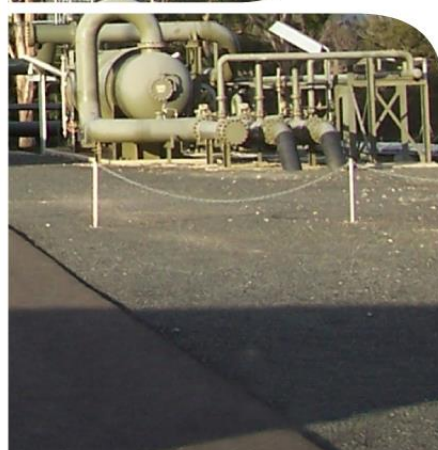
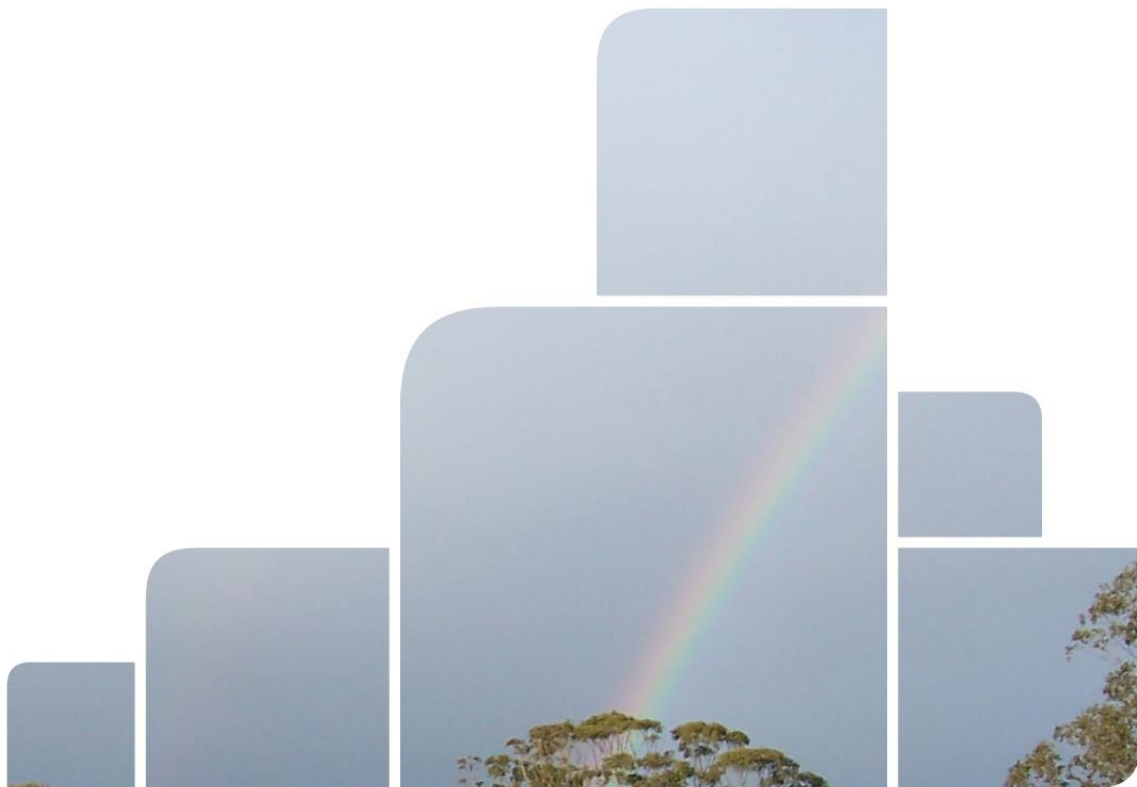


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AGL Modification Assessment

Application to modify DA 282-6-2003-i

Date: 18 November 2016

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1. Introduction

AGL seeks the Minister's approval to modify the Consent to remove conditions set out in Section 5 that are replicated in Environment Protection Licence 12003 ('EPL'). This modification seeks to remove the regulatory double up in which the EPA, as lead regulator of petroleum activities (as described in Schedule 2A of the *Protection of the Environment Operations Act 1997* ('POEO Act')), is currently administering two sets of the same conditions: one in the Consent and one in the EPL.

Now that the EPA is the lead regulator of both the Consent and the EPL, it is submitted that any such retention:

- (a) no longer serves a beneficial purpose; and
- (b) imposes an additional administrative burden on AGL as the operator of the Camden Gas Project and the EPA as the lead regulator of petroleum activities; and
- (c) is contrary to the aims of the Memorandum of Understanding on the regulation of gas activities in NSW, between the DP&E, EPA, Department of Resources and Energy ('DRE') and DPI Water ('MoU').

The statutory context, the circumstances leading to the change in regulation and proposed modifications are set out in the following sections.

2. Statutory Context of Stage 2 of the Camden Gas Project

On 16 June 2004, the NSW Land and Environment Court approved Stage 2 of the Camden Gas Project ('CGP'), which initially comprised: 43 wells, a gas treatment plant known as the Rosalind Park Gas Plant, and gas gathering systems.

Pursuant to the following modifications to the Consent, as well as separate development applications under Part 4 of the EP&A Act and project applications under Part 3A of the EP&A Act, Stage 2 of the CGP has since been developed with additional gas wells and gas gathering systems.

Those additional development consents and Part 3A approvals forming part of the Camden Gas Project are:

- | | |
|-----------------|-------------------|
| • DA 183-8-2004 | • MP 06_0137; |
| • DA 9-1-2005; | • MP 06_0138; and |
| • DA 75-4-2005; | • MP 06_0291. |

Further modifications to the Consent occurred at the following times:

- | | |
|--------------------------|----------------------------|
| • MOD 1 in August 2004 | • MOD 7 in May 2007 |
| • MOD 2 in February 2005 | • MOD 8 in July 2007 |
| • MOD 3 in June 2005 | • MOD 9 in April 2008 |
| • MOD 4 in May 2006 | • MOD 10 in March 2009 |
| • MOD 5 in October 2006 | • MOD 11 in September 2009 |
| • MOD 6 in November 2006 | • MOD 12 in November 2010 |

The schedule of land covered by the Consent is listed under Appendix 1.

2.1. Statutory Context of Stage 2 of the Camden Gas Project

The Camden Gas Project was declared to be State Significant development on 13 June 2003 by the then Minister for Infrastructure and Planning under section 76A of the EP&A Act.

The Consent, which is a State Significant development consent, was then granted by the Land and Environment Court on 16 June 2004.

As a result of the operation of clause 8J(8) of the Environmental Planning and Assessment Regulation 2000 ('EP&A Regulation'), for the purpose of modification the Consent is taken to be an approval under Part 3A of the EP&A Act and section 75W of that Act applies to effect any such modification.

2.2. Operation of section 75W of the EP&A Act

Under section 75W of the EP&A Act (applicable by virtue of cl 8J(8) of the EP&A Regulation) AGL may request the Minister to modify the Consent by lodging a request with the Director-General.

Section 75W(4) of the EP&A Act provides that the Minister may modify the Consent (with or without conditions), or disapprove of the modification.

The Minister's approval for a modification is not required if the project as modified will be consistent with the existing approval (s75W (2)). While the project (incorporating the proposed modifications to the Consent) will remain consistent with the existing approval, the modification request is made, nevertheless, in order to remove the existing regulatory double up.

3. Circumstances leading to the modification

3.1. Findings of Independent Environmental Audit

The project approvals and development consents applicable to the Camden Gas Project require the proponent to carry out an independent environmental audit every two years.

The 2010-2012 Independent Environmental Audit prepared by Treo Environment and dated 27 August 2013 identified, for the first time, inconsistencies between the Consent and EPL. The two inconsistencies identified in this instance were:

- (a) Section 4.2.6: the requirement to prepare quarterly reports on waste transport and waste disposal facilities; and
- (b) Section 4.2.8: the monitoring and calculation of pollutant loads.

In particular, the IEA identified in section 4.2.8 that:

"Over time, [the EPL] has been modified on a number of occasions to reflect changes to the operations. However, amendments of [the EPL] have not been consistently reflected in [the Consent]. As a result, [the Consent] has retained a requirement to monitor and calculate pollutant loads for a number of water pollutants.

....

It is recommended that AGL seek a modification of [the Consent] to align with the conditions of [the EPL]."

A copy of the IEA is available on AGL's website at <https://www.agl.com.au/-/media/AGL/About-AGL/Documents/How-We-Source-Energy/Camden-Documents/Environmental-Reports/20130827-Independent-Environmental-Audit-2010-12.pdf>.

Inconsistencies between the Consent and the EPL have previously been addressed on an *ad hoc* basis. For example, the s75W application to modify the Consent, which was determined on 25 November 2010, altered the requirements for waste generation and storage on the site. Related modifications were made to the EPL to deal with this same issue.

However, such *ad hoc* modification to both the Consent and the EPL to address existing, and potential, inconsistencies between the two approvals creates an unnecessary administrative burden for the DPE, EPA and AGL.

3.2. Change in regulation of coal seam gas activities

In November 2014, the NSW Gas Plan ('Plan') was released in response to the NSW Chief Scientist and Engineer's Independent Review of Coal Seam Gas Activities in NSW. One of the recommendations of the Plan was that the NSW Government establish an independent regulator to focus on undertaking compliance and enforcement work.

The NSW EPA has stepped into this regulatory position and has enforcement and compliance powers under the EP&A Act (amongst other legislation) by operation of the recently enacted Schedule 2A of the POEO Act.

The Gas Compliance Statement (2016) ('GCS') sets out the EPA's approach to the regulation and compliance of gas activities. At section 3.1, the GCS sets out the EPA's approach to overlapping powers under different legislation.

In this section, the enforcement of the work health and safety ('WHS') conditions of petroleum titles remains within the purview of the DRE. However, in all other circumstances (including overlap between compliance with the EP&A Act and POEO Act), the GCS makes it clear that the Plan, the POEO Act and the MoU clearly assert that the EPA will lead investigations and enforcement actions and liaise appropriately with other relevant agencies as required.

The GCS then states that "the risk of duplicated regulatory actions has been minimised." While this duplication has been minimised, duplications associated with reporting and modification of the Consent and EPL remain in place.

These duplications are, however, considered and addressed by the MoU. Section 6 of the MoU states:

6. Principles for working together

6.1 All parties agree to a whole of government approach to facilitate transparent and efficient regulation of gas activities.

6.2 To support this approach, the Parties will, insofar as permitted by legislation:

...

d) work together to minimise duplication and overlap, including in relation to conditions of instruments and investigations, audits and inspections.

The proposed modifications further this goal and constitute the final removal of duplication and overlap in the regulation of the Camden Gas Project. They ensure that any present (or future) inconsistencies between the conditions of the Consent and the EPL are avoided.

Each of the duplicate conditions in the Consent and EPL, which are identified and considered in sections 4 and 5, regulate the environmental impacts of the Camden Gas Project as a scheduled activity (petroleum exploration, assessment and production) under the POEO Act.

For this reason, AGL requests that the duplicate conditions be contained within the EPL and removed from the Consent.

4. Change in regulation of coal seam gas activities

4.1. Historical EPL Variations

Variation Date	EPL Notice No.	Varying Party and Reason	Relevant EPL Condition/s	Consent Implication
12 September 2007	1076711	EPA: <i>"The Protection of the Environment Operations (Waste) Regulation 2005 includes new waste tracking provisions which commenced on 1 March 2006. Waste tracking requirements for licensed premises and transporters are now included in the regulation. As a result, waste tracking conditions are no longer required on licences. This variation notice removes waste tracking conditions from the licence."</i> <i>"The EPA removed all waste tracking appendices".</i>	Within the historical version of the EPL for the period 26 October 2011 to 31 August 2013: O5 Monitoring of waste movements within NSW O6 Monitoring of interstate movements of controlled wastes R4 Regular reporting of transportation of certain wastes within NSW	Schedule 8 in its entirety need no longer apply given the regulation referred to in <i>POEO (Waste) Regulation</i>.
Refer to Appendix 3 - NOTICE OF VARIATION OF LICENCE NO. 12003				

Variation Date	EPL Notice No.	Varying Party and Reason	Relevant EPL Condition/s	Consent Implication
15 December 2010	1122545	EPA: <i>"The variation also removes conditions relating to limits on stored or generated on-site liquid waste. This reflects the DECCW position on Group A waste which includes all liquid waste. Since consent was originally granted AGL has upgraded the oily water separator and has increased capacity for waste management and storage. The removal of these conditions will have no adverse effect on the environment and fit with current DECCW policy. This variation could not be made until the development consent had been modified."</i>	Within the historical version of the EPL commencing 15 December 2010: L5.2 The quantity of hazardous/and/or restricted solid and/or liquid waste stored on the premises must not exceed 9000 litres at any one time. L5.3 The quantity of hazardous and/or restricted solid and/or liquid waste generated and/or stored at the premises must not exceed 85,000L per year. L5.4 The quantity of liquid waste generated at the premises must not exceed 3,000,000L per year.	Modification 12 removed duplicated conditions 100, 101 and 102. A precedent was established through this modification to regularise the DA to allow environmental management and regulation of the EPL rather than having multiple instruments regulating the same condition.
Refer to Appendix 4 - NOTICE OF VARIATION OF LICENCE NO. 12003				

4.2. Proposed Variations

4.2.1. Proposed Variation: Predictive Emissions Monitoring System

AGL has worked with the EPA over the past three years to complete two separate six month trials of Predictive Emissions Monitoring Systems ('PEMS') as a viable alternative to the Continuous Emissions Monitoring System ('CEMS'). The trials indicated that there has been a reduction of NOx emissions from the CGP.

The EPA have acknowledged this reduction and suggested that AGL consider seeking a variation to the EPL to replace CEMS with PEMS, where PEMS would be used for the purpose of monitoring compressor performance only, rather than monitoring air emissions.

Condition 58 of the Consent prescribes CEMS as the sampling method. Should AGL vary the EPL to replace CEMS with PEMS, this would lead to an inconsistency between the EPL and Consent. The EPA has stated in its letter dated 28 July 2016 that AGL should seek to consult with DP&E in relation to a modification to the Consent to permit PEMS. (Refer Appendix 6)

4.2.2. Comparative Analysis of the Consent and EPL

Appendix 5 provides a detailed overview of those conditions that are duplicated in both the Consent and the EPL, and which might be subject to the same constraints identified in section 4.2.1 above.

Section 5 provides a list of those duplicated conditions.

5. Proposed Modification

The inconsistencies between the conditions of the Consent and the EPL lead to inefficiencies and uncertainty in the regulation of the CGP.

To rectify this, and to further the aims of the MoU, AGL requests that the Consent be modified to remove each of the conditions in Column 1. The conditions remain in force within the EPL, in the condition shown in Column 3.

Column 1	Column 2	Column 3
Consent condition	Subject matter of condition	Equivalent EPL condition
Sch 4 Cond 48	Air Quality	L3.1 & L3.3
Sch 4 Cond 49	Air Quality	L3.2
Sch 4 Cond 51	Air Quality	O3.1
Sch 4 Cond 54	Air Quality	P1.1
Sch 4 Cond 55	Air Quality	M3.1
Sch 4 Cond 68	Surface Water Management	The equivalent condition was removed from the EPL on 12 September 2007 as it was no longer necessary.
Sch 4 Cond 69	Surface Water Management	M2.7
Sch 4 Cond 72	Surface Water Management	M3.3
Sch 4 Cond 103	Waste	O5.1
Sch 4 Cond 104	Waste	O5.2

Column 1	Column 2	Column 3
Consent condition	Subject matter of condition	Equivalent EPL condition
Sch 5 Cond 12	Assessable Pollutants – Load Limits	L2.2
Sch 5 Cond 13	Monitoring and Recording Conditions	M1.1
Sch 5 Cond 14	Monitoring and Recording Conditions	M1.2
Sch 5 Cond 15	Monitoring and Recording Conditions	M1.3
Schedule 6	Mandatory Conditions for all DECCW Licences	O1.1, O2.1, M5.1, M5.2, M5.3, M6.1, M6.2, M6.3, R1.1, R1.2, R1.3, R1.4, R1.5, R1.7, R1.8, R2.1, R2.2, R3.1, R3.2, R3.3, R3.4, G1.1, G1.2, G1.3
Schedule 8	DECCW Waste Tracking Requirements	The equivalent conditions were removed from the EPL on 12 September 2007 as they were no longer necessary.

