts that generate ground vibration of 0.5 mm/s or less at any residence on privately- owned land, or to blasts required to ensure the safety of the mine or its workers.

Note: For the purpose of this condition, a blast refers to a single blast event, which may involve a number of individual blasts fired in quick succession in a discrete area of the mine.

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

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b) must be operated in a proper and efficient manner.

O3 Dust

- O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.
- O3.2 Trucks transporting coal from the premises must be covered immediately after loading to prevent wind blown emissions and spillage. The covering must be maintained until immediately before unloading the trucks.

O4 Effluent application to land

- O4.1 The quantity of effluent applied to the utilisation area(s) must not exceed the capacity of the utilisation area(s) to effectively utilise the effluent.

For the purpose of this condition, “effectively utilise” includes the ability of the soil to absorb the nutrient, salt and hydraulic loads and the applied organic material without causing harm to the environment.

- O4.2 Effluent application to the utilisation area(s) must not occur in a manner that causes surface run-off from the utilisation area(s).
- O4.3 Spray from effluent application to the utilisation area(s) must not drift beyond the boundary of the utilisation area(s) to which it has been applied.

O5 Waste management

- O5.1 The Licensee is authorised to dispose of heavy plant-tyre waste generated on the premises in accordance with condition L3.3, in the waste rock/overburden emplacements.

The Licensee must:

- a) ensure that heavy plant waste tyres are re-used on the premises as much as practical;
- b) ensure that any surplus heavy plant waste tyres can be emplaced by being spread out within the waste rock/overburden emplacement and buried as deep as practical, but covered by at least 20m of inert material beneath any final rehabilitated surface;
- c) place heavy plant waste tyres at least 15 metres away from coarse reject material or tailings emplacement areas;
- d) not emplace any heavy plant waste tyres directly on the pit floor or in a location that is likely to impede or contaminate saturated aquifers;
- e) not emplace any heavy plant waste tyres in a position that compromises the stability of the final rehabilitation landform;
- f) not emplace any heavy plant waste tyres within 15m of heated or potentially acid forming materials;
- g) not place any heavy plant waste tyres in an area likely to leach to any watercourse; and
- h) record the co-ordinates (easting, northing and elevation) of each disposal location.

- O5.2 Stockpiles of any heavy plant waste tyres stored at the premises awaiting disposal must;

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- a) be less than 3 metres height and;
- b) not cover an area of more than 200 square metres; and
- c) not be located within 10 metres of any other flammable or combustible materials.

O6 Other operating conditions

Blast Fume

O6.1 Offensive blast fume must not be emitted from the premises.

Definition: *Offensive blast fume* means post-blast gases (whether visible or invisible, odorous or odourless) from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:

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

Pollution Incident Response Management Plan

O6.2 The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. The PIRMP must document systems and procedures to deal with all types of incidents (e.g. spills, explosions, 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.

O6.3 The licensee must keep the PIRMP on the premises at all times.

5 Monitoring and Recording Conditions

M1 Monitoring records

M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

M1.2 All records required to be kept by this licence must be:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and
- c) produced in a legible form to any authorised officer of the EPA who asks to see them.

M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:

- a) the date(s) on which the sample was taken;
- 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.

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M2 Requirement to monitor concentration of pollutants discharged

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

M2.2 Air Monitoring Requirements

POINT 24,25,26

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

POINT 45

| 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 1,3,4

| Pollutant | Units of measure | Frequency | Sampling Method |
|------------------------|-----------------------------|---------------------|-----------------|
| Conductivity | microsiemens per centimetre | Special Frequency 1 | In situ |
| Nitrate | milligrams per litre | Special Frequency 1 | Grab sample |
| Nitrogen (total) | milligrams per litre | Special Frequency 1 | Grab sample |
| Oil and Grease | milligrams per litre | Special Frequency 1 | Grab sample |
| pH | pH | Special Frequency 1 | In situ |
| Phosphorus (total) | milligrams per litre | Special Frequency 1 | Grab sample |
| Reactive Phosphorus | milligrams per litre | Special Frequency 1 | Grab sample |
| Total suspended solids | milligrams per litre | Special Frequency 1 | Grab sample |

