

Environment Protection Licence

Licence - 20937

Licence Details

Number:	20937
Anniversary Date:	09-May

Licensee

CLEANAWAY RESOURCECO RRF PTY LTD

35-37 FRANK ST

WETHERILL PARK NSW 2164

Premises

RESOURCECO

35-37 FRANK STREET

WETHERILL PARK NSW 2164

Scheduled Activity

Resource recovery

Waste storage

Fee Based Activity

Scale

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

Contact Us

NSW EPA

6 Parramatta Square

10 Darcy Street

PARRAMATTA NSW 2150

Phone: 131 555

Email: info@epa.nsw.gov.au

Locked Bag 5022

PARRAMATTA NSW 2124



Environment Protection Licence

Licence - 20937

INFORMATION ABOUT THIS LICENCE	4
Dictionary	4
Responsibilities of licensee	4
Variation of licence conditions	4
Duration of licence	4
Licence review	4
Fees and annual return to be sent to the EPA	4
Transfer of licence	5
Public register and access to monitoring data	5
1 ADMINISTRATIVE CONDITIONS	6
A1 What the licence authorises and regulates	6
A2 Premises or plant to which this licence applies	6
A3 Information supplied to the EPA	6
2 LIMIT CONDITIONS	6
L1 Pollution of waters	6
L2 Waste	7
L3 Noise limits	8
L4 Hours of operation	9
L5 Potentially offensive odour	10
3 OPERATING CONDITIONS	10
O1 Activities must be carried out in a competent manner	10
O2 Maintenance of plant and equipment	10
O3 Dust	11
O4 Emergency response	11
O5 Waste management	11
O6 Other operating conditions	11
4 MONITORING AND RECORDING CONDITIONS	12
M1 Monitoring records	12
M2 Recording of pollution complaints	12
M3 Telephone complaints line	12
5 REPORTING CONDITIONS	13
R1 Annual return documents	13
R2 Notification of environmental harm	14
R3 Written report	14
6 GENERAL CONDITIONS	15



Environment Protection Licence

Licence - 20937

G1	Copy of licence kept at the premises or plant -----	15
7	POLLUTION STUDIES AND REDUCTION PROGRAMS -----	15
U1	Stormwater Review -----	15
8	SPECIAL CONDITIONS -----	16
E1	Financial Assurance -----	16
E2	Environmental Obligations of Licensee -----	16
DICTIONARY	-----	18
	General Dictionary -----	18

Environment Protection Licence

Licence - 20937

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).



Environment Protection Licence

Licence - 20937

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:

CLEANAWAY RESOURCECO RRF PTY LTD
35-37 FRANK ST
WETHERILL PARK NSW 2164

subject to the conditions which follow.

Environment Protection Licence

Licence - 20937

1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

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

A2 Premises or plant to which this licence applies

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

Premises Details
RESOURCECO
35-37 FRANK STREET
WETHERILL PARK
NSW 2164
LOT 31 DP 589097

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:

- 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 Limit Conditions

L1 Pollution of waters

Environment Protection Licence

Licence - 20937

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

L2 Waste

- L2.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

This condition does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General solid waste (non-putrescible)	Dry commercial and industrial waste from the Barangaroo South Precinct as described in the Barangaroo South Operational Waste Management Plan – July 2018.	Resource recovery Waste storage	Maximum of 1000 tonnes to be received at the premises in any 12 month period.
NA	Synthetic fibre waste (from materials such as fibreglass, polyesters and other plastics), but excluding asbestos waste	As defined in Schedule 1 of the POEO Act, in force from time to time.	Resource recovery Waste storage	
NA	Wood waste	As defined in Schedule 1 of the POEO Act, in force from time to time.	Resource recovery Waste storage	
NA	Glass, plastic, rubber, plasterboard, ceramics, bricks, concrete, metal or timber	As defined in Schedule 1 of the POEO Act, in force from time to time.	Resource recovery Waste storage	
NA	Paper or cardboard	As defined in Schedule 1 of the POEO Act, in force from time to time.	Resource recovery Waste storage	
NA	Building and demolition waste	As defined in Schedule 1 of the POEO Act, in force from time to time.	Resource recovery Waste storage	

- L2.2 The authorised amount of waste permitted on the Premises cannot exceed 7,000 tonnes at any one time.