An alternative to that proposed above would be to modify the Consent to include new conditions 3A and 3B as follows:

3A. In the event of an inconsistency between the conditions of this consent, or any document listed in conditions 2(a) to 2(o) inclusive, and the conditions of Environment Protection Licence 12003, the conditions of this consent, or any document listed in conditions 2(a) to 2(o), as the case may be, do not apply to the extent of that inconsistency.

3B. Where, at any time after the inclusion of this condition in the condition of this consent, the conditions of Environment Protection Licence 12003 are varied so that a condition within that licence is no longer applicable, then any condition of this consent, or statement contained within the documents listed in conditions 2(a) to 2(o), that has the same effect of the condition removed from the licence, does not apply.

However, while AGL considers that this pathway might have the same effect as the removal of those conditions from the Consent set out in the table above, it is submitted that the scope for ambiguity and uncertainty would remain.

This ambiguity could also lead to a view that the conditions of the Consent are uncertain, despite the certainty of operation of the conditions located within the EPL.

For these reasons, AGL submits that the removal of the conditions of the Consent set out in the table above, and the retention of those conditions within the EPL and their continued regulation by the EPA under the POEO Act, represents the better option.

6. Environmental Impact

As the proposed modification is of an administrative nature only, i.e. it does not include any further works or modifications to existing works, there is no environmental impact resulting from the proposed modification.

7. Conclusion

The duplication of approval conditions imposes additional burdens and uncertainty on both the regulators and AGL. In these circumstances, where a single regulatory authority is now responsible for compliance with conditions of the Consent and the EPL, the removal of duplicate conditions is warranted.

It is in the interests of the Regulators, Community and AGL to have the relevant instruments synchronised to enable efficiencies across regulation, community comprehension and operations.

It is an important aspect of this proposed modification that the Camden Gas Project will be subject to the same regulatory conditions after the grant of a modification, as those to which it was subject beforehand. The conditions are merely housed under the single roof of the EPL.

However, the modification will result in two express benefits:

- (a) the potential for inconsistencies (such as those noted in section 4.1 and 4.2) is removed; and
- (b) the modification furthers the principles contained within the MoU.



APPENDIX 1

FACILITY	PROPERTY LOT/DP NUMBER
Gas Well GL 5	1101/883495
Gas Well GL 7	1101/883495
Gas Well GL 8	1101/883495
Gas Well GL 9	1101/883495
Gas Well GL 10	1102/883495
Gas Well GL14	1102/883495
Gas Well GL15	1102/883495
Gas Well GL16	1101/883495
Gas Well GL17	1101/883495
Gas Well WG 1	24/4450
Gas Well WG 2	23/4450
Gas Well WG 3	23/4450
Gas Well WG 4	24/4450
Gas Well WG 5	23/4450
Gas Well WG 6	23/4450
Gas Well RP 1	3/622362
Gas Well RP 2	3/622362
Gas Well RP 3	3/622362
Gas Well RP 4	58/632328
Gas Well RP 5	58/632328
Gas Well RP 6	58/632328
Gas Well RP 7	58/632328
Gas Well RP 8	PT35/230946
Gas Well RP 9	PT35/230946
Gas Well RP 10	2/622362
Gas Well RP 11	2/622362
Gas Well RP 12	2/622362
Gas Well EM 1	11/658458
Gas Well EM 2	11/658458
Gas Well EM 3	11/658458
Gas Well EM 4	11/658458
Gas Well EM 5	11/658458
Gas Well EM 6	11/658458
Gas Well EM 7	11/658458
Gas Well EM 8	11/658458
Gas Well EM 9	PT1/168893
Gas Well EM 10	1/726446
Gas Well EM 11	PT1/168893
Gas Well EM 12	PT1/168893
Gas Well EM 13	1/726446
Gas Well EM 14	PT1/168893
Gas Well EM 15	PT1/168893
Gas Well EM 16	PT1/168893
Gas Well EM 17	PT1/168893
Gas Well EM 18	1/130288
Gas Well EM 19	1/130288
Gas Well EM 20	1/130288
Gas Well EM38	1/130288
Gas Well EM39	2/1050479
Gas Gathering System – Glenlee	1102/883495, 1101/883495
Gas Gathering System – Wandingong	23/4450, 24/4450
Gas Gathering System – Rosalind Park	2/622362, 3/622362, PT35/230946, 58/632328
Gas Gathering System – EMAI	1/130288, 1/726446, 11/658458, PT1/168893
Gas Gathering System – Landcom	2/790254, X/378264, D/19853, 2/737485
Gas Gathering System – Campbelltown	3/236059, 7/787284, 1/249393
Water Storage Tank – Campbelltown	2/236059
Gas Gathering System – Wollondilly Shire	Road Reserve
Gas Treatment Plant	PT35/230946



APPENDIX 2

Gas Compliance Statement

EPA's approach to the regulation and compliance of gas activities

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ISBN 978-1-76039-422-6
EPA 2016/0419
July 2016

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1. Introduction

1.1 About the EPA and NSW Gas Plan

In November 2014, the [NSW Gas Plan](#) was released in response to the NSW Chief Scientist and Engineer's [Independent Review of Coal Seam Gas Activities](#) in NSW. As part of the review, it was recommended that the Government separate the planning and approval process and establish an independent regulator to focus on undertaking compliance and enforcement work.

On 1 July 2015 the EPA became responsible for compliance and enforcement of all conditions of approvals for gas activities in NSW, excluding work health and safety (WHS) issues. This process is reliant on the conditioning placed on statutory documents by other agencies.

Conditions continue to be issued by the Department of Resources and Energy or Department of Planning and Environment when an application to explore, appraise or produce gas is approved. The industry must then comply with the strict conditions imposed.

Once consents are issued, all gas activities require an Environment Protection Licence (EPL) under the *Protection of the Environment Operations Act 1997* (POEO Act) before an activity can commence. EPLs set out legally enforceable, site specific conditions and controls which holders must comply with in order to prevent and minimise pollution and safeguard the community.

The POEO Act was amended when Schedule 2A *Enforcement of Gas and Other Petroleum Legislation* was passed by NSW Government as part of a legislative package to implement the necessary changes under the NSW Gas Plan. These amendments enable the EPA to exercise its powers under the POEO Act to regulate compliance and enforcement of petroleum activities in NSW.

As the principal environmental regulator and lead regulator for all gas activities, the EPA is responsible for regulating compliance with legislation, using a range of statutory instruments to improve the environmental performance and maintain a healthy environment and community. A failure to comply with environmental laws or licence conditions can result in regulatory actions being taken by the EPA, which include formal warnings, clean-up and prevention notices, penalty notices, legally binding pollution reduction programs. For serious matters, the EPA may commence prosecution and pursue an enforceable undertaking, through the NSW Land and Environment Court.

1.2 Purpose of this Gas Compliance Statement

The Gas Compliance Statement clarifies the EPA's role as lead regulator for gas activities.

The Gas Compliance Statement outlines:

- the provisions in the POEO Act – Schedule 2A 'Enforcement of gas and other petroleum legislation' and its implementation strategy, including details of the interagency memorandum of understanding
- the EPA's regulatory approach to compliance and enforcement of gas activities and overlapping regulatory powers across various petroleum legislation
- reporting requirements and access to information.

1.3 The EPA's approach to compliance and regulation

The EPA's regulatory framework consists of an integrated series of components, including legislation, policy, education, incentives, licensing, administration, audit, investigation, and compliance and enforcement action.

The [*EPA Compliance Policy*](#) outlines the EPA's general approach to compliance and enforcement, and explains how the EPA undertakes activities that achieve compliance and drive improved environmental performance. It guides decision making to ensure that its compliance activities and actions are consistent, fair and credible. Section 4.1 of the *Compliance Policy* outlines the factors the EPA considers in identifying the appropriate action to take in particular circumstances.

The [*EPA's Prosecution Guidelines*](#) set out the factors on which the EPA will decide whether to pursue a prosecution. The guidelines take into account the decision process in deciding which charges to lay, the appropriate defendants, and appropriate jurisdiction to bring legal action. The guidelines highlight that not every breach of law is automatically prosecuted.

The [*Environmental Court Order Guidelines*](#) discuss the sentencing options available for environmental offences. The guidelines discuss the purpose behind each of the potential orders and the principles the EPA will take into account in deciding to seek one or more of the orders in a prosecution.

The EPA's [*Risk-based licensing system*](#) aims to ensure that all environment protection licensees receive an appropriate level of regulation based on the environmental risk of the activity. The EPA undertakes a risk assessment for each licensed premises, which takes into account site specific risks posed to the environment.

The EPA also considers each licensee's environmental performance, taking into account a licensee's compliance history and regulatory actions taken by the EPA for POEO Act related matters. It also takes into account, any environmental systems, procedures and environmental improvements the licensee has put in place. Based on this assessment, a licensee will be allocated an environmental management category which will determine the licensee's fee for that year.

The EPA reports on its compliance priorities in an annual [*Compliance Plan*](#). The plan aims to provide transparency for industry and the community about the EPA's scheduled compliance activities for the year.

There is no 'one-size-fits-all' response to non-compliance. The choice of approaches and regulatory responses depend on the issue and context. Where compliance monitoring identifies non-compliance, its significance is evaluated to determine the most appropriate response to take.

2. NSW Gas Plan

2.1 Protection of the Environment Operations Act 1997 Schedule 2A

As part of the NSW Gas Plan the POEO Act was amended to include Schedule 2A in relation to the EPA's enforcement of petroleum authorities. A petroleum authority means a:

- development consent under part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), or approval under part 3A, of the EP&A Act
- water access licence, water use approval or water supply work under the *Water Management Act 2000*
- petroleum title under the *Petroleum (Onshore) Act 1991*.

The amendments to the POEO Act enables the EPA to exercise the necessary powers to undertake its compliance functions in line with the changes specified in the NSW Gas Plan. Authorised EPA officers are able to use existing powers under the POEO Act to undertake compliance and enforcement actions over gas activities. This provides EPA officers with a proven and familiar regulatory toolkit to use and apply consistently in this new regulatory field. This is in addition to the EPA's existing role in issuing and regulating EPLs.

2.2 Memorandum of Understanding

The NSW Government is committed to effective, transparent and efficient regulation of the gas industry. To facilitate this, a [Memorandum of Understanding](#) (MoU) has been developed between the following NSW Government agencies involved in regulating the gas industry:

- NSW Environment Protection Authority (EPA)
- Division of Resources and Energy (DRE) within the NSW Department of Industry, Skills and Regional Development
- Department of Planning and Environment (DPE)
- Department of Primary Industries – Water (DPI Water).

The MoU clearly defines the responsibilities of the key agencies to work collaboratively in the regulation of gas activities in NSW. It establishes systems and processes to ensure agencies perform their roles effectively and seamlessly.

The MoU also outlines how a dual regulatory model is adopted by the EPA and DRE where gas activities have both a WHS and non-WHS aspect to them, with both agencies committing to undertake a collaborative regulatory approach.

The MoU includes provisions that help the community understand and navigate the regulatory framework surrounding gas industries. The MoU also helps reduce duplication of regulatory effort by government agencies through greater collaboration, and in turn reducing the regulatory burden on industry.

3. Gas Compliance Principles

3.1 Overlapping powers

Empowering the EPA as the lead regulator for all gas activities assists in providing a consistent and streamlined regulatory approach for the gas industry. The NSW Gas Plan, MoU and the POEO Act all clearly establish the EPA as the lead regulator for gas activities, except for WHS matters.

The POEO Act does not limit the legal responsibilities of the other agencies regulating the gas industry. Rather, in the event of a reported non-compliance, the EPA will lead independent investigations using powers specified within the POEO Act. However, the EPA will liaise with the relevant consent authorities if appropriate to coordinate a regulatory response.

The DRE remain responsible for regulating WHS conditions of petroleum titles. It is recognised that whilst many engineering standards are designed primarily for human safety, where DRE is responsible for regulating under WHS, the conditions also contribute to the management and protection of the environment and resources, where the EPA comes in as a regulator. Therefore, in these circumstances a dual-regulatory approach was adopted for conditions of petroleum titles that relate to both WHS and non-WHS matters.

A dual regulatory approach means that the EPA, along with DRE will collaborate in an incident response, investigation and monitoring activities, with DRE taking the lead in compliance action for WHS issues. The MoU outlines the coordination process the EPA and DRE will follow in those cases.

Whilst other agencies have not been legally restricted from undertaking enforcement action for gas activities, the MoU, the NSW Gas Plan and the POEO Act clearly assert that the EPA will lead investigations and enforcement actions and liaise appropriately with other relevant agencies as required. Accordingly, the risk of duplicated regulatory actions has been minimised. Notwithstanding this, there are clear protections in the court system against multiple enforcement actions for the same wrongdoing.

When the EPA considers the appropriate regulatory action to take in a particular circumstance, it considers enforcement measures necessary to ensure compliance and the best environmental outcome. Penalty notices are issued for minor breaches when the facts appear obvious and a penalty notice is likely to be a viable deterrent. Simultaneous penalty notices are not generally issued for multiple breaches of the legislation. For serious compliance problems, the EPA has the option and power to deal with the matter through court proceedings.

3.2 Petroleum offences

Schedule 2A of the POEO Act calls offences under sections of other relevant legislation but does not create any new offences. Therefore, the EPA's new enforcement role only extends to offences that currently exist under the relevant legislation.

The definition of a petroleum offence within Schedule 2A includes conditions placed on a proponent's approval by DRE or DPE, after development assessment. Once an approval is given, the environmental impact that has been considered through the Part 5 assessment process informs the development of conditions placed on the both the Planning Approval and the Petroleum Title. The EPA will be responsible for enforcing compliance with these conditions.

Schedule 2A includes a general regulation-making power enabling the EPA to amend offence provisions to address issues that may arise between the POEO Act and other Acts.

3.3 Retrospectivity

The EPA's role as lead regulator for gas activities applies retrospectively. This means that the EPA can respond to issues that not only arise in the future but also to those that may have occurred before the amendment of the POEO Act. With these powers, the EPA can fulfil its responsibilities in accordance with the recommendations of the NSW Gas Plan.

Breaches of conditions may have occurred prior to the EPA commencing its expanded regulatory role on 1 July 2015. If a breach has already been investigated and a regulatory outcome determined it will not be reopened. However, if new evidence comes to light then the EPA has the appropriate powers to re-investigate an incident.

3.4 Penalties and appeals

The POEO Act provides for the EPA to undertake compliance and enforcement action with a condition of a petroleum authority, which includes petroleum titles and development consents where relevant to gas. Depending on the specific nature of the non-compliance being investigated this may involve the EPA liaising with, and/or sharing information with, other relevant agencies.

While the EPA is the lead regulator and will take regulatory action consistent with its powers under the POEO Act, such action might relate to offences contained in other petroleum legislation. In this instance the penalty or compliance action will be determined by the relevant petroleum authorities legislation. Where there are conditions that are similar or duplicated under multiple pieces of legislation, the EPA will focus on the most appropriate and relevant condition based on a case-by-case situation. For example, this would mean focusing enforcement action against the condition that has most obviously been breached, regardless of the legislation it sits under.

The penalty amounts for a non-compliance are determined under the legislation they occurred under. Whilst there is variation in penalty amounts in the relevant pieces of legislation for gas, the penalties will be served under the powers of the POEO Act.

This means that any appeals against regulatory action taken by the EPA will also need to be pursued under the POEO Act.

3.5 Confidential information and reporting

The EPA is committed to being transparent and open in its decision-making processes by keeping the public informed of regulatory activities and the performance of industry. All gas activities in NSW, including conventional gas, coal seam gas, tight gas and shale gas, require an EPL issued by the EPA under the POEO Act. The conditions of these licences require the mandatory reporting of land, noise, air and water monitoring data as specified within each licence (all EPLs can be viewed on the EPAs public register). The provision of this information and mandatory reporting of pollution incidents is also required under the POEO Act. These environmental reporting provisions within the POEO Act and EPLs remain unchanged.

The provision of confidential information, commercial-in-confidence information and monitoring data prescribed in petroleum conditions, was outside the scope of the POEO Amendment Act, and remains unchanged. Provision of this information can only be made publicly available where the relevant legislation specifies it.