POINT 5,6,48

| Pollutant | Units of measure | Frequency | Sampling Method |
|------------------|-----------------------------|---------------------|-----------------|
| Conductivity | microsiemens per centimetre | Special Frequency 2 | In situ |
| Nitrate | milligrams per litre | Special Frequency 2 | Grab sample |
| Nitrogen (total) | milligrams per litre | Special Frequency 2 | Grab sample |

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| | | | |
|------------------------|----------------------|---------------------|-------------|
| Oil and Grease | milligrams per litre | Special Frequency 2 | Grab sample |
| pH | pH | Special Frequency 2 | In situ |
| Phosphorus (total) | milligrams per litre | Special Frequency 2 | Grab sample |
| Reactive Phosphorus | milligrams per litre | Special Frequency 2 | Grab sample |
| Total suspended solids | milligrams per litre | Special Frequency 2 | Grab sample |

POINT 7,12,13,18

| Pollutant | Units of measure | Frequency | Sampling Method |
|----------------------|-----------------------------|----------------|-----------------|
| Ammonia | milligrams per litre | Every 6 months | Grab sample |
| Arsenic | milligrams per litre | Every 6 months | Grab sample |
| Bicarbonate | milligrams per litre | Every 6 months | Grab sample |
| Cadmium | milligrams per litre | Every 6 months | Grab sample |
| Calcium | milligrams per litre | Every 6 months | Grab sample |
| Carbonate | milligrams per litre | Every 6 months | Grab sample |
| Chloride | milligrams per litre | Every 6 months | Grab sample |
| Chromium | milligrams per litre | Every 6 months | Grab sample |
| Conductivity | microsiemens per centimetre | Quarterly | In situ |
| Copper | milligrams per litre | Every 6 months | Grab sample |
| Iron | milligrams per litre | Every 6 months | Grab sample |
| Lead | milligrams per litre | Every 6 months | Grab sample |
| Magnesium | milligrams per litre | Every 6 months | Grab sample |
| Nickel | milligrams per litre | Every 6 months | Grab sample |
| Nitrate | milligrams per litre | Every 6 months | Grab sample |
| pH | pH | Quarterly | In situ |
| Potassium | milligrams per litre | Every 6 months | Grab sample |
| Sodium | milligrams per litre | Every 6 months | Grab sample |
| Standing Water Level | metres | Quarterly | In situ |
| Sulfate | milligrams per litre | Every 6 months | Grab sample |
| Temperature | degrees Celsius | Quarterly | In situ |
| Zinc | milligrams per litre | Every 6 months | Grab sample |

POINT 36,38,39,46,47

| Pollutant | Units of measure | Frequency | Sampling Method |
|--------------|-----------------------------|-----------|-----------------|
| Conductivity | microsiemens per centimetre | Quarterly | In situ |
| pH | pH | Quarterly | In situ |

M2.4 For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable after a discharge and in any case not more than 12 hours after a discharge commences.

M2.5 For the purposes of the table(s) above Special Frequency 2 means the collection of samples as soon as practicable after a wet weather discharge from points 1, 3, and 4 and in any case not more than 12

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hours after a discharge commences.

Note: The frequency of monitoring and the pollutant/s to be monitored may be varied by the EPA once the variability of the monitoring results is established.

M2.6 For the purposes of the table(s) above, monitoring at points 7, 12, 13 and 18 is not required when the bore is dry or inadequate water is available to collect a sample.

M2.7 For the purposes of the table(s) above, monitoring at points 36, 38, 39, 46 and 47 is not required in the quarterly period if the monitoring site is dry or inadequate water is available to collect a sample.

M3 Testing methods - concentration limits

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

- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
- if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 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 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 Weather monitoring

M4.1 For each monitoring point specified below in the table below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency specified opposite in the other columns.

Point W1

| Parameter | Units of Measure | Frequency | Averaging Period | Sampling Method |
|----------------------------|------------------|------------|------------------|-----------------|
| Temperature @ 2 metres | °C | Continuous | 15 minute | AM-4 |
| Wind direction @ 10 metres | ° | Continuous | 15 minute | AM-2 & AM-4 |

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| | | | | |
|-------------------------|------------------|------------|-----------|----------------------------|
| Wind speed @ 10 metres | m/s | Continuous | 15 minute | AM-2 & AM-4 |
| Sigma theta @ 10 metres | ° | Continuous | 15 minute | AM-2 & AM-4 |
| Rainfall | mm/h | Continuous | 1 hour | AM-4 |
| Solar Radiation | W/m ² | Continuous | 15 minute | AM-4 |
| Temperature @ 10 metres | °C | Continuous | 15 minute | AM-4 |
| Additional requirements | | | | AM-1 & AM-4 AM-2 & AM-4 |
| - Siting | | | | |
| - Measurement | | | | |

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

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 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.