- L2.3 All waste activities including storage, processing and loading/unloading must be conducted inside the fully enclosed building on the Premises, except for the baling of waste, including activities associated with baling such as storage and loading of baled waste, and the unloading of waste for baling in the designated baling area to the south of and adjacent to the baler, respectively (as marked by the grid in the site plan of Appendix A of "ResourceCo RRF Operational Management Plan Wetherill Park RRF" dated March 2018 (EPA ref

Environment Protection Licence

Licence - 20937

DOC18/171623))

- L2.4 The total amount of waste received at the premises must not exceed 250,000 tonnes per annum.
- L2.5 Incoming waste must only be transported to the Premises from pre-qualified customers as per Section 6.2.3 of the "*ResourceCo RRF Pty Ltd Operational Environmental Management Plan Wetherill Park RRF*" dated March 2018 (EPA ref DOC18/171623)).
- L2.6 Incoming waste must comply with resource recovery criteria for each waste stream as specified in Table 4 of the EPA's Energy from Waste Policy Statement.
- L2.7 Approval in writing must be sought from the EPA to receive "Mixed commercial and industrial waste" with "No limit by weight..." under Table 4 of the NSW EPA's "NSW Energy from Waste Policy Statement."

L3 Noise limits

- L3.1 Noise generated at the Premises must not exceed the noise limits in the Table below.

Location	Day LAeq (15 minute)	Evening LAeq (15 minute)	Night LAeq (15 minute)	Night LA1 (1 minute)
Any residential receiver not associated with the Premises	35 dB(A)	35 dB(A)	35 dB(A)	45 dB(A)

- L3.2 For the purpose of condition L3.1;
- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sunday and Public Holidays.
 - Evening is defined as the period 6pm to 10pm.
 - Night is defined as the period from 10pm to 7am Monday to Saturday and 10pm to 8am Sunday and Public Holidays.
- L3.3 The noise limits set out in condition L3.1 apply under all meteorological conditions except for the following:
- Wind speeds greater than 3 metres/second at 10 metres above ground level.
 - Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
 - Stability category G temperature inversion conditions.
- L3.4 For the purposes of condition L3.3:
- Data recorded by a meteorological station installed on the Premises must be used to determine
 - meteorological conditions; and
 - 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*.

Environment Protection Licence

Licence - 20937

L3.5 To determine compliance:

a) with the $Leq(15\text{ minute})$ noise limits in condition L3.1, the noise measurement equipment must be located:

- approximately on the property boundary, where any dwelling is situated 30 metres or less from the property boundary closest to the Premises; or
- 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, where applicable
- within approximately 50 metres of the boundary of a National Park or a Nature Reserve.

b) with the $LA1(1\text{ minute})$ noise limits in condition L3.1, the noise measurement equipment must be located within 1 metre of a dwelling façade.

c) with the noise limits in condition L6.1, the noise measurement equipment must be located:

- at the most affected point at a location where there is no dwelling at the location; or
- at the most affected point within an area at a location prescribed by conditions L3.5(a) or L3.5(b).

L3.6 A non-compliance of condition L3.1 will still occur where noise generated from the Premises in excess of the appropriate limit is measured:

- at a location other than an area prescribed by conditions L3.5(a) and L3.5(b); and/or
- at a point other than the most affected point at a location.

L3.7 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.

Note: **Definitions**

- NSW Industrial Noise Policy - the document entitled "*New South Wales Industrial Noise Policy*" published by the Environment Protection Authority in January 2000.
- Noise – 'sound pressure levels' for the purposes of conditions L3.1 to L3.7.

L4 Hours of operation

L4.1 Construction works must only be undertaken:

- between the hours of 7:00am and 6:00pm Monday to Friday;
- between the hours of 8:00am and 1:00pm on Saturdays; and
- at no time on Sundays or public holidays.