The Government Information (Public Access) Act 2009 (GIPA Act) created new rights to information that are designed to meet community expectations of more open and transparent government. Some information may not be disclosed under GIPA Act requests when not in the public interests. For example, if the information will prejudice an investigation, law enforcement or procedures for protecting the environment, or is considered commercial-in-confidence information about a legitimate business.



APPENDIX 3

Licence Variation

Licence - 12003

Department of **Environment & Climate Change** NSW



AGL GAS PRODUCTION (CAMDEN) PTY LIMITED,
ABN 58 115 063 744,
LOCKED BAG 1837,
ST LEONARDS NSW 2065

Attention: Mr. DAVID KELLY

Notice Number 1076711
File Number 401423
Date 12-Sep-2007

NOTICE OF VARIATION OF LICENCE NO. 12003

BACKGROUND

- A. AGL GAS PRODUCTION (CAMDEN) PTY LIMITED ("the licensee") is the holder of Environment Protection Licence No. 12003 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of Scheduled Activity - Premises Based at MEDHURST ROAD, GILEAD, NSW.
- B. On 23 July 2007 the EPA received an application for the variation of the licence.
- C. The application was to add additional wells for the Elizabeth Macarthur Agricultural Institute, Menangle Park and Sugar Loaf areas and associated gas gathering line. Some of these gas gathering lines have been upgraded (or twinned) to run parallel to existed lines.
- D. EPL 12003 was due for licence review in 2007. The EPA received advice from the Company on 5 July 2007 requesting a review of conditions relating to a number of activities within the licence.
- E. The EPA reviewed the licence with the proponent at a meeting held on 1 August 2007.
- F. The EPA has removed condition A2.4 referring to the development consents issued for each part of the development. This condition is not required and would be required to be updated each time a new consent is issued by Department of Planning.
- G. The EPA has removed condition P1.3. There are no water discharges to the environment, so there is no requirement for licensed water discharge points on the licence. Water is not removed from the flare pit, and pump out occurs at both the sewage storage tank and oily wastewater tank for offsite disposal.
- H. The licence contains no water discharge point and there is no release to the environment. The EPA has reduced the assessable pollutant loads for water based pollutants in the Load Based Licensing table to zero (0).
- I. The EPA has removed condition L3.5 as it was associated with monitoring the flare.
- J. The EPA has removed points seven (7) and eight (8) from condition M2 and removed condition L3.5. Flare monitoring was for residence time and temperature when gas was flared in emergency situations

Licence Variation

Licence - 12003

Department of **Environment & Climate Change** NSW



– difficult to monitor and minimal environmental risk. There is no water discharge or removal of water from flare pit (point 8).

- K. The Protection of the Environment Operations (Waste) Regulation 2005 includes new waste tracking provisions which commenced on 1 March 2006. Waste tracking requirements for licensed premises and transporters are now included in the regulation. As a result, waste tracking conditions are no longer required on licences. This variation notice removes waste tracking conditions from the licence.
- L. With the introduction of online waste tracking, waste activities are no longer required to submit Hazardous, Industrial or Group A waste (HIGA) quarterly reports. This variation notice removes HIGA quarterly reporting conditions from the licence.
- M. The EPA removed conditions M2.3, M2.4, and M2.5 as these were associated with monitoring of the flare and water in the flare pit.
- N. The EPA removed all the special conditions. These were associated with the reports required and submitted in 2005.
- O. The EPA removed all waste tracking appendices.
- P. The EPA has taken into account the objects of the Protection of the Environment Operations Act and the relevant factors listed in section 45 of that Act.
- Q. Once the variation is in effect the licensee should download an updated copy of the licence and annual return from <http://www.environment.nsw.gov.au/poeo/index.asp>

VARIATION OF LICENCE NO. 12003

1. By this notice the EPA varies licence No. 12003 as set out in the Appendix. The Appendix contains a copy of the provisions of the licence marked with the variations that are made to it by this notice.
2. The variations to the licence are indicated in the following way:
 - if a strike through mark appears through any word or other text (eg. ~~Solids or~~) this indicates that the word or other text is deleted from the licence by this notice; and
 - if a double underline appears under any word or other text (eg. must be treated) this indicates that the word or other text is added to the licence by this notice.

.....
Mr Peter Jamieson

Acting Head Regional Operations Unit

Metropolitan

(by Delegation)

INFORMATION ABOUT THIS NOTICE

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

Licence Variation

Licence - 12003



Appeals against this decision

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

When this notice begins to operate

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

Environment Protection Licence

Licence - 12003

Department of **Environment & Climate Change** NSW

Licence Details

Number:	12003
Anniversary Date:	22-December
Review Due Date:	22-Dec-2007

Licensee

AGL GAS PRODUCTION (CAMDEN) PTY LIMITED
 LOCKED BAG 1837
 ST LEONARDS NSW 2065

Licence Type

Premises

Premises

ROSALIND PARK GAS PLANT
 MEDHURST ROAD
 GILEAD NSW 2560

Scheduled Activity

Petroleum Works
 Waste Activities

Fee Based Activity

Petroleum Refining (68)

Hazardous, Industrial or Group A Waste Generation or Storage (73)

Scale

> 200000 - 500000 T refined and
 manufactured

> 100 - 500 T

Region

Metropolitan
 Level 3, NSW Govt Offices, 84 Crown Street
 WOLLONGONG NSW 2500
 Phone: 02 4224 4100
 Fax: 02 4224 4110

PO Box 513 WOLLONGONG EAST
 NSW 2520

Environment Protection Licence

Licence - 12003

Department of Environment & Climate Change NSW



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Licence - 12003



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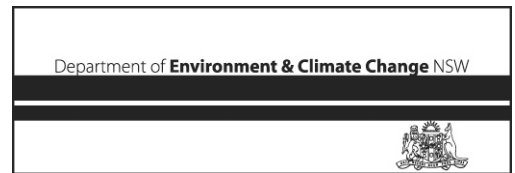
 E1 Not applicable. 36

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Environment Protection Licence

Licence - 12003



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); and
- 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

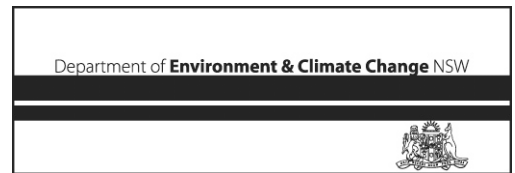
For each licence fee period you must pay:

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

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

Environment Protection Licence

Licence - 12003



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:

AGL GAS PRODUCTION (CAMDEN) PTY LIMITED
LOCKED BAG 1837
ST LEONARDS NSW 2065

subject to the conditions which follow.

Environment Protection Licence

Licence - 12003



1 Administrative conditions

A1 What the licence authorises and regulates

A1.1 Not applicable.

A1.2 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
Petroleum Works
Waste Activities

Fee Based Activity	Scale
Petroleum Refining (68)	> 200000 - 500000 T refined and manufactured
Hazardous, Industrial or Group A Waste Generation or Storage (73)	> 100 - 500 T

A1.3 Not applicable.

Environment Protection Licence

Licence - 12003



A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
ROSALIND PARK GAS PLANT
MEDHURST ROAD
GILEAD
NSW
2560
PART LOT 35 DP 230946

A2.2 The premises also includes the following gas gathering system, gas wells, trunk lines and any associated effluent storages, temporary work areas and infrastructure associated with the gathering systems, gas wells and trunk lines:

Environment Protection Licence

Licence - 12003

Department of **Environment & Climate Change** NSW

TABLE 1: Gas gathering system		
Area	Property lot	Deposited Plan
Glenlee	1102	883495
	1101 (Zones 1 & 1a(3))	883495
	2	1076817
	54	864754
	501	869561
Wandinong	241	1046971
	242	1046971
Rosalind Park	2	622362
	3	622362
	PT 35	230946
	58	632328
Sugarloaf	2	842735
	3	1007066
	2	717439
	200	1046336
	3	622362
	58	632328
EMAI	1	130288
	1	1067320
	2	1050479
Menagle Park	10	1022204
Mt Taurus	1	954424
Razorback	1	959711
	81	588337
	82	588337
	123	809576
	124	809576
	Road reserve of Remembrance Drive	Road reserve of Remembrance Drive
	Road reserve of Dawsons Road and Finns Road	Road reserve of Dawsons Road and Finns Road

Environment Protection Licence

Licence - 12003



TABLE 2: Gas wells

Area	Well Number	Property lot	Deposited Plan	Longitude decimal degrees	Latitude decimal degrees (datum GDA94)
Glenlee	GL 2	501	869561	150.7504 E	-34.0715 S
	GL 4	501	869561	150.7550 E	-34.0740 S
	GL 5	1101	883495	150.7526 E	-34.0786 S
	GL 6	2	1076817	150.7421 E	-34.0752 S
	GL 7	1101	883495	150.7482 E	-34.0768 S
	GL 8	1101	883495	150.7425 E	-34.0834 S
	GL 9	1101	883495	150.7461 E	-34.0861 S
	GL 10	1102	883495	150.7525 E	-34.0832 S
	GL 11	501	869561	150.7558 E	-34.0712 S
	GL 12	501	869561	150.7504 E	-34.0768 S
	GL 13	501	869561	150.7559 E	-34.0715 S
	GL 14	1102	883495	150.7525 E	-34.0832 S
	GL 15	1102	883495	150.7525 E	-34.0832 S
	GL 16	1101	883495	150.7482 E	-34.0768 S
Menangle Park	MP 13	10	1022204	150.7428 E	-34.0945 S
	MP 14	10	1022204	150.7470 E	-34.0950 S
	MP 15	10	1022204	150.7400 E	-34.1008 S
	MP 16	10	1022204	150.7382 E	-34.1070 S
	MP 17	10	1022204	150.7428 E	-34.1079 S
	MP 35	10	1022204	150.7428 E	-34.0944 S
Mt Taurus	MT 1	1	954424	150.7220 E	-34.1270 S
	MT 2	1	954424	150.7271 E	-34.1249 S
	MT 3	1	954424	150.7342 E	-34.1267 S
	MT 4	1	954424	150.7192 E	-34.1313 S
	MT 5	1	954424	150.7266 E	-34.1301 S
	MT 6	1	954424	150.7326 E	-34.1303 S
	MT 7	1	954424	150.7230 E	-34.1346 S
	MT 8	1	954424	150.7286 E	-34.1345 S
	MT 9	1	954424	150.7345 E	-34.1361 S
	MT 10	1	954424	150.7364 E	-34.1328 S
Wandinong	WG 1	242	1046971	150.7195 E	-34.1380 S
	WG 2	242	1046971	150.7245 E	-34.1398 S
	WG 3	242	1046971	150.7304 E	-34.1392 S
	WG 4	241	1046971	150.7169 E	-34.1415 S
	WG 5	242	1046971	150.7213 E	-34.1442 S
	WG 6	242	1046971	150.7263 E	-34.1443 S
Rosalind Park	RP 1	3	622362	150.7659 E	-34.1091 S
	RP 2	35	230946	150.7691 E	-34.1122 S
	RP 3	3	622362	150.7715 E	-34.1098 S
	RP 4	58	632328	150.7755 E	-34.1138 S
	RP 5	58	632328	150.7797 E	-34.1104 S
	RP 6	58	632328	150.7805 E	-34.1146 S
	RP 7	58	632328	150.7739 E	-34.1187 S
	RP 8	PT 35	230946	150.7693 E	-34.1157 S
	RP 9	PT 35	230946	150.7674 E	-34.1219 S
	RP 10	2	622362	150.7646 E	-34.1168 S
	RP 11	2	622362	150.7599 E	-34.1213 S
	RP 12	2	622362	150.7599 E	-34.1160 S
Sugarloaf	SL 1	2	842735	150.7746 E	-34.0939 S
	SL 2	2	842735	150.7684 E	-34.0975 S
	SL 3	2	842735	150.7732 E	-34.1003 S
	SL 4	3	1007066	150.7774 E	-34.1038 S
	SL 5	2	842735	150.7715 E	-34.1038 S
	SL 6	3	1007066	150.7767 E	-34.1069 S

Environment Protection Licence

Department of Environment & Climate Change NSW

Licence - 12003



TABLE 2: Gas wells

Area	Well Number	Property lot	Deposited Plan	Longitude decimal degrees	Latitude decimal degrees (datum GDA94)
	SL 7	3	1007066	150.7843 E	-34.1079 S
	SL 08	3	142785	150.7332 E	-34.1033 S
	SL 09	3	747735	150.7732 E	-34.1033 S
EMAI	EM 40	2	1050479	150.7333 E	-34.0779 S
	EM 2	2	1050479	150.7389 E	-34.0811 S
	EM 3	2	1050479	150.7320 E	-34.0826 S
	EM 4	2	1050479	150.7366 E	-34.0861 S
	EM 5	2	1050479	150.7307 E	-34.0899 S
	EM 6	2	1050479	150.7393 E	-34.0889 S
	EM 7	2	1050479	150.7307 E	-34.0939 S
	EM 8	2	1050479	150.7385 E	-34.0965 S
	EM 9	1	1067320	150.7326 E	-34.0991 S
	EM 10	1	1067320	150.7366 E	-34.1038 S
	EM 11	1	1067320	150.7313 E	-34.1039 S
	EM 12	1	1067320	150.7318 E	-34.1081 S
	EM 13	1	1067320	150.7361 E	-34.1121 S
	EM 14	1	1067320	150.7307 E	-34.1156 S
	EM 15	1	1067320	150.7368 E	-34.1166 S
	EM 16	1	1067320	150.7289 E	-34.1210 S
	EM 17	1	1067320	150.7386 E	-34.1225 S
	EM 18	1	130288	150.7147 E	-34.1266 S
	EM 19	1	130288	150.7075 E	-34.1303 S
	EM 20	1	130288	150.7055 E	-34.1264 S
	EM 21	1	1067320	150.7344 E	-34.1085 S
	EM 22	1	1067320	150.7262 E	-34.1138 S
	EM 23	1	130288	150.7054 E	-34.1220 S
	EM 24	1	130288	150.7119 E	-34.1240 S
	EM 25	1	130288	150.7178 E	-34.1238 S
	EM 26	1	130288	150.7023 E	-34.1177 S
	EM 27	1	130288	150.7082 E	-34.1167 S
	EM 28	1	1067320	150.7221 E	-34.1198 S
	EM 29	1	130288	150.7010 E	-34.1126 S
	EM 30	1	130288	150.7197 E	-34.1155 S
	EM 31	1	130288	150.7169 E	-34.1117 S
	EM 32	1	130288	150.7172 E	-34.1119 S
	EM 33	2	1050479	150.7174 E	-34.1062 S
	EM 34	2	1050479	150.7130 E	-34.0971 S
	EM 35	2	1050479	150.7017 E	-34.1092 S
	EM 36	2	1050479	150.7192 E	-34.1088 S
	EM 37	1	130288	150.7055 E	-34.1264 S
	EM 38	1	130288	150.7198 E	-34.1155 S
Razorback	RB 03	1	959711	150.6956 E	-34.1345 S
	RB 04	1	959711	150.6968 E	-34.1329 S
	RB 06	124	809576	150.7103 E	-34.1380 S
	RB 07	81	588337	150.7009 E	-34.1370 S
	RB 08	124	809576	150.7056 E	-34.1371 S
	RB 09	124	809576	150.7104 E	-34.1382 S
	RB 10	82	588337	150.6987 E	-34.1412 S
	RB 11	123	809576	150.7029 E	-34.1418 S
	RB 12	123	809576	150.7080 E	-34.1424 S

Environment Protection Licence

Licence - 12003



TABLE 3: Trunk Lines

Area	Street Name	Property	Deposited Plan	Trunk Length
Glenlee Trunk (From Glenlee to Menangle Road Railway Underpass)	-	2	790254	0.91
	-	2	737485	
	-	X	378264	0.44
	-	D	19853	0.57
	Rail Corridor – Cnr Racecourse Ave & Fitzpatrick Road	2	737485	0.08
	Racecourse Ave	-	-	1.87
	Menangle Road	-	-	0.98
Rosalind Park Trunk (From Rosalind Park to Menangle Bridge)	M5 / Hume Highway	-	-	0.23
	-	7	787284	0.23
	-	1	249393	0.4
	-	2	236059	
	-	3	236059	0.72
	Rail Corridor – Menangle Road	-	-	0.08
	Menangle Road	2	236059	0.33

A2.3 For the purposes of this licence, the premises also includes immediate areas in a 10 metre radius of all infrastructure in connection to the operation of the gas wells as described in the table above. During well establishment, the premises have a nominal area of 100m x 70m and is surrounded by fencing. At various times during well head maintenance, the premises at the gas well head comprises an area of approximate dimensions 25m x 25m.