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M7 Blasting

M7.1 To determine compliance with limit condition(s) for blasting:

- a) Airblast overpressure and ground vibration levels experienced at the following noise sensitive locations must be measured and recorded for all blasts carried out in or on the premises;
 - Identified on "Goonbri" and "Wilberoi East" identified on the map titled 'Figure 1 EPL Boundary and Environmental Monitoring Locations' Dated 11/09/24 (DOC24/658197).
- b) Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.

Note: A breach of the licence will still occur where airblast overpressure or ground vibration levels from the blasting operations at the premises exceeds the limit specified in conditions L3.1 to L3.4 at any noise sensitive locations other than the locations identified in the above condition.

M8 Noise monitoring

- M8.1 To assess compliance with the noise limits presented in the Noise Limits table, attended noise monitoring must be undertaken in accordance with the condition titled Determining Compliance, outlined above, and:
- a) at noise monitoring locations N2, N3 and N4 as shown on the map titled "Noise Management Strategy Boggabri Coal Pty Ltd, Appendix A" in the most recently approved Boggabri Coal Operations Pty Ltd Noise Management Plan as approved by the DPIE.
 - b) occur monthly in a reporting period; and
 - c) occur during each night period as defined in the NSW Industrial Noise Policy for a minimum of 15 minutes

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.

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Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

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

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

R1.8 The licensee must provide the EPA with an Annual Heavy Plant-Tyre Disposal Report. The report must be submitted with the licence Annual Return each year.

The Annual Heavy Plant-Tyre Disposal Report must include and not be limited to:

- a) Each tyre serial number;
- b) Supplier of each tyre;
- c) Purchase date of each tyre;
- d) Disposal date of each tyre;
- e) Co-ordinates (easting and northings) of the locations where each tyre was disposed of by burial in accordance with condition O5.1;
- f) The real level (RL) in metres AHD of each tyre emplacement location;
- g) The number of tyres buried within each emplacement location; and
- h) The cumulative total number and tonnage of tyres disposed of at the premises each year.

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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 they became aware of the incident.

R3 Written report

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

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

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

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

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

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

R3.5 The licensee must undertake a review of available recycling options for end of life heavy plant tyres at least once every 2 years and provide a report to the EPA that contains and is not limited to the following:

1. analysis of the current capacity of recycling facilities that can accept end of life mining heavy plant tyres for processing in NSW and other neighbouring states;
2. evidence of enquiries made by the proponent in the previous 24 months to actively seek recycling options for end of life heavy mining plant tyres generated at the premises;
3. analysis of any pre-treatment options that can be performed at the premises to reduce costs associated with the transport and recycling of end of life mining heavy plant tyres

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4. analysis of the specific costs to the licensee associated with the transport and delivery/acceptance of site generated end of life mining heavy plant tyres at the nearest capable recycling facilities;
5. the current costs associated with the continued on site burial of end of life mining heavy plants tyres;
6. A full cost benefit analysis of continued on-site burial of end of life mining tyres compared to their transportation from the site and their recycling/reprocessing.

R4 Other reporting conditions

R4.1 Noise Monitoring Report

A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the monthly monitoring. The assessment must be prepared by a suitably qualified and experienced acoustical consultant and include:

- a) an assessment of compliance with noise limits presented in this licence; and
- b) an outline of any management actions taken within the monitoring period to address any exceedences of the limits contained in this licence.

- R4.2 The licensee must report any exceedence of the licence blasting limits to the regional office of the EPA as soon as practicable after the exceedence becomes known to the licensee or to one of the licensee's employees or agents.