Environment Protection Licence

Licence - 20937

L4.2 Works outside of the hours identified in condition L4.1 may be undertaken in the following circumstances:

- a) works that are inaudible at the nearest receivers;
- b) works agreed to in writing by the Secretary;
- c) for the delivery of materials required outside these hours by the NSW Police Force or other authorities for safety reasons;
- d) Where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm.

L4.3 Activities on the Premises are permitted between the following hours:

Activity	Day	Time
Operation	Monday-Sunday	24 Hours

L5 Potentially offensive odour

L5.1 No condition of this licence identifies a potentially offensive odour for the purpose of Section 129 of the Protection of the Environment Operations Act 1997.

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

3 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.

Environment Protection Licence

Licence - 20937

O3 Dust

- O3.1 Activities occurring in or on the Premises must be carried out in a manner that prevents or minimises the generation of dust.
- O3.2 The Premises must be maintained in a condition which prevents or minimises the emission of dust from the Premises.
- O3.3 The licensee must ensure no visible dust leaves the Premises.
- O3.4 The licensee must ensure that no material, including sediment or oil, is tracked from the Premises.

O4 Emergency response

- O4.1 The licensee must prepare, maintain and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises.
NOTE: The licensee must develop their PIRMP in accordance with the requirements in Part 5.7A of the Protection of the Environment Operations Act 1997 (the POEO Act) and the POEO Regulations.

O5 Waste management

- O5.1 Waste stored inside the fully enclosed building on the Premises must be stockpiled in dedicated bays as specified by Figures 2, 3 and 4 of the "Cleanaway ResourceCo Resource Recovery Facility Operations Plan" dated 27 May 2022 (EPA ref DOC22/480545-4).
- O5.2 Waste stockpiles stored within the enclosed building must not exceed 4m in height other than for the waste stockpile located in Unprocessed Waste Bay A which must not exceed 2m in height (as identified by Figures 7 and 8 of the "Cleanaway ResourceCo Resource Recovery Facility Operations Plan" dated 27 May 2022 (EPA ref DOC22/480545-4)).
- O5.3 The Licensee must install and maintain permanent height markers on, in or immediately adjacent to waste stored within dedicated bays on the Premises. The markers must clearly show the stockpile height limit and be positioned so that a visual check can be made of the height of each stockpile.
- O5.4 The Licensee must prepare and implement a documented procedure to ensure that waste on the Premises is stored in accordance with the conditions of this Licence. The Licensee is to keep records demonstrating waste storage compliance on the Premises. Records relating to this waste storage compliance procedure are to be made available to an EPA Authorised Officer upon request.

O6 Other operating conditions

- O6.1 Operations at the Premises must be undertaken in accordance with the "*ResourceCo RRF Pty Ltd Operational Environmental Management Plan Wetherill Park RRF*" dated March 2018 (EPA ref DOC18/171623) unless otherwise specified by a condition of this Licence.
- O6.2 Operations at the Premises must be undertaken in accordance with the "*ResourceCo RRF Pty Ltd Energy*

Environment Protection Licence

Licence - 20937

from *Waste Management Plan Wetherill Park RRF* dated March 2018 (EPA ref DOC18/171577) unless otherwise specified by a condition of this Licence.

4 Monitoring and Recording Conditions

M1 Monitoring records

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

M2 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:
- the date and time of the complaint;
 - the method by which the complaint was made;
 - any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - the nature of the complaint;
 - the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - 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.

Environment Protection Licence

Licence - 20937

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 after the date of the issue of this licence.

5 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').

Environment Protection Licence

Licence - 20937

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

R2 Notification of environmental harm

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

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.

- R2.2 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:
- where this licence applies to premises, an event has occurred at the premises; or
 - where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA

Environment Protection Licence

Licence - 20937

within the time specified in the request.

6 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.

7 Pollution Studies and Reduction Programs

U1 Stormwater Review

U1.1 The Licensee must engage an independent, suitably qualified and experienced person to complete a review of the Premises' Water Management Plan dated 9 March 2018 (the Review). The Review must also include the assessments specified in conditions U1.2, U1.3, and U1.4, and provide a report as required by condition U1.5.