Note: For the purposes of Condition A2.2, the premises are defined only by those areas where gas wells, gathering systems and the trunk lines activities occur.

~~A2.4 The premises includes all areas defined as:~~

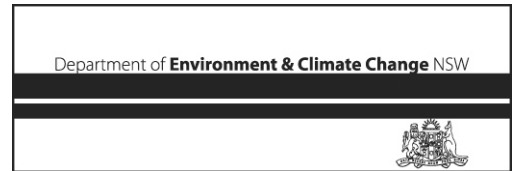
~~The Gas Wells, the Gas Gathering System (coloured yellow and blue) and the Gas Treatment Plant on drawing titled "Figure 1 – Sydney Gas Camden Gas Project Stage II Site Plan" referenced in Appendix B in the Development Consent for DA-282-6-2003-i issued by the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) on 12 February 2004.~~

~~The crossings of the Gas Gathering System and locations for Part 3A Permits on drawing titled "Figure 2 – Camden Gas Project Stage 2 – RFI Act 3A Permit Areas" referenced in Appendix B in the Development Consent for DA-282-6-2003-i issued by the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) on 12 February 2004.~~

~~Proposed access roads and gas gathering lines on drawing titled "Figure 3 – Sydney Gas Camden Gas Project Stage 2 – Location of Access Roads within the EMAI" referenced in Appendix B in the Development Consent for DA-282-6-2003-i issued by the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) on 12 February 2004.~~

Environment Protection Licence

Licence - 12003



~~The gas gathering system within the EMAI on drawing titled "Figure 4 - Sydney Gas Camden Gas Project Stage 2 - Location of Gas Gathering System within the EMAI" referenced in Appendix B in the Development Consent for DA-282-6-2003-i issued by the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) on 12 February 2004.~~

A3 Other activities

A3.1 Not applicable.

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

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

2 Discharges to air and water and applications to land

P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

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Air

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location
1	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Compressor Engine 1 labelled 'Engine Exhaust Stack 1 on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.
2	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Compressor Engine 2 labelled 'Engine Exhaust Stack 2' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.
3	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Compressor Engine 3 marked 'Engine Exhaust Stack 3' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.
4	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	TEG Fire Tube marked 'Reboiler Flue 4' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.
5	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Reboiler Still Column titled 'Reflux Column Vent 5' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.
6	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Carbon scrubber vent discharge stack labelled 'Odouriser Carbon Vent 6' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.

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EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location
7	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Main Flare marked 'Flare Pilot 7' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' on drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point. **Not applicable.**

P1.3 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. **Not applicable.**

Water and land

EPA identification no.	Type of monitoring point	Type of discharge point	Description of location
8	Discharge to waste facility Discharge quality monitoring	Discharge to waste facility Discharge quality monitoring	Pump connection point in flare pit labelled "Flare pit 8" on drawing titled "Erosion and Sediment Control Plan Sheet 1" drawing number 32339_013 submitted to the EPA with letter dated 29 October 2004.
9	Discharge to waste facility Discharge quality monitoring	Discharge to waste facility Discharge quality monitoring	Sewage connection point at sewage storage tank labelled "Septic tank 9" on drawing titled "Erosion and Sediment Control Plan Sheet 1" drawing number 32339_013 submitted to the EPA with letter dated 29 October 2004.
10	Discharge to waste facility Discharge quality monitoring	Discharge to waste facility Discharge quality monitoring	Pump connection point for oily water wastes labelled "10" on drawing titled "Erosion and Sediment Control Plan Sheet 1" drawing number 32339_013 submitted to the EPA with letter dated 29 October 2004.

3 Limit conditions

L1 Pollution of waters

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

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L2 Load limits

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

Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

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

Assessable Pollutant	Load limit (kg)
BOD (Enclosed Waters)	370
Benzene (Air)	47
Benzo(a)pyrene (equivalent) (Air)	0.27
Fine Particulates (Air)	460
Hydrogen Sulfide (Air)	1.6
Nitrogen Oxides (Air)	103000
Nitrogen Oxides - Summer (Air)	
Oil and Grease (Enclosed Waters)	96
Sulfur Oxides (Air)	3000
Total PAHs (Enclosed Waters)	0.14
Total Phenolics (Enclosed Waters)	0.1
Total suspended solids (Enclosed Waters)	360
Volatile organic compounds (Air)	33000
Volatile organic compounds - Summer (Air)	

Note: The above load limits may be revised after submission of annual returns for the first three years of operation of the plant.

L3 Concentration limits

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

L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other

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than those specified in the table\.

Air

POINTS 1,2,3

Pollutant	Units of measure	100 percentile concentration limit
Nitrogen Oxides	mg/m ³ milligrams per cubic metre	461
Sulphur dioxide	mg/m ³ milligrams per cubic metre	7
Sulfuric acid mist and sulfur trioxide (as SO ₃)	mg/m ³ milligrams per cubic metre	3.1

POINT 4

Pollutant	Units of measure	100 percentile concentration limit
Nitrogen Oxides	mg/m ³ milligrams per cubic metre	110
Sulphur dioxide	mg/m ³ milligrams per cubic metre	35
Sulfuric acid mist and sulfur trioxide (as SO ₃)	mg/m ³ milligrams per cubic metre	1.0

POINT 5

Pollutant	Units of measure	100 percentile concentration limit
Nitrogen Oxides	mg/m ³ milligrams per cubic metre	13
Sulphur dioxide	mg/m ³ milligrams per cubic metre	1042
Sulfuric acid mist and sulfur trioxide (as SO ₃)	mg/m ³ milligrams per cubic metre	35

L3.4 The reference basis for the air pollutants specified in condition L3.1 for points 1, 2, 3, 4 and 5 are as follows:

Pollutant	Reference Basis	Averaging Period
Nitrogen Oxides	Dry, 273K, 101.3kPa, 7% O ₂	As per test method
Sulfur Dioxide	Dry, 273 K, 101.3 kPa	As per test method
Sulphuric Acid Mist and/or Sulphur Trioxide	Dry, 273 K, 101.3 kPa	As per test method

Note 1: Concentration limits at points 1, 2, 3, 4 and 5 in Condition L3.1 may be subject to review after the submission of the reports in compliance with Condition E1 of this licence.

Note 2: Should the licensee seek to revise the concentration limits as specified in Condition L3.1 for nitrogen oxides, the licensee must demonstrate that:

- The revised emission limit is representative of the proper and efficient maintenance and operation of the equipment;
- The equipment is designed to minimise emissions as far as is practicable and consistent with best practice considering the type of equipment and application;
- The revised emission limit is supported by Manufacturers Design Specification; and
- The revised emission limit does not cause adverse impacts on local air quality. This assessment must be undertaken in accordance with the document: *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW*.

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Combustion parameters

~~L3.5 For each monitoring/discharge point or utilisation area specified in the table below (by point number), the parameter must be equal to or greater than the lower limits specified for that parameter in the table.~~

POINT 7

Parameter	Units of measure	Lower limit	Averaging period
Residence time	s	TBD*	Instantaneous
Temperature	°C	TBD*	Instantaneous

~~Note: For the purposes of the table above, TBD means that limits for residence time and temperature for the main flare will be determined on receipt and review of continuous monitoring data required by condition M2.1 based on 98% destructive efficiency for volatile organic compounds plus methane and a nitrogen oxides emissions rate not greater than 30 g/GJ.~~

L4 Volume and mass limits

L4.1 Not applicable.

L5 Waste

L5.1 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.

L5.2 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.

L5.3 Except as provided by any other condition of this licence, only the hazardous and/or industrial and/or Group A waste listed below may be generated and/or stored at the premises.

Waste oil/water, hydrocarbons/water mixtures or emulsions

L5.4 The quantity of hazardous and/or industrial and/or Group A waste stored on the premises must not exceed 9000 litres at any one time.

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- L5.5 The quantity of hazardous and/or industrial and/or Group A waste generated and/or stored at the premises must not exceed 85,000L per year.
- L5.6 The quantity of non-controlled aqueous liquid wastes generated at the premises must not exceed 3,000,000L per year.

L6 Noise Limits

L6.1 Noise from the premises must not exceed the noise limits in the table below:

Receiver Location	Day	Evening	Night	Flaring (night)
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1minute)
R1 Medhurst Road, Gilead	35	35	35	45
R7 Mt. Gilead, Gilead	37	36	36	45

Note 1: Noise limits in Condition L6.1 may be subject to review after the submission of the noise compliance reports in compliance with Condition R6 and Condition E3.

Note 2: Pressure safety valve (discharge) and pressure safety valve (suction) flaring events are exempted from the limits in condition L6.1.

L6.2 For the purposes of condition L6.1:

- Day is defined as the period from 7am to 6pm Monday to Saturday and 8am to 6pm Sundays 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 Sundays and Public Holidays; and
- The receiver locations R1 and R7 are as shown in Figure 5.1 of the Environmental Noise and Vibration Study by Environmental Resources Management Australia Pty Ltd dated June 2003 which accompanied the Environmental Impact Statement for the project.

Incidence of flaring events

L6.3 Noise for flaring event, must not exceed the noise limits in the table below:

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Receiver Location	Type of Flare event	Duration of Flare event	Day	Evening	Night
			L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)
R1 Medhurst Road, Gilead	Spill valve	> 2.5 hours	35	35	35
	Compressor blowdown (ESD)	15-60 minutes	40	40	35
	Compressor blowdown (shut down and unload)	6-15 minutes	42	42	37
R7 Mt. Gilead, Gilead	Spill valve	> 2.5 hours	37	36	36
	Compressor blowdown (ESD)	15-60 minutes	42	41	40 ^a
	Compressor blowdown (shut down and unload)	6-15 minutes	44	43	37

purposes of the table above, ^a is where ESD flare events exceed a frequency of occurrence of 1 per 21 days or a duration higher than 15 minutes per event to a reduced flow rate of less than 0.5 mmscf/d for each event, a lower limit of 36dB(A) LAeq (15 Minutes) applies at night.

Note 2: For the purposes of the table above, a flare event is defined as the period of time when the gas flow to the flare is greater than the gas flow necessary to maintain the pilot flare.

Note 3: Pressure safety valve (discharge) and pressure safety valve (suction) flaring events are exempted from the limits in condition L6.3.

Noise measurements

L6.4 Noise from the premises is to be measured at any point on or within the residential boundary or at any point within 30m of the dwelling (rural situations) where the dwelling is more than 30m from the boundary to determine compliance with the L_{Aeq}(15 minute) noise limits in condition L6.1.

Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See *Chapter 11 of the NSW Industrial Noise Policy January 2000* for general guidance for determining compliance.

The modification factors presented in Section 4 of the *NSW Industrial Noise Policy January 2000* shall also be applied to the measured noise levels where applicable.

L6.5 Noise from the premises is to be measured at 1m from the dwelling façade to determine compliance with the L_{A1} (1 minute) noise level in L6.1.

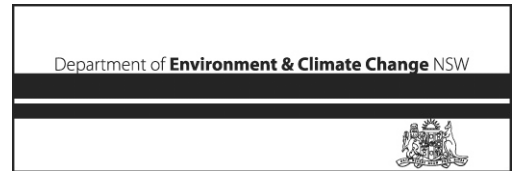
Meteorological conditions

L6.6 The noise emission limits identified in condition L6.1 and L6.3 apply under meteorological conditions of:

- (a) Wind speed up to 3m/s at 10 metres above ground level; or

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- (b) Temperature inversion conditions of up to 3°C/100m and wind speed up to 2m/s at 10 metres above the ground.

Well, Gathering System and Trunk Line Maintenance noise management protocol

L6.7 ~~By 1 March 2005, the~~
The licensee must ~~prepare~~ **have in place** a Well, Gathering System and Trunk Line Maintenance Noise Management Protocol to be used for the premises as defined in Condition A2 of this licence for the duration of the licence. The Protocol must include, but not limited to:

- (a) noise compliance standards;
- (b) community consultation;
- (c) advance notice to affected members of the community for planned well maintenance activities;
- (d) complaints handling monitoring/system;
- (e) site contact person to follow up complaints;
- (f) mitigation measures;
- (g) the design/orientation of the proposed mitigation methods demonstrating best practice;
- (h) construction times;
- (i) contingency measures where noise complaints are received; and
- (j) monitoring methods and program.

Hours for well maintenance activities

L6.8 Planned maintenance activities at any of the wells must only be conducted between:

- (a) 7am and 6pm on weekdays; and
- (b) 8am and 1pm on Saturdays (excluding Public Holidays).

Note: Condition L6.8 does not apply to the delivery of material outside the hours of operation permitted by this licence, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is to be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

L7 Polychlorinated Biphenyls (PCBs)

Note: The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the "Chemical Control Order in Relation to Materials and Wastes Containing Polychlorinated Biphenyl, 1997".

L8 Asbestos

Note: The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the Protection of the Environment Operations (Waste) Regulation 1996.



4 Operating conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- (a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- (b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

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

O3 Emergency response

O3.1 Within insert time limit 3 months of the date of the issue of this licence, the licensee must develop, or update, an emergency response plan which documents the procedures to deal with all types of incidents (e.g. spill, explosions or fire) that may occur at the premises or outside of the premises (e.g. during transfer) which are likely to cause harm to the environment.

O4 Processes and management

O4.1 The licensee must ensure that any hazardous, industrial or Group A waste generated and/or stored at the premises is assessed and classified in accordance with the EPA Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes, in force as at 1 July 1999.

O4.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

O4.3 Any movement of hazardous, industrial or Group A waste from the premises must be conducted in accordance with the EPA's waste tracking requirements. ~~A copy~~

O5 Potentially offensive odour

O5.1 No condition of ~~these tracking requirements~~ this licence identifies a potentially offensive odour for the purposes 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

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defence if the emission is included identified in Attachment C, the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed at minimising odour

Note: Should odour emissions become an issue, the EPA will consider requiring investigation and implementation of further odour control measures.