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 Other general conditions

G2.1 Completed Programs

| Program | Description | Completed Date |
|-----------------------------------|--|-----------------|
| PRP 1: Site Stormwater Management | Aim: To ensure that the clean water from the southern diversion drain does not run across the mining roadway or come into contact with any mining operation areas. | 04-January-2008 |

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| PRP 2: Site Water Management Plan | Aim: Improve onsite operations in relation to water management. | 31-January-2008 |
| PRP 3: Dust Management | Aim: Reduce dust levels being emitted from the box feeder, crusher and conveyor. | 15-November-2007 |
| PRP 4: Coal Mine Particulate Matter Control Best Practice | Requires the licensee to conduct a site specific best management practice (BMP) determination to identify ways to reduce particulate emissions. | 29-June-2012 |
| PRP 5: Review Mine Water Balance | Review of water balance for the mine to determine water needs / excess on current operational practices compared to predicated practices in the EA for the mine project. | 30-March-2012 |
| Implement approved water management structures | Implement approved water management structures over next 2 years to ensure management of mine water does not impact on future mining operations. | 05-November-2013 |
| Particulate Matter Control Best Practice Implementation – Wheel Generated Dust | Implementation of particulate matter best management practices to address wheel-generated dust. | 15-August-2014 |
| Particulate Matter Control Best Practice Implementation – Disturbing and Handling Overburden under Adverse Weather Conditions | Implementation of particulate matter best management practices to address the handling of overburden during adverse weather. | 15-August-2014 |
| Particulate Matter Control Best Practice Implementation – Trial of Best Practice Measures for Disturbing and Handling Overburden | Investigation to establish best practice measures for the handling of overburden. | 14-April-2014 |
| Coal Mine Wind Erosion of Exposed Land Assessment | As part of DustStop program new PRP added to licence- Coal Mine Wind Erosion of Exposed Land Assessment. | 14-July-2015 |

8 Special Conditions

E1 Noise Management

E1.1 Noise impacts where wind speed exceeds 3 metres per second at 10 metres above the ground must be addressed by:

a) documenting noise complaints received to identify any higher level of impacts or wind patterns;

where levels of noise complaints indicate a higher level of impact then actions to quantify and ameliorate any enhanced impacts where wind speed exceeds 3 metres per second at 10 metres above the ground should be developed and implemented.



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E2 Water Capacity Management

E2.1 The licensee must maintain at all times, air capacity of 1000ML for mine water storage on the premises.

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Dictionary

General Dictionary

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

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

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

Mr Robert O'Hern

Environment Protection Authority

(By Delegation)

Date of this edition: 11-January-2006

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End Notes

- 1 Licence transferred through application 144705, approved on 10-Jan-2007, which came into effect on 01-Jan-2007.
- 2 Licence varied by notice 1079420, issued on 25-Oct-2007, which came into effect on 25-Oct-2007.
- 3 Licence varied by notice 1087736, issued on 23-Jun-2008, which came into effect on 23-Jun-2008.
- 4 Licence varied by notice 1103714, issued on 18-Aug-2009, which came into effect on 18-Aug-2009.
- 5 Licence varied by notice 1106647, issued on 28-Oct-2009, which came into effect on 28-Oct-2009.
- 6 Licence varied by notice 1126950, issued on 12-Jul-2011, which came into effect on 12-Jul-2011.
- 7 Licence varied by notice 1503109 issued on 20-Dec-2011
- 8 Licence varied by notice 1504423 issued on 16-Feb-2012
- 9 Licence varied by notice 1504598 issued on 24-Feb-2012
- 10 Licence varied by notice 1505860 issued on 03-Aug-2012
- 11 Licence varied by notice 1508073 issued on 02-Nov-2012
- 12 Licence varied by notice 1510428 issued on 21-Mar-2013
- 13 Licence varied by notice 1514572 issued on 05-Sep-2013
- 14 Licence varied by notice 1518348 issued on 05-Feb-2014
- 15 Licence varied by notice 1522160 issued on 16-Jun-2014
- 16 Licence transferred through application 1525983 approved on 31-Oct-2014 , which came into effect on 31-Oct-2014
- 17 Licence varied by notice 1526115 issued on 03-Dec-2014
- 18 Licence varied by notice 1528353 issued on 19-Feb-2015
- 19 Licence varied by notice 1529404 issued on 30-Jul-2015
- 20 Licence varied by notice 1538743 issued on 04-Apr-2016
- 21 Licence varied by notice 1547215 issued on 09-Nov-2018
- 22 Licence varied by notice 1584095 issued on 05-Feb-2021
- 23 Licence varied by notice 1609686 issued on 05-Oct-2021
- 24 Licence format updated on 13-Feb-2024



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25 Licence varied by notice 1642283 issued on 02-Oct-2024