U1.2 The Licensee must engage an independent, suitably qualified and experienced person to conduct a Stormwater Impact Assessment that is to include an assessment of pollutant concentrations and loads following stormwater discharges from the Premises for all sampling events between 6 June 2023 and 6 October 2023. The assessment should include a discussion of the effects of the sampled pollutant loads on the receiving environment with respect to the relevant Australian and New Zealand Environment and Conservation Council (ANZECC)(2000) water quality guidelines.

U1.3 The Licensee must engage an independent, suitably qualified and experienced person to conduct a System Performance Evaluation that is to include:

1. An outline of all currently installed stormwater quality treatment devices and pollution controls, and the corresponding pollutant/s they are designed to control. The outline must include a table showing each pollutant identified by the sampling conducted by the Licensee and the corresponding stormwater treatment device and/or pollution control measure, and identify any pollutants being discharged that are not treated and/or controlled prior to discharging from the Premises.
2. An evaluation of the effectiveness of the currently installed stormwater quality treatment devices and pollution controls on the Premises based on the assessment required by Condition U1.2. The evaluation must also identify additional reasonable and feasible controls and/or treatment devices that may be required to address any pollutants that continue to exceed the ANZECC (2000) assessment criteria as determined in U1.2.
3. Based on the assessment in U1.2 and the evaluation in U1.3, review and update Section 3.5 of the Premises' Water Management Plan to include treatment performance benchmarks based on ANZECC

Environment Protection Licence

Licence - 20937

(2000) assessment criteria.

U1.4 The Licensee must prepare an Action Plan to implement improvements and install/maintain additional controls identified by condition U1.3. The Action Plan is to include:

1. An outline of any additional controls and/or treatment devices that are required to meet treatment performance benchmarks based on ANZECC (2000) assessment criteria, and
2. A proposed timeframe for each new control to be installed at the Premises.

U1.5 Provide a Stormwater Management Review Report detailing the findings of U1.2, U1.3 and U1.4, and an updated copy of the Premises' Water Management Plan to the EPA by 5pm 22 December 2023 to info@epa.nsw.gov.au.

8 Special Conditions

E1 Financial Assurance

- E1.1 A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as "Authorised Deposit-taking Institutions" under the *Banking Act 1959* of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA.
- E1.2 The financial assurance must be in favour of the Environment Protection Authority in the amount of five hundred thousand dollars (\$500,000). The financial assurance is required to secure or guarantee funding for works or programmes required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA, to any other person. The licensee must provide to the EPA, along with the original counterpart guarantees, confirmation in writing that the financial institution providing the guarantees is subject to supervision by APRA.
- E1.3 The financial assurance must be maintained during the operation of the facility and thereafter until such time as the EPA is satisfied the premises is environmentally secure.
- E1.4 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.
- E1.5 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.
- E1.6 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.

E2 Environmental Obligations of Licensee

Environment Protection Licence

Licence - 20937

E2.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:

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

E2.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:

- a) Make all efforts to contain all firewater on the licensee's premises;
- b) Make all efforts to control air pollution from the licensee's premises;
- c) Make all efforts to contain any discharge, spill or run-off from the licensee's premises;
- d) Make all efforts to prevent flood water entering the licensee's premises;
- e) Remediate and rehabilitate any exposed areas of soil and/or waste;
- f) Lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of;
- g) At the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises;
- h) At the request of the EPA monitor surface water leaving the licensee's premises; and
- i) Ensure the licensee's premises is secure.

E2.3 After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:

- a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
- b) rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.

Environment Protection Licence

Licence - 20937

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

Environment Protection Licence

Licence - 20937

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> .

Environment Protection Licence

Licence - 20937

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

Ms Celeste Forestal

Environment Protection Authority

(By Delegation)

Date of this edition: 09-May-2017

End Notes

2	Licence varied by notice	1561945 issued on 14-May-2018
3	Licence varied by notice	1576340 issued on 22-Feb-2019
4	Licence varied by notice	1577846 issued on 30-Apr-2019
5	Licence varied by notice	1583536 issued on 20-Aug-2019
6	Licence varied by notice	1603927 issued on 25-Jan-2021
7	Licence varied by notice	1623883 issued on 06-Jun-2023