O6 Dust

O5 Monitoring of waste movements within NSW

~~O5.1 Conditions O5.2 to O5.16 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, within NSW.~~

Prerequisites for waste movements

~~O5.2 If the waste is transported from the premises, the licensee must ensure that the waste is transported:~~

- ~~(a) to a place which has been licensed by the EPA to issue consignment authorisation numbers;~~
- ~~and~~
- ~~(b) to a place that can otherwise lawfully accept that class of waste.~~

~~O5.3 If the waste is transported from the premises, the licensee must:~~

- ~~(a) obtain a consignment authorisation number from the consignee;~~
- ~~(b) complete an approved waste data form in relation to the consigned waste in accordance with the instructions on the form and to the extent required, and give a copy of the form to the person transporting the waste;~~
- ~~(c) ensure that the waste data form:~~
 - ~~(i) is completed accurately, and~~
 - ~~(ii) is retained for a period of not less than 4 years from the time the form was completed, and~~
 - ~~(iii) is made available for inspection by an authorised officer on request;~~
- ~~(d) ensure, if the waste is of such an amount as to require the person transporting it to be licensed, that the person transporting the waste is licensed.~~

Application for a consignment authorisation number

~~O5.4 To obtain a consignment authorisation number as required by O5.3 (a), the licensee must apply in writing to the consignee. An application must include the following information:~~

- ~~(a) a statement identifying the classification of the waste in accordance with the requirements of condition O4.1;~~
- ~~(b) copies of all information used to classify the waste;~~
- ~~(c) an estimate of the amount of waste to which the application applies;~~
- ~~(d) whether the consignment will consist a single load or multiple loads;~~
- ~~(e) an estimate of the total period required for transportation of the consignment;~~
- ~~(f) the date of dispatch of at least the first load in the consignment.~~

Note: The licensee may nominate the dates of dispatch of as many loads as is feasible. This should be discussed with the consignee and will depend on the predictability of the rate of generation of the

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~~waste and the likelihood of the need for amendments to the dates nominated. If the waste is predictable, a schedule may be able to be submitted for the entire consignment, however if it is unpredictable, the date of only one future load may be able to be determined at a time (see also 05.9 about amending notified dates).~~

~~Note: The requirement for a written application for a consignment authorisation number does not preclude preliminary contact to obtain quotes and/or advice. Such preliminary contact does not require the formal provision of the above information that need only be supplied in the formal application.~~

~~05.5 Once an application for a consignment authorisation number, as set out in 05.4 has been submitted, the licensee must not submit an application for the same consignment to another consignee until notification is received concerning the outcome of the application.~~

~~Notification of dates of dispatch of the second and subsequent loads in a consignment.~~

~~05.6 The licensee must provide the consignee with written notification of the date of dispatch of each load of waste.~~

~~05.7 The notification referred to in 05.6 must be received by consignee no later than the date of arrival of the preceding load at the destination.~~

~~Notification of a final load in a consignment.~~

~~05.8 Unless the movement of an entire consignment of waste occurs in a single load, by the time the final load in a consignment is accepted at the destination, the licensee must have informed the consignee in writing, that no further loads are to be dispatched under that consignment authorisation number.~~

~~Note: The notifications referred to in conditions 05.6 and 05.8 may be attached to the waste data form of the preceding load.~~

~~Amendments to the nominated date(s) of dispatch~~

~~05.9 If the date of dispatch for a load of waste is changed, the licensee must give written notification of this to the consignee and nominate a revised date of dispatch.~~

~~05.10 A notification referred to in 05.9 must occur on or before the date of delivery as previously nominated.~~

~~Note: More than one amendment to dates of dispatch may occur.~~

~~Cancellation of consignment authorisations~~

~~05.11 If the licensee determines that the delivery of a consignment of waste is to be discontinued for any reason, the consignee must be notified in writing before the nominated date of dispatch of the next expected load.~~

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Notification of delayed delivery by transporter

~~05.12 If the licensee receives written notification from a transporter who removed waste from the premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date.~~

Record keeping

~~05.13 The licensee must record and retain all information related to each consignment of waste.~~

~~Note: This includes waste data forms and copies of other documents such as notifications of revised delivery dates, regular and other reports, etc.~~

~~05.14 The records referred to in 05.13 must be kept so that:~~

- ~~(a) all records relating to individual consignment authorisation numbers are kept physically together;~~
- ~~(b) consignments transported by each transporter can be readily identified and accessed; and~~
- ~~(c) consignments sent to each destination can readily be identified and accessed.~~

~~Note: The licensee must keep all information for at least 4 years.~~

Exception reporting

~~05.15 The licensee must notify the EPA, in writing, within 48 hours of becoming aware of any suspected breaches of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.~~

~~05.16 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:~~

- ~~(a) the refusal by a person to whom the licensee has applied for a consignment authorisation number in accordance with 05.4 to issue such a number;~~
- ~~(b) the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste;~~
- ~~(c) a transporter who transports, or attempts to transport, waste without a waste data form completed to the extent required;~~
- ~~(d) the refusal of a consignee to accept waste from the licensee;~~
- ~~(e) the failure of the licensee to receive written confirmation of receipt of waste from a consignee within 21 days of dispatch, or where a transporter has provided written notification of a revised date of delivery as set out in 05.12 within 21 days of that date;~~
- ~~(f) the notification by a transporter of a revised date of delivery which is more than 90 days after the date of dispatch of the waste.~~

~~Note: The EPA should be notified of exception reports by sending a facsimile to:~~

~~Manager, Hazardous Waste Regulation~~

~~NSW Environment Protection Authority~~

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O6.06 Monitoring of interstate movements of controlled wastes

O6.1 Conditions O6.2 to O6.11 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, into and out of NSW.

Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.

Classification of controlled waste

O6.2 The licensee must accurately identify the waste, in accordance with O4.1, and determine if the waste is a controlled waste within the meaning of the NEPM.

Note: The waste producer must check with the agency in the State or Territory of destination to determine whether waste is classified as a controlled waste under the NEPM. Unless advised otherwise by the agency of the State or Territory of destination, any waste included in Appendix 1 of this licence is a controlled waste for the purposes of the NEPM.

Application for a consignment authorisation

O6.3 If the waste is transported from the premises to another participating State or Territory, the licensee must comply with all conditions attached to the consignment authorisation issued by an agency or a facility delegated by an agency in the destination State or Territory.

Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1996 to obtain, prior to the waste being dispatched, a consignment authorisation from an agency, or a facility delegated by an agency, in the destination State or territory to allow the movement of controlled waste.

Waste movements

O6.4 If the waste is transported from the premises to another participating State or Territory, the licensee must ensure that the waste is transported to a place that can lawfully be used as a waste facility for that waste.

O6.5 The licensee must ensure that the waste transporter is licensed as required by the agency of each participating State or Territory through which the waste is transported.

O6.6 The licensee must:
retain a copy of the waste transport certificate for the waste for a period of not less than 4 years from the time the form was completed, and
make the copy of the waste transport certificate available for inspection by an authorised officer on request.

Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1996 to complete a waste transport certificate for the waste. This should be done in accordance with the instructions printed on the certificate and the required copy of the waste transport certificate should be forwarded to the agency in the State of destination.

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Notification of delayed delivery by transporter

~~06.7 If the licensee receives written notification from the transporter who removed waste from the licensee's premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date.~~

Record keeping

~~06.8 The licensee must record and retain all information related to each consignment of waste.~~

~~Note: This includes the waste transport certificates and copies of other documents such as consignment authorisations issued by an agency in the destination State or Territory, notifications of revised delivery dates by transporters, regular and other reports, etc.~~

~~06.9 The records referred to in 06.8 must be kept so that:~~

- ~~(a) all records relating to each consignment authorisation are kept physically together;~~
- ~~(b) consignments transported by each transporter can be readily identified and accessed, and~~
- ~~(c) consignments sent to each destination can readily be identified and accessed.~~

~~Note: The licensee must keep all information for at least 4 years.~~

Exception reporting

~~06.10 The licensee must notify the EPA in writing within 48 hours of becoming aware of a suspected breach of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.~~

~~06.11 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:~~

- ~~the refusal by an agency, or facility delegated by an agency, in participating State or Territory to whom the licensee has applied for a consignment authorisation in accordance with 06.3, to issue such an authorisation;~~
- ~~the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste to another participating State or Territory to the extent required;~~
- ~~a transporter who transports, or attempts to transport, waste to another participating State or Territory without a waste transport certificate completed to the extent required;~~
- ~~the refusal of a destination in another participating State or Territory to accept from the licensee waste for which a consignment authorisation has been issued;~~
- ~~the failure of the licensee to receive written confirmation of receipt of waste from a destination in another participating State or Territory within 28 days of dispatch.~~

~~Note: The EPA should be notified of exception reports by sending a facsimile to:~~

~~Manager, Hazardous Waste Regulation
NSW Environment Protection Authority~~

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O7 Potentially offensive odour

O7.1 No condition of this licence identifies a potentially offensive odour for the purposes 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 the conditions of a licence directed at minimising odour.

Note: Should odour emissions become an issue, the EPA will consider requiring investigation and implementation of further odour control measures.

O8 Dust

O8.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

5 Monitoring and recording conditions

M1 Monitoring records

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

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

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

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

- (a) the date(s) on which the sample was taken;
- (b) the time(s) at which the sample was collected;
- (c) the point at which the sample was taken; and
- (d) the name of the person who collected the sample.

M2 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:

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Air

POINTS 1,2,3,4,5

Pollutant	Units of measure	Frequency	Sampling Method
Carbon dioxide	%percent	Quarterly	TM-24
Dry gas density	kg/m ³ kilogram s per cubic metre	Quarterly	TM-23
Moisture	%percent	Quarterly	TM-22
Molecular weight of stack gases	g/g-grams per gram mole	Quarterly	TM-23
Nitrogen Oxides	mg/m ³ milligram ms per cubic metre	Quarterly	TM-11
Oxygen (O ₂)	%percent	Quarterly	TM-25
Sulfuric acid mist and sulfur trioxide (as SO ₃)	mg/m ³ milligram ms per cubic metre	Quarterly	TM-3
Sulphur dioxide	mg/m ³ milligram ms per cubic metre	Quarterly	TM-4
Temperature	oC-degrees Celsius	Quarterly	TM-2
Velocity	m/s-metres per second	Quarterly	TM-2
Volumetric flowrate	m ³ /s-cubic metres per second	Quarterly	TM-2

POINT 6

Pollutant	Units of measure	Frequency	Sampling Method
Carbon dioxide	%percent	Quarterly	TM-24
Dry gas density	kg/m ³ kilogram s per cubic metre	Quarterly	TM-23
Moisture	%percent	Quarterly	TM-22
Molecular weight of stack gases	g/g-grams per gram mole	Quarterly	TM-23
Odour	ou-odour units	Quarterly	OM-7
Oxygen (O ₂)	%percent	Quarterly	TM-25
Temperature	oC-degrees Celsius	Quarterly	TM-2
Velocity	m/s-metres per second	Quarterly	TM-2
Volumetric flowrate	m ³ /s-cubic metres per second	Quarterly	TM-2

POINT 7

Pollutant	Units of measure	Frequency	Sampling Method
Temperature	oC	Continuous	TM-2
Volume	m ³	Special Frequency 1	Special Method 1

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POINT 8

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	mg/L	Monthly	Representative sample
Conductivity	uS/cm	Monthly	Representative sample
Oil and Grease	mg/L	Monthly	Representative sample
Phenols	ug/L	Monthly	Representative sample
Standing Water Level	m	Monthly	Special Method 2
Total PAHs	ug/g	Monthly	Representative sample
Total organic carbon	ug/L	Monthly	Representative sample
Total petroleum hydrocarbons	ug/L	Monthly	Representative sample
Total suspended solids	mg/L	Monthly	Representative sample

POINTS 1,2,3

Pollutant	Units of measure	Frequency	Sampling Method
Oxides of Nitrogen	mg/m ³ milligrams per cubic metre	Continuous	CEM-2
Temperature	°C degrees Celsius	Continuous	TM-2
Moisture	% percent	Continuous	TM-22
Volumetric flow rate	m ³ /s cubic metres per second	Continuous	CEM-6
Oxygen	% percent	Continuous	CEM-3

Note 1: The requirement for continuous monitoring at point 1, 2 and 3 in Condition M2.1 may be subject to review after the submission of the Air Emissions Reports in compliance with Conditions E1 and E2.

Note 2: The requirement for quarterly monitoring of emissions at Points 2 and 3 only applies after Compressor Engines 2 and 3 respectively, commence operations.

Note 3: The requirement for quarterly monitoring at point 6 may be reviewed based on odour emission performance after 12 months from commissioning of the treatment plant.

M2.2 For the purposes of the table above, the selection of sampling positions for quarterly monitoring at points 1, 2, 3, 4, 5 and 6 must be carried out in accordance with *test method TM-1* as specified in *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW, 2000*.

~~M2.3 For the purposes of the table above, 'Special Method 1' at Point 7 in Condition M2.1 means volume must be calculated by multiplying the duration of a flaring event by the flow rate of the gases being combusted during that flaring event. Flow rate is to be calculated using the flow rate capacity of plant at the time of the flaring event.~~

~~M2.4 For the purposes of the table above, 'Special frequency 1' means volume must be calculated daily during any flaring event.~~

~~Note: For the purposes of conditions M2.3 and M2.4, a flare event is defined as the period of time when the gas flow to the flare is greater than the gas flow necessary to maintain the pilot flare.~~

~~M2.5 For the purposes of the table above, 'Special Method 2' at Point 8 in Condition M2.1 means Standing Water Level must be measured by direct measurement.~~

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M3 Testing methods - concentration limits

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

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

Note: The Protection of the Environment Operations (Clean Air) Regulation 2002 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.~~

M3.2 Not applicable

Note: Testing methods - load limit

Note: Clause 18 (1) and (2) of the Protection of the Environment Operations (General) Regulation 1998 requires that monitoring of actual loads of assessable pollutants listed in L2.1 must be carried out in accordance with the testing method set out in the relevant load calculation protocol for the fee-based activity classification listed in condition A1.2.

M4 Recording of pollution complaints

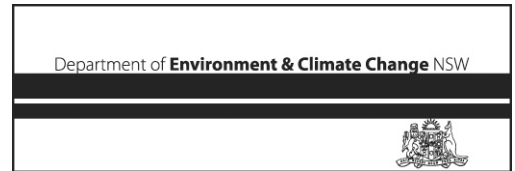
M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M4.2 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.

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M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

M5.1 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.

M5.2 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.

M5.3 Conditions M5.1 and M5.2 do not apply until 3 months after:
(a) the date of the issue of this licence or
(b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

M6 Requirement to monitor volume or mass

M6.1 Not applicable.

6 Reporting conditions

R1 Annual return documents

What documents must an Annual Return contain?

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
(a) a Statement of Compliance; and
(b) a Monitoring and Complaints Summary.
A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

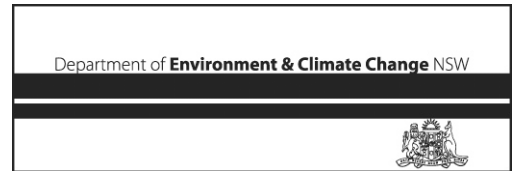
Period covered by Annual Return

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.

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- 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.

Deadline for Annual Return

- R1.5 The Annual Return for the reporting period must be supplied to the EPA 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').

Notification where actual load can not be calculated

- R1.6 Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:
- (a) the assessable pollutants for which the actual load could not be calculated; and
 - (b) the relevant circumstances that were beyond the control of the licensee.

Licensee must retain copy of Annual Return

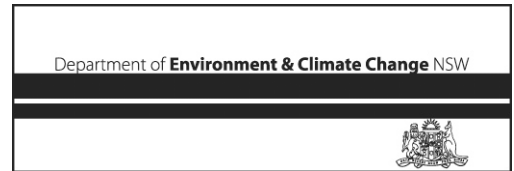
- R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

- R1.8 Within the Annual Return, the Statement 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.
- R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

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R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable 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 EPA's Pollution Line service on 131 555.

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

R3 Written report

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

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

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

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

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

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~~R4 Regular reporting of transportation of certain wastes within NSW~~

~~R4 Noise compliance monitoring report~~

~~R4.1 Conditions R4.2 to R4.5 apply to the transport of hazardous and/or industrial and/or Group A waste within NSW.~~

~~Regular reporting~~

~~R4.2 The licensee must supply to the EPA, for each transporter that transported waste from the licensee's premises, the information as set out in Appendix 2, table 1.~~

~~R4.3 The licensee must supply to the EPA, for each destination within NSW which received waste from the licensee, the information as set out in Appendix 2, table 2.~~

~~Reporting periods~~

~~R4.4 Reports to the EPA in accordance with R4.2 and R4.3 shall be supplied on or before:~~

- ~~(a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;~~
- ~~(b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;~~
- ~~(c) 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;~~
- ~~(d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.~~

~~Note: The EPA should be notified of exception reports by sending a facsimile to:
Manager, Hazardous Waste Regulation
NSW Environment Protection Authority~~

~~Nil reports~~

~~R4.5 If waste has not been transported from the premises in any reporting period as set out in R4.4 the EPA must be advised in writing by the licensee, by the dates referred to in R4.4 in lieu of reporting as required in R4.2 and R4.3.~~

~~R5 Regular reporting of interstate movements of controlled wastes~~

~~R5.1 Conditions R5.2 to R5.5 apply to the movement of hazardous and/or industrial and/or Group A waste as listed in L5.3, into and out of NSW.~~

~~Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.~~

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Regular reporting

~~R5.2 The licensee must supply to the EPA, for each transporter that transported waste from the premises to a destination in another participating State or Territory, the information as set out in Appendix 2, table 3.~~

Reporting periods

~~R5.3 Reports to the EPA in accordance with R5.2 shall be supplied on or before:~~

- ~~(a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;~~
- ~~(b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;~~
- ~~(c) 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;~~
- ~~(d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.~~

Nil reports

~~R5.4 If waste has not been transported from the premises in any reporting period as set out in R5.3, the EPA must be advised in writing by the licensee, by the dates referred to in R5.3 in lieu of reporting as defined in R5.2.~~

Interstate transport of controlled wastes

~~R5.5 The licensee must comply with the requirements of the NEPM.~~

R6 Noise compliance monitoring report

~~R6.1~~ The licensee must submit a noise compliance monitoring report on 16 April 2004 and on an annual basis with the annual return required in condition R1.1 thereafter, to assess compliance with the noise limits provided in condition L6.1. The noise monitoring must be undertaken in accordance with the *NSW Industrial Noise Policy August 2000*.

General conditions

G1 Copy of licence kept at the premises

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.

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- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

G2 Signage

- G2.1 The location of EPA point number(s) 1,2,3,4,5,6,7,8,9 and 10 must be clearly marked by signs that indicate the point identification number used in this licence and be located as close as practical to the point.

Pollution studies and reduction programs

- U1.1 Not applicable.

Special conditions

- E1 ~~Post commissioning air emissions report~~ **Not applicable**

~~E1.1 The objective of this condition is to demonstrate that the actual emissions are consistent with the design and the air emission limits specified in condition L3.1.~~

~~E1.2 By 1 July 2005, the applicant must submit, to the EPA's Manager Sydney Industry PO Box 668 Parramatta NSW 2124, a written report detailing the results of post commissioning source air emissions sampling and analysis undertaken in accordance with the requirements specified in condition M2.1 and M3.1. The report must assess compliance with the limit conditions specified in condition L3.1 and L3.5. The report must also include an assessment of flare operations and report on the results of continuous temperature monitoring and flaring incidents.~~

~~E2 Quarterly reporting of air emissions~~

~~E2.1 For the first 12 months of operation of the treatment plant, the results of quarterly air emissions monitoring as required by condition M2.1 must be submitted on a quarterly basis to the EPA's Manager Sydney Industry at PO Box 668 Parramatta NSW 2124. The results must be received by the EPA within 1 month of the date on which the sampling was undertaken for that quarter.~~

~~E3 Noise monitoring report flare~~

~~E3.1 By 1 August 2005, the applicant must submit to the EPA's Manager Sydney Industry PO Box 668 Parramatta NSW 2124, a report on noise from the operation of the flare in the first 6 months operation of the plant and a report assessing the compliance of noise levels during the range of~~

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~~flaring incidents experienced since commissioning, with the noise limits provided in condition L6.1. The noise monitoring must be undertaken in accordance with the NSW Industrial Noise Policy.~~

~~The report must contain the following information:~~

~~A listing of each incident when the flare operated including the duration, gas discharge rate and cause of the incident;~~

~~Information on the incidence and duration of flaring events caused by pressure safety valve events and scheduled depressurisation of equipment for planned essential maintenance;~~

~~The temperature and volume data for each flare event, as required by condition M3.1;~~

~~The results of noise measurements for flare operation for each flare type event for receivers at locations R1 and R7;~~

~~An assessment of compliance with noise limits provided in condition L6.1. The noise monitoring must be undertaken in accordance with the NSW Industrial Noise Policy;~~

~~An evaluation of reasonable and feasible options to reduce noise from flaring events based upon the findings of the first six months of plant operation; and~~

~~A timetable for implementation of any nominated reasonable and feasible measures to further reduce flare operation noise.~~

~~Note: Summary of Pollution Studies and Reduction Programs~~

Title	Objective	Date Due	Date Submitted
Installation of air monitoring points	To assist in the development of monitoring points.	1 November 2004	20 August 2004
Flare design report	To obtain information on the design of the flare to be operated within the premises.	1 November 2004	23 August 2004
Monitoring program for water based assessable pollutants	To ensure a program is developed for the monitoring of assessable water pollutants for annual calculation of assessable loads for load based licensing	1 November 2004	31 August 2004
Evaporation Pond Liner Integrity Evaluation Program	To protect subsurface and surface from storage of wastewater in the Evaporation Pond.	1 November 2004	7 September 2004
Manufactures Design Specification	To obtain information on the manufactures design specifications for the compressor engine, TEG Fire tube and the reboiler still column.	1 November 2004	16 September 2004
Monitoring program for air based assessable pollutants	To ensure a program is developed for the monitoring of assessable air pollutants for annual calculation of assessable loads for load based licensing.	1 November 2004	16 September 2004
Maintenance Noise Management Plan	To monitor and control noise emissions from maintenance activities	1 March 2005	-
Post commissioning air emissions report	To assess compliance with concentration limits set for air pollutants at stationary sources during actual operation.	1 July 2005	-

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Title	Objective	Date Due	Date Submitted
Quarterly reporting of air emissions	To assess compliance with concentration limits set for air pollutants at stationary sources during actual operation.	Quarterly for the first 12 months of the Gas Treatment Plant operation	-
Noise monitoring report - flare	Monitoring noise from the operation of the flare at receivers in accordance with Industrial Noise Policy (INP).	1 August 2005	

Appendices

APPENDIX 1

WASTE DESCRIPTIONS AND CORRESPONDING WASTE CODES

The waste descriptions and waste codes shown below must be used to identify hazardous, industrial and Group A wastes on the waste data form for movements of those wastes within NSW, and to identify controlled wastes on the waste transport certificate for those wastes moved between NSW and other States and Territories. The waste codes must also be used to identify wastes when reporting the information required in the Tables in Appendix 2.

Description	Waste Code	Description	Waste Code
Acidic solutions or acids in solid form	B100	Organohalogen compounds—other than substances referred to in this list	M160
Animal effluent and residues (abattoir effluent, poultry and fish processing wastes)	K100	Perchlorates	D340
Antimony; antimony compounds	D170	Phenols; phenol compounds including chlorophenols	M150
Arsenic; arsenic compounds	D130	Phosphorus compounds excluding mineral phosphates	D360
Asbestos	N220	Polychlorinated dibenzo-furan (any congener)	M170
Barium compounds (excluding barium sulphate)	D290	Polychlorinated dibenzo-p-dioxin (any congener)	M180
Basic solutions or bases in solid form	C100	Residues from industrial waste treatment/disposal operations	T190
Beryllium; beryllium compounds	D160	Selenium; selenium compounds	D240
Boron compounds	D310	Sewage sludge and residues including nightsoil and septic tank sludge	K130
Cadmium; cadmium compounds	D150	Soils contaminated with a controlled waste	N120
Ceramic-based fibres with physico-chemical characteristics similar to those of asbestos	N230	Surface active agents (surfactants), containing principally organic constituents and which may contain metals and inorganic materials	M250
Chlorates	D350	Tannery wastes (including leather dust, ash, sludges and flours)	K140
Chromium compounds (hexavalent and trivalent)	D140	Tellurium; tellurium compounds	D250
Clinical and related wastes	R100	Thallium; thallium compounds	D180
Cobalt compounds	D200	Triethylamine catalysts for setting foundry sands	M230
Containers and drums which are contaminated with residues of substances referred to in this list	N100	Tyres	T140
Copper compounds	D190	Vanadium compounds	D270
Cyanides (inorganic)	A130	Waste chemical substances arising from research and development or teaching activities including those which are not identified and/or are new and whose effects on	T100

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		human health and/or the environment are not known	
Cyanides (organic)	M210	Waste containing peroxides other than hydrogen peroxide	E100
Encapsulated, chemically-fixed, solidified or polymerised wastes	N160	Waste from heat treatment and tempering operations containing cyanides	A110
Ethers	G100	Waste from manufacture, formulation and use of wood-preserving chemicals	H170
Filter cake	N190	Waste from the production, formulation and use of biocides and phytopharmaceuticals	H100
Fire debris and fire washwaters	N140	Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	F100
Fly ash	N150	Waste from the production, formulation and use of organic solvents	G160
Grease trap waste	K110	Waste from the production, formulation and use of photographic chemicals and processing materials	T120
Halogenated organic solvents	G150	Waste from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	F110
Highly odorous organic chemicals (including mercaptans and acrylates)	M260	Waste from the production and preparation of pharmaceutical products	R140
Inorganic fluorine compounds excluding calcium fluoride	D110	Waste mineral oils unfit for their original intended use	J100
Inorganic sulfides	D330	Waste oil/water, hydrocarbons/water mixtures or emulsions	J120
Isocyanate compounds	M220	Waste pharmaceuticals, drugs and medicines	R120
Lead; lead compounds	D220	Waste resulting from surface treatment of metals and plastics	A100
Mercury; mercury compounds	D120	Waste tarry residues arising from refining, distillation, and any pyrolytic treatment	J160
Metal carbonyls	D100	Waste substances and articles containing or contaminated with polychlorinated biphenyls, polychlorinated naphthalenes, polychlorinated terphenyls and/or polybrominated biphenyls	M100
Nickel compounds	D210	Wool scouring wastes	K190
Non toxic salts	D300	Zinc compounds	D230
Organic phosphorous compounds	H110		
Organic solvents excluding halogenated solvents	G110		

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APPENDIX 2

Table 1

[Table 1 refers to the regular reporting requirements in R4.2. Its purpose is to provide information on the total amount of waste moved by each transporter from waste activities in NSW.]

The licensee must provide a copy of the information in the following table for each transporter used by the licensee in the reporting period.

Waste Activities Table 1: Waste Movements By Transporter and Waste Category		
Name of Licensed Waste Activity:		Waste Activity Licence No.:
Reporting Period:		ANZSIC Code for Waste Activity:
Name of Transporter:		Licence No. of Transporter
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
Hazardous Non- Liquid Waste	Code for each waste of this class	Total Weight for waste of each code
Hazardous Liquid Waste	Code	Weight
	Code	Weight
Industrial Non-Liquid Waste	Code	Weight
	Code	Weight
Group A Liquid Waste	Code	Weight

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	Code	Weight
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[NOTES: ~~Waste code~~ refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.

~~Waste class~~ refers to the classification of waste in accordance with Appendix 1 of the ~~Protection of the Environment Operations Act 1997~~ and its regulations.

~~ANZSIC code~~ means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

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Table 2:

[Table 2 refers to the reporting requirements in R4.3. Its purpose is to provide information on the total amount of waste sent to each destination within NSW. Cross referencing by ANZSIC code provides data on which types of industry are sending wastes to disposal and treatment facilities.]

The licensee must provide a copy of the information in the following table for each destination within NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

Waste Activities Table 2: Waste Movements By Destination (within NSW) and Waste Category		
Name of Licensed Waste Activity:		Waste Activity Licence No.:
Reporting Period:		ANZSIC Code for Waste Activity
Destination:		
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
Hazardous Non- Liquid Wastes	Code for each waste of this class	Total Weight for waste of each code
	Code	Weight
Industrial Non-Liquid Wastes	Code	Weight
	Code	Weight
Hazardous Liquid Wastes	Code	Weight
	Code	Weight
Group A Liquid Wastes	Code	Weight

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Department of **Environment & Climate Change** NSW



NOTES:

~~Waste code refers to the codes listed in Appendix 1 of this licence and entered on waste data forms.~~

~~Waste class refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.~~

~~ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.~~

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Table 3:

[Table 3 refers to the regular reporting requirements in R5.2. Its purpose is to provide information on the total amounts of controlled wastes sent from NSW licensed waste activities to other States and Territories. Cross-referencing by ANZSIC code allows data on which types of industries are sending wastes interstate.]

The licensee must provide a copy of the information in the following table for each destination outside NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

Waste Activities Table 3: Controlled Waste Movements By Interstate Destination and Waste Category		
Name of Licensed Waste Activity:	Waste Activity Licence No.:	
Reporting Period:	ANZSIC Code Waste Activity:	
Destination State or Territory:	Destination Facility	
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
Hazardous Non-Liquid Waste	Code for each waste of this type	Total Weight for waste of this code
	Code	Weight
Industrial Non-Liquid Waste	Code	Weight
	Code	Weight
Hazardous Liquid Waste	Code	Weight
	Code	Weight
Group A Liquid Waste	Code	Weight
	Code	Weight
Other Types of Waste (eg Group B and C Liquid Wastes, Used Tyres)	Code	Weight

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[NOTES: Waste code refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.]

Waste class refers to the classification of waste in accordance with Appendix 1 of the Protection of the Environment Operations Act 1997 and its regulations.

ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

Dictionary

General Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

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 1998
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 1998
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
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	Has the same meaning as in the Protection of the Environment Administration Act 1991

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legislation	
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 1998.
flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
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
industrial waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
inert 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 1998
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.
reprocessing of waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
solid 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> .
treatment of waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
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 code	Means the waste codes listed in Appendix 5 of the EPA document A Guide to Licensing Part B.
waste type	Means Group A, Group B, Group C, inert, solid, industrial or hazardous waste

Model Licence Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

Agency	A body or bodies of a participating State or a participating Territory which that State or Territory has nominated for the purposes of the NEPM.
Chemical control order (CCO)	An order under sections 22 and 23 of the Environmentally Hazardous Chemicals Act 1985.
Consignee	The person to whom the waste is dispatched, and includes: in the case of a waste facility that is licensed - the occupier; in the case of a person carrying on mobile waste processing that is licensed - the person operating the mobile place; in the case of a place that can be otherwise lawfully be used as a waste facility for that waste - the owner or occupier of that place.
Consignment	One or more shipments of a specified waste dispatched to a particular destination.
Consignment authorisation	An approval which includes a unique identifier granted by an agency, or a facility delegated by an agency, in the jurisdiction of destination to allow the movement of controlled waste.
Controlled waste	Any waste included in List 1 of Schedule A of the NEPM, provided that the waste possesses one or more of the characteristics in List 2, of Schedule A of the NEPM.
Date of dispatch	The date on which a load of waste is removed from the premises.

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Destination	Where hazardous, industrial or Group A wastes are transported within NSW, the place described in the waste data form as the destination for the waste.
	Where controlled wastes are transported between NSW and another participating State or Territory, the place described in Part 3 of the waste transport certificate as the facility receiving the waste.
Facility	A place where controlled wastes are received.
Facility Operator	A person in charge of a facility.
Jurisdiction of destination	In relation to a particular consignment of waste means the State or Territory in which the facility is located to which the waste is intended to be transported.
Load	The amount of a consignment of waste placed on a vehicle for any single dispatch from the premises at which it was generated or stored.
Load number	A consecutive number identifying each load of waste within a consignment and starting with 1 for the first load of each consignment. One or more loads may make up a consignment.
NEPM	The National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.
Non-liquid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997.
Participating State or Territory	A State or Territory that is (a) a party to the Intergovernmental Agreement on the Environment made on 1 May 1992 between the Commonwealth, the States, the Australian Capital Territory, the Northern Territory and the Australian Local Government Association, a copy of which is set out in the Schedule to the Commonwealth Act; and (b) in which an Act that corresponds to the National Environment Protection Council Act 1994 of the Commonwealth is in force in accordance with the Agreement.
Recycling of waste	The processing of waste into a similar non-waste product.
Regulation	The Protection of the Environment Operations (Waste) Regulation 1996.
Transporter	A person responsible for moving controlled wastes either from one participating State or Territory to another or through participating States or Territories.
Waste activity	An activity, whether required to be licensed or not, carried on for business or other commercial purposes, that involves the generating or storage of any of the following waste classes: hazardous waste, industrial waste, Group A waste.
Waste class	Means either hazardous, industrial or Group A waste.
Waste data form	A certificate in the form approved by the EPA.
Waste guidelines	The document called "Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes" issued by the EPA and in force as at 1 July 1999.

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Department of **Environment & Climate Change** NSW



Waste producer

Means the licensee.

**Waste transport
certificate**

A certificate in the form approved by the EPA as fulfilling the requirements of Schedule B of the National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.

Mr Robert Marr

Environment Protection Authority

(By Delegation)

Date of this edition - 05-Jul-2007

End Notes

- 1 Licence transferred through application 144297, approved on 20-Jul-2006, which came into effect on 01-Feb-2006.
- 2 Licence varied by notice 1064314, issued on 14-Sep-2006, which came into effect on 14-Sep-2006.
- 3 Licence varied by correction to DEC catchment record, issued on 15-May-2007, which came into effect on 15-May-2007.
- 4 Licence varied by notice 1073749, issued on 19-Jun-2007, which came into effect on 19-Jun-2007.
- 5 Licence varied by change to legislation, issued on 05-Jul-2007, which came into effect on 05-Jul-2007.



APPENDIX 4

Licence Variation

Licence - 12003



Environment,
Climate Change
& Water

AGL GAS PRODUCTION (CAMDEN) PTY LIMITED,
ABN 58 115 063 744,
LOCKED BAG 1837,
ST LEONARDS NSW 2065

Attention: Mr. DAVID KELLY

Notice Number 1122545
File Number LIC06/638
Date 15-Dec-2010

NOTICE OF VARIATION OF LICENCE NO. 12003

BACKGROUND

- A. AGL GAS PRODUCTION (CAMDEN) PTY LIMITED **t/as** ("the licensee") is the holder of Environment Protection Licence No. 12003 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of Scheduled Activity - Premises Based at MEDHURST ROAD, GILEAD, NSW.
- B. On 7 June 2010 the EPA received an application for the variation of the licence.
- C. On 25 November 2010 Department of Planning approved the requested changes in a Notice of Modification under Section 75W of the Environment Planning and Assessment Act 1979 (DA 282-6-2003i MOD 12).
- D. The variation sort to increase the air discharge concentration limits for Sulphuric acid mist and sulphur trioxide at Licensed Discharge Points (LDP) 1, 2, 3 (Compressor Engines) and 4 (Triethylene Glycol [TEG] Reboiler) up to 10mg/m³.
- E. While 10mg/m³ is below the 100mg/m³ limit in the Protection of the Environment Operations (Clean Air) Regulation 2002 and has been modelled by PAE Holmes as not adversely affecting the air quality of the surrounding environment it did not accurately reflect proper and efficient operation.
- F. Taking into account previous air monitoring results and operating efficiencies, EPA has increased the sulphuric acid mist and sulphur trioxide concentration limit at LDP 1, 2, 3 (Compressor Engines) from 3.1 to 5.0mg/m³ and LDP 4 (TEG reboiler unit) from 1.0 to 3.5mg/m³.
- G. The changes to the Sulphuric acid mist and sulphur trioxide limits reflect proper and efficient operation, will be achievable and will not adversely impact on local air quality in the surrounding environment, based on PAE Holmes modelling (at 10mg/m³).
- H. The variation also removes conditions relating to limits on stored or generated on-site liquid waste. This reflects the DECCW position on Group A waste which includes all liquid waste. Since consent was originally granted AGL has upgraded the oily water separator and has increased capacity for waste management and storage. The removal of these conditions will have no adverse effect on the

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environment and fit with current DECCW policy. This variation could not be made until the development consent had been modified.

- I. The EPA has taken into account the objects of the Protection of the Environment Operations Act and the relevant factors listed in section 45 of that Act.
- J. Once the variation is in effect the licensee should download an updated copy of the licence and annual return from <http://www.environment.nsw.gov.au/poeo/index.asp>

VARIATION OF LICENCE NO. 12003

1. By this notice the EPA varies licence No. 12003 as set out in the attached document. This document contains a copy of the provisions of the licence marked with the variations that are made to it by this notice.
2. The variations to the licence are indicated in the following way:
 - if a strike through mark appears through any word or other text (eg. ~~Solids or~~) this indicates that the word or other text is deleted from the licence by this notice; and
 - if a underline appears under any word or other text (eg. must be treated) this indicates that the word or other text is added to the licence by this notice.

.....

Ms Melinda Hale

Acting Head Regional Operations Unit

Metropolitan - Illawarra

(by Delegation)

INFORMATION ABOUT THIS NOTICE

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

Appeals against this decision

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

When this notice begins to operate

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

Licence Variation

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Environment,
Climate Change
& Water

the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).

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L3 Concentration limits

- L3.1 For each monitoring/discharge point or utilisation area specified in the table\>s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\>s.

Air

POINTS 1,2,3

Pollutant	Units of measure	100 percentile concentration limit
Nitrogen Oxides	milligrams per cubic metre	461
Sulphur dioxide	milligrams per cubic metre	7
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	3.150

POINT 4

Pollutant	Units of measure	100 percentile concentration limit
Nitrogen Oxides	milligrams per cubic metre	110
Sulphur dioxide	milligrams per cubic metre	35
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	1.035

POINT 5

Pollutant	Units of measure	100 percentile concentration limit
Nitrogen Oxides	milligrams per cubic metre	13
Sulphur dioxide	milligrams per cubic metre	1042
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	35

L5 Waste

- L5.1 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.

Condition L5.1 does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General or Specific	Waste that meets all the conditions	As specified in each particular	NA

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exempted waste	of a resource recovery exemption under Clause 51A of the <i>Protection of the Environment Operations (Waste) Regulation 2005</i>	resource recovery exemption.
NA	Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time	NA

~~L5.2 The quantity of hazardous and/or restricted solid and/or liquid waste stored on the premises must not exceed 9000 litres at any one time.~~

~~L5.3 The quantity of hazardous and/or restricted solid and/or liquid waste generated and/or stored at the premises must not exceed 85,000L per year.~~

~~L5.4 The quantity of liquid waste generated at the premises must not exceed 3,000,000L per year.~~



APPENDIX 5

DA 282-6-2003-i			EPL 12003																																																																																	
Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes																																																																															
Schedule 4 - Condition 29	The Applicant shall ensure that noise from the normal operation of the premises, excluding flaring events, must not exceed the noise limits in the table below: <table><tr><th>Receiver Location</th><th>Day L_{Aeq}(15 minute)</th><th>Evening L_{Aeq}(15 minute)</th><th>Night L_{Aeq}(15 minute)</th><th>Flaring (anytime) L_A1(1 minute)</th></tr><tr><td>R1 Medhurst Street Gilead</td><td>35</td><td>35</td><td>35</td><td>45</td></tr><tr><td>R7 Mt. Gilead Gilead</td><td>37</td><td>36</td><td>36</td><td>45</td></tr></table>	Receiver Location	Day L_{Aeq}(15 minute)	Evening L_{Aeq}(15 minute)	Night L_{Aeq}(15 minute)	Flaring (anytime) L_A1(1 minute)	R1 Medhurst Street Gilead	35	35	35	45	R7 Mt. Gilead Gilead	37	36	36	45		L5.1	Noise from the premises must not exceed the noise limits in the table below: <table><tr><th>Receiver Location</th><th>Day</th><th>Evening</th><th>Night</th><th>Flaring (night)</th></tr><tr><td></td><td>L_{Aeq}(15 minute)</td><td>L_{Aeq}(15 minute)</td><td>L_{Aeq}(15 minute)</td><td>L_{Aeq}(15 minute)</td></tr><tr><td>R1 Medhurst Road, Gilead</td><td>35</td><td>35</td><td>35</td><td>45</td></tr><tr><td>R7 Mt. Gilead, Gilead</td><td>37</td><td>36</td><td>36</td><td>45</td></tr></table> Note: Pressure safety valve (discharge) and pressure safety valve (suction) flaring events are exempted from the limits in condition L5.1.	Receiver Location	Day	Evening	Night	Flaring (night)		L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	R1 Medhurst Road, Gilead	35	35	35	45	R7 Mt. Gilead, Gilead	37	36	36	45																																													
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Schedule 4 - Condition 30	For the purposes of condition 29, 29A and 31: (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 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; and (d) The receiver locations R1 and R7 are as shown in Figure 5.1 of the Environmental Noise and Vibration Study by Environmental Resources Management Australia Pty Ltd dated June 2003 which accompanied the Environmental Impact Statement for the project.		L5.2	For the purposes of condition L5.1: 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 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; and d) The receiver locations R1 and R7 are as shown in Figure 5.1 of the Environmental Noise and Vibration Study by Environmental Resources Management Australia Pty Ltd dated June 2003 which accompanied the Environmental Impact Statement for the project.																																																																																
Schedule 4 - Condition 31	Noise from flaring events, must not exceed the noise limits in the table below: <table><tr><th>Location</th><th>Duration of each Event</th><th>Expected Type Of Event (2)</th><th>Daytime L_{Aeq,15min}</th><th>Evening L_{Aeq,15min}</th><th>Night L_{Aeq,15min}</th></tr><tr><td rowspan="3">R1 Medhurst Street</td><td>> 2.5 hours</td><td>Spill Valve</td><td>35</td><td>35</td><td>35</td></tr><tr><td>15 min – 60 min</td><td>Compressor Blowdown (ESD)</td><td>40</td><td>40</td><td>35</td></tr><tr><td>6 min – 15 min</td><td>Compressor Blowdown (shutdown and unload)</td><td>42</td><td>42</td><td>37</td></tr><tr><td rowspan="3">R7 Mt. Gilead</td><td>> 2.5 hours</td><td>Spill Valve</td><td>37</td><td>36</td><td>36</td></tr><tr><td>15 min – 60 min</td><td>Compressor Blowdown (ESD)</td><td>42</td><td>41</td><td>40 (1)</td></tr><tr><td>6 min – 15 min</td><td>Compressor Blowdown (shutdown and unload)</td><td>44</td><td>43</td><td>37</td></tr></table> 1. Where ESD flare events exceed a frequency of occurrence of 1 per 21 days or duration higher than 15 minutes per event to a reduced flow rate of less than 0.5mmscf/d for each event, a lower limit of 36dB(A) Leq 15 minute applies at night. 2. Definition: A flaring event is taken to be any gas flow to the flare greater than that which is necessary to maintain the pilot flame.	Location	Duration of each Event	Expected Type Of Event (2)	Daytime L_{Aeq,15min}	Evening L_{Aeq,15min}	Night L_{Aeq,15min}	R1 Medhurst Street	> 2.5 hours	Spill Valve	35	35	35	15 min – 60 min	Compressor Blowdown (ESD)	40	40	35	6 min – 15 min	Compressor Blowdown (shutdown and unload)	42	42	37	R7 Mt. Gilead	> 2.5 hours	Spill Valve	37	36	36	15 min – 60 min	Compressor Blowdown (ESD)	42	41	40 (1)	6 min – 15 min	Compressor Blowdown (shutdown and unload)	44	43	37		L5.4	Noise for flaring event, must not exceed the noise limits in the table below: <table><tr><th>Receiver Location</th><th>Type & Duration of Flare event</th><th>Day L_{Aeq}(15 minute)</th><th>Evening L_{Aeq}(15 minute)</th><th>Night L_{Aeq}(15 minute)</th></tr><tr><td></td><td></td><td>L_{Aeq}(15 minute)</td><td>L_{Aeq}(15 minute)</td><td>L_{Aeq}(15 minute)</td></tr><tr><td rowspan="3">R1 Medhurst Road, Gilead</td><td>Spill valve</td><td>35</td><td>35</td><td>35</td></tr><tr><td>>2.5 hours</td><td></td><td></td><td></td></tr><tr><td>Compressor blowdown (ESD) 15-60 minutes</td><td>40</td><td>40</td><td>35</td></tr><tr><td rowspan="3">R7 Mt. Gilead, Gilead</td><td>Compressor blowdown (shut down and unload) 6-15 minutes</td><td>42</td><td>42</td><td>37</td></tr><tr><td>Spill valve >2.5 hours</td><td>37</td><td>36</td><td>36</td></tr><tr><td>Compressor blowdown (ESD) 15-60 minutes</td><td>42</td><td>41</td><td>40*</td></tr><tr><td></td><td>Compressor blowdown (shut down and unload) 6-15 minutes</td><td>44</td><td>43</td><td>37</td></tr></table> Note: 1. For the purposes of the table above, * is where ESD (Emergency Shut Down) flare events exceed a frequency of occurrence of 1 per 21 days or a duration higher than 15 minutes per event to a reduced flow rate of less the 0.5 mmscf/d for each event, a lower limit of 36dB(A) L_{Aeq} (15 Minutes) applies at night. Note: 2. For the purposes of the table above, a flare event is defined as the period of time when the gas flow to the flare is greater than the gas flow necessary to maintain the pilot flare. Note: 3. Pressure safety valve (discharge) and pressure safety valve (suction) flaring events are exempted from the limits in condition L5.4.	Receiver Location	Type & Duration of Flare event	Day L_{Aeq}(15 minute)	Evening L_{Aeq}(15 minute)	Night L_{Aeq}(15 minute)			L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	R1 Medhurst Road, Gilead	Spill valve	35	35	35	>2.5 hours				Compressor blowdown (ESD) 15-60 minutes	40	40	35	R7 Mt. Gilead, Gilead	Compressor blowdown (shut down and unload) 6-15 minutes	42	42	37	Spill valve >2.5 hours	37	36	36	Compressor blowdown (ESD) 15-60 minutes	42	41	40*		Compressor blowdown (shut down and unload) 6-15 minutes	44	43	37	
Location	Duration of each Event	Expected Type Of Event (2)	Daytime L_{Aeq,15min}	Evening L_{Aeq,15min}	Night L_{Aeq,15min}																																																																															
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	15 min – 60 min	Compressor Blowdown (ESD)	42	41	40 (1)																																																																															
	6 min – 15 min	Compressor Blowdown (shutdown and unload)	44	43	37																																																																															
Receiver Location	Type & Duration of Flare event	Day L_{Aeq}(15 minute)	Evening L_{Aeq}(15 minute)	Night L_{Aeq}(15 minute)																																																																																
		L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)																																																																																
R1 Medhurst Road, Gilead	Spill valve	35	35	35																																																																																
	>2.5 hours																																																																																			
	Compressor blowdown (ESD) 15-60 minutes	40	40	35																																																																																
R7 Mt. Gilead, Gilead	Compressor blowdown (shut down and unload) 6-15 minutes	42	42	37																																																																																
	Spill valve >2.5 hours	37	36	36																																																																																
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Schedule 4 - Condition 32	Noise from the premises is to be measured at the most affected point on or within the residential boundary or at the most affected point within 30m of the dwelling (rural situations) where the dwelling is more than 30m from the boundary to determine compliance with the L_{Aeq}(15 minute) and L_{Aeq}(period) noise limits in Conditions 29, 29A and 31. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the DECCW may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy. The modification factors presented in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.	Condition reference 29A is not covered under the EPL. Condition reference 29 and 31 are covered under the EPL.	L5.6	Noise from the premises is to be measured at any point on or within the residential boundary or at any point within 30m of the dwelling (rural situations) where the dwelling is more than 30m from the boundary to determine compliance with the L_{Aeq}(15 minute) noise limits in condition L5.1. Where it can be demonstrated that direct measurement of noise from the premises is impractical, the EPA may accept alternative means of determining compliance. See Chapter 11 of the NSW Industrial Noise Policy January 2000 for general guidance for determining compliance. The modification factors presented in Section 4 of the NSW Industrial Noise Policy January 2000 shall also be applied to the measured noise levels where applicable.																																																																																
Schedule 4 - Condition 33	The noise emission limits identified in Conditions 29, 29A and 31 apply under meteorological conditions of: - Wind speed up to 3m/s at 10 metres above ground level; or - Temperature inversion conditions of up to 3oC/100m and wind speed up to 2m/s at 10 metres above the ground.	Condition reference 29A is not covered under the EPL. Condition reference 29 and 31 are covered under the EPL.	L5.8	The noise emission limits identified in this licence apply under all meteorological conditions except: a) during rain and wind speeds (at 10m height) greater than 3m/s; and b) under "non-significant weather conditions". Note: Field meteorological indicators for non-significant weather conditions are described in the NSW Industrial Noise Policy, Chapter 5 and Appendix E in relation to wind and temperature inversions.																																																																																
Schedule 4 - Condition 34	The Applicant shall prepare and implement a Construction and Well Maintenance Noise Management Protocol to be used for the duration of the project. The Protocol must include, but is not necessarily limited to: (a) noise compliance standards; (b) community consultation; (c) advance notice to affected members of the community for planned well maintenance activities; (d) complaints handling monitoring/system; (e) site contact person to follow up complaints; (f) mitigation measures; (g) the design/orientation of the proposed mitigation methods demonstrating best practice; (h) construction times; (i) contingency measures where noise complaints are received; and (j) monitoring methods and program.		L5.10	The licensee must have in place a Well, Gathering System and Trunk Line Maintenance Noise Management Protocol to be used for the premises as defined in Condition A2 of this licence for the duration of the licence. The Protocol must include, but not limited to: a) noise compliance standards; b) community consultation; c) advance notice to affected members of the community for planned well maintenance activities; d) complaints handling monitoring/system; e) site contact person to follow up complaints; f) mitigation measures; g) the design/orientation of the proposed mitigation methods demonstrating best practice; h) construction times; i) contingency measures where noise complaints are received; and j) monitoring methods and program.																																																																																
Schedule 4 - Condition 36	Planned maintenance activities at any of the wells must only be conducted between: - 7am and 6pm on weekdays; and - 8am and 1pm on Saturdays (excluding Public Holidays). This condition does not apply to the delivery of material outside the hours of operation permitted by the DECCW's licence, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification is to be provided to the DECCW and affected residents as soon as possible, or within a reasonable period in the case of emergency.		L6.1 and L6.2	L6.1 Planned maintenance activities at any of the wells must only be conducted between: (a) 7am and 6pm on weekdays; and (b) 8am and 1pm on Saturdays (excluding Public Holidays). L6.2 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L6.1, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible or within a reasonable period in the case of emergency.																																																																																

DA 282-6-2003-1			EPL 12003																																																																																																																																						
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Schedule 4 - Condition 48	For each discharge point specified in the table below, the Applicant shall ensure that the concentration of a pollutant discharged at that point does not exceed the concentration limit specified for that pollutant in the table, and where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges. POINT 1, 2, 3 <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile limit</th><th>Reference Conditions</th><th>Averaging Period</th></tr><tr><td>Oxides of Nitrogen</td><td>mg/m³</td><td>461</td><td>Dry, 273K, 101.3kPa, 7% O₂</td><td>As per test method</td></tr><tr><td>Sulfur Dioxide</td><td>mg/m³</td><td>7</td><td>Dry, 273 K, 101.3 kPa</td><td>As per test method</td></tr><tr><td>Sulphuric acid mist and/or sulphur trioxide</td><td>mg/m³</td><td>5.0</td><td>Dry, 273 K, 101.3 kPa</td><td>As per test method</td></tr></table> POINT 4 <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile limit</th><th>Reference Conditions</th><th>Averaging Period</th></tr><tr><td>Oxides of Nitrogen</td><td>mg/m³</td><td>110</td><td>Dry, 273K, 101.3kPa, 7% O₂</td><td>As per test method</td></tr><tr><td>Sulfur Dioxide</td><td>mg/m³</td><td>35</td><td>Dry, 273 K, 101.3 kPa</td><td>As per test method</td></tr><tr><td>Sulphuric acid mist and/or sulphur trioxide</td><td>mg/m³</td><td>3.5</td><td>Dry, 273 K, 101.3 kPa</td><td>As per test method</td></tr></table> POINT 5 <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile limit</th><th>Reference Conditions</th><th>Averaging Period</th></tr><tr><td>Oxides of Nitrogen</td><td>mg/m³</td><td>13</td><td>Dry, 273K, 101.3kPa, 7% O₂</td><td>As per test method</td></tr><tr><td>Sulfur Dioxide</td><td>mg/m³</td><td>1042</td><td>Dry, 273 K, 101.3 kPa</td><td>As per test method</td></tr><tr><td>Sulphuric acid mist and/or sulphur trioxide</td><td>mg/m³</td><td>35</td><td>Dry, 273 K, 101.3 kPa</td><td>As per test method</td></tr></table> Note 1: ⁷Concentration limits at points 1, 2, 3, 4 and 5 in the above Condition may be subject to review after the submission of the Air Emissions Reports in compliance with Conditions 62 and 63. Note 2: Should the proponent seek to revise the concentration limits as specified in condition 48 for oxides of nitrogen, the proponent must demonstrate that: ⁶ Incorporates a DECC General Term of Approval ⁶ The Location of each Point is defined in Condition 54 ⁷ Incorporates a DECC General Term of Approval - the revised emission limit is representative of the proper and efficient maintenance and operation of the equipment; - the equipment is designed to minimise emissions as far as is practicable and consistent with best practice considering the type of equipment and application; - the revised emission limit is supported by Manufacturers Design Specification; and - the revised emission limit does not cause adverse impacts on local air quality. This assessment must be undertaken in accordance with the document: Approved Methods and Guidance for the Modelling and Assessment of <i>Air Pollutants in NSW</i>.	Pollutant	Units of measure	100 percentile limit	Reference Conditions	Averaging Period	Oxides of Nitrogen	mg/m ³	461	Dry, 273K, 101.3kPa, 7% O ₂	As per test method	Sulfur Dioxide	mg/m ³	7	Dry, 273 K, 101.3 kPa	As per test method	Sulphuric acid mist and/or sulphur trioxide	mg/m ³	5.0	Dry, 273 K, 101.3 kPa	As per test method	Pollutant	Units of measure	100 percentile limit	Reference Conditions	Averaging Period	Oxides of Nitrogen	mg/m ³	110	Dry, 273K, 101.3kPa, 7% O ₂	As per test method	Sulfur Dioxide	mg/m ³	35	Dry, 273 K, 101.3 kPa	As per test method	Sulphuric acid mist and/or sulphur trioxide	mg/m ³	3.5	Dry, 273 K, 101.3 kPa	As per test method	Pollutant	Units of measure	100 percentile limit	Reference Conditions	Averaging Period	Oxides of Nitrogen	mg/m ³	13	Dry, 273K, 101.3kPa, 7% O ₂	As per test method	Sulfur Dioxide	mg/m ³	1042	Dry, 273 K, 101.3 kPa	As per test method	Sulphuric acid mist and/or sulphur trioxide	mg/m ³	35	Dry, 273 K, 101.3 kPa	As per test method		L3.1 and L3.3	L3.1 For each monitoring/discharge point or utilisation area specified in the table(s) below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table. L3.3 Air Concentration Limits POINT 1,2,3 <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile concentration limit</th><th>Reference conditions</th><th>Oxygen correction</th><th>Averaging period</th></tr><tr><td>Nitrogen Oxides</td><td>milligrams per cubic metre</td><td>461</td><td>Dry, 273K, 101.3kPa</td><td>7 percent oxygen</td><td>As per test method</td></tr><tr><td>Sulfuric acid mist and sulfur trioxide (as SO3)</td><td>milligrams per cubic metre</td><td>5.0</td><td>Dry, 273K, 101.3kPa</td><td></td><td>As per test method</td></tr><tr><td>Sulphur dioxide</td><td>milligrams per cubic metre</td><td>7</td><td>Dry, 273K, 101.3kPa</td><td></td><td>As per test method</td></tr></table> POINT 4 <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile concentration limit</th><th>Reference conditions</th><th>Oxygen correction</th><th>Averaging period</th></tr><tr><td>Sulphur dioxide</td><td>milligrams per cubic metre</td><td>35</td><td>Dry, 273K, 101.3kPa</td><td></td><td>As per test method</td></tr><tr><td>Nitrogen Oxides</td><td>milligrams per cubic metre</td><td>110</td><td>Dry, 273K, 101.3kPa</td><td>7 percent oxygen</td><td>As per test method</td></tr><tr><td>Sulfuric acid mist and sulfur trioxide (as SO3)</td><td>milligrams per cubic metre</td><td>3.5</td><td>Dry, 273K, 101.3kPa</td><td></td><td>As per test method</td></tr></table> POINT 5 <table><tr><th>Pollutant</th><th>Units of measure</th><th>100 percentile concentration limit</th><th>Reference conditions</th><th>Oxygen correction</th><th>Averaging period</th></tr><tr><td>Nitrogen Oxides</td><td>milligrams per cubic metre</td><td>13</td><td>Dry, 273K, 101.3kPa</td><td>7 percent oxygen</td><td>As per test method</td></tr><tr><td>Sulfuric acid mist and sulfur trioxide (as SO3)</td><td>milligrams per cubic metre</td><td>35</td><td>Dry, 273K, 101.3kPa</td><td></td><td>As per test method</td></tr><tr><td>Sulphur dioxide</td><td>milligrams per cubic metre</td><td>1042</td><td>Dry, 273K, 101.3kPa</td><td></td><td>As per test method</td></tr></table>	Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period	Nitrogen Oxides	milligrams per cubic metre	461	Dry, 273K, 101.3kPa	7 percent oxygen	As per test method	Sulfuric acid mist and sulfur trioxide (as SO3)	milligrams per cubic metre	5.0	Dry, 273K, 101.3kPa		As per test method	Sulphur dioxide	milligrams per cubic metre	7	Dry, 273K, 101.3kPa		As per test method	Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period	Sulphur dioxide	milligrams per cubic metre	35	Dry, 273K, 101.3kPa		As per test method	Nitrogen Oxides	milligrams per cubic metre	110	Dry, 273K, 101.3kPa	7 percent oxygen	As per test method	Sulfuric acid mist and sulfur trioxide (as SO3)	milligrams per cubic metre	3.5	Dry, 273K, 101.3kPa		As per test method	Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period	Nitrogen Oxides	milligrams per cubic metre	13	Dry, 273K, 101.3kPa	7 percent oxygen	As per test method	Sulfuric acid mist and sulfur trioxide (as SO3)	milligrams per cubic metre	35	Dry, 273K, 101.3kPa		As per test method	Sulphur dioxide	milligrams per cubic metre	1042	Dry, 273K, 101.3kPa		As per test method	
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Schedule 4 - Condition 49	To avoid any doubt, the above Condition does not authorise the discharge or emission of any other pollutants.		L3.2	To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table(s).																																																																																																																																					
Schedule 4 - Condition 51	The Applicant shall undertake the development and maintain the condition of the premises in a way that minimises or prevent the emission of dust generated by the development.		O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.																																																																																																																																					

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Schedule 4 - Condition 54	13For the purposes of this consent, the points referred to in the table below are identified for the purposes of monitoring and/or setting of limites for the emission of pollutants to air from that point: <table><tr><th>EPA Identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Description of Location</th></tr><tr><td>1</td><td>Air emissions monitoring</td><td>Discharge to air</td><td>Compressor Engine 1 marked 'Engine Exhaust Stack 1' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr><tr><td>2</td><td>Air emissions monitoring</td><td>Discharge to air</td><td>Compressor Engine 2 marked 'Engine Exhaust Stack 2' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr><tr><td>3</td><td>Air emissions monitoring</td><td>Discharge to air</td><td>Compressor Engine 3 marked 'Engine Exhaust Stack 3' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW..</td></tr><tr><td>4</td><td>Air emissions monitoring</td><td>Discharge to Air</td><td>TEG Fire Tube marked 'Reboiler Flue' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr><tr><td>5</td><td>Air emissions monitoring</td><td>Discharge to Air</td><td>Reboiler Still Column marked 'Reflux Column Vent' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr><tr><td>6</td><td>Air emissions monitoring</td><td>Discharge to Air</td><td>Carbon scrubber vent discharge stack as shown on Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr><tr><td>7</td><td>Air emissions monitoring</td><td>Discharge to Air</td><td>Main Flare marked 'Flare' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr></table>	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location	1	Air emissions monitoring	Discharge to air	Compressor Engine 1 marked 'Engine Exhaust Stack 1' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.	2	Air emissions monitoring	Discharge to air	Compressor Engine 2 marked 'Engine Exhaust Stack 2' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.	3	Air emissions monitoring	Discharge to air	Compressor Engine 3 marked 'Engine Exhaust Stack 3' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW..	4	Air emissions monitoring	Discharge to Air	TEG Fire Tube marked 'Reboiler Flue' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.	5	Air emissions monitoring	Discharge to Air	Reboiler Still Column marked 'Reflux Column Vent' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.	6	Air emissions monitoring	Discharge to Air	Carbon scrubber vent discharge stack as shown on Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.	7	Air emissions monitoring	Discharge to Air	Main Flare marked 'Flare' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.		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. <table><tr><th>EPA identi-fication no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Location Description</th></tr><tr><td>1</td><td>Discharge to air Air emissions monitoring</td><td>Discharge to air Air emissions monitoring</td><td>Compressor Engine 1 labelled 'Engine Exhaust Stack 1' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.</td></tr><tr><td>2</td><td>Discharge to air Air emissions monitoring</td><td>Discharge to air Air emissions monitoring</td><td>Compressor Engine 2 labelled "Engine Exhaust Stack 2" on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.</td></tr><tr><td>3</td><td>Discharge to air Air emissions monitoring</td><td>Discharge to air Air emissions monitoring</td><td>Compressor Engine 3 marked 'Engine Exhaust Stack 3' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.</td></tr><tr><td>4</td><td>Discharge to air Air emissions monitoring</td><td>Discharge to air Air emissions monitoring</td><td>TEG Fire Tube marked 'Reboiler Flue 4' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.</td></tr><tr><td>5</td><td>Discharge to air Air emissions monitoring</td><td>Discharge to air Air emissions monitoring</td><td>Reboiler Still Column titled 'Reflux Column Vent 5' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.</td></tr><tr><td>6</td><td>Discharge to air Air emissions monitoring</td><td>Discharge to air Air emissions monitoring</td><td>Carbon scrubber vent discharge stack labelled 'Odouriser Carbon Vent 6' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.</td></tr><tr><td>7</td><td>Discharge to air</td><td>Discharge to air</td><td>Main Flare marked 'Flare Pilot 7' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' on drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.</td></tr></table>	EPA identi-fication no.	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3	Air emissions monitoring	Discharge to air	Compressor Engine 3 marked 'Engine Exhaust Stack 3' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW..																																																																		
4	Air emissions monitoring	Discharge to Air	TEG Fire Tube marked 'Reboiler Flue' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.																																																																		
5	Air emissions monitoring	Discharge to Air	Reboiler Still Column marked 'Reflux Column Vent' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.																																																																		
6	Air emissions monitoring	Discharge to Air	Carbon scrubber vent discharge stack as shown on Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.																																																																		
7	Air emissions monitoring	Discharge to Air	Main Flare marked 'Flare' as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.																																																																		
EPA identi-fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description																																																																		
1	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Compressor Engine 1 labelled 'Engine Exhaust Stack 1' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.																																																																		
2	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Compressor Engine 2 labelled "Engine Exhaust Stack 2" on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.																																																																		
3	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Compressor Engine 3 marked 'Engine Exhaust Stack 3' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.																																																																		
4	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	TEG Fire Tube marked 'Reboiler Flue 4' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.																																																																		
5	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Reboiler Still Column titled 'Reflux Column Vent 5' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.																																																																		
6	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Carbon scrubber vent discharge stack labelled 'Odouriser Carbon Vent 6' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.																																																																		
7	Discharge to air	Discharge to air	Main Flare marked 'Flare Pilot 7' on drawing titled 'Camden Gas Project Site Plan Location of Emission Points' on drawing number 4229DG06 submitted to the EPA with letter dated 29 October 2004.																																																																		
Schedule 4 - Condition 55	14The Applicant shall ensure that monitoring for the concentration of a pollutant emitted to the air required to be conducted by the DECCW's General Terms of Approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with a relevant local calculation protocol is done in accordance with: (a) any methodology which is required by or under the POEO Act 1997 to be used for the testing of the concentration of the pollutant; or (b) if no such requirement is imposed by or under the POEO Act 1997, any methodology which the general terms of approval or condition of the licence or protocol (as the case may be) requires to be used for that testing; or (c) if no such requirement is imposed by or under the POEO Act 1997 or by the general terms of approval or a condition of the licence or the protocol (as the case may be), any methodology approved in writing by the DECCW for the purposes of the testing prior to testing taking place. Note: The Clean Air (Plant and Equipment) Regulation 1997 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".		M3.1	Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with: a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place. Note: The Protection of the Environment Operations (Clean Air) Regulation 2010 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".																																																																	

DA 282-6-2003-1			EPL 12003																																																																																																																																																																																																																																															
Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes																																																																																																																																																																																																																																													
Schedule 4 - Condition 58	17 For each monitoring/ discharge point or utilisation area specified in the tables below (by a point number18), the Applicant must monitor (by sampling and obtaining results by analysis)the concentration of each pollutant specified in Column 1. The Applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns. POINTS 1, 2, 3 <table><tr><th>Pollutant</th><th>Units of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Oxides of Nitrogen</td><td>mg/m³</td><td>Continuous</td><td>CEM-2</td></tr><tr><td>Temperature</td><td>oC</td><td>Continuous</td><td>TM-2</td></tr><tr><td>Moisture</td><td>%</td><td>Continuous</td><td>TM-22</td></tr><tr><td>Volumetric flow rate</td><td>m³/s</td><td>Continuous</td><td>CEM-8</td></tr><tr><td>Oxygen</td><td>%</td><td>Continuous</td><td>CEM-3</td></tr></table> Note: 19The requirement for continuous monitoring at Point 1, 2 and 3 in Condition 57 will be reviewed after the submission of the Air Emissions Reports in compliance with Conditions 62 and 63. POINTS 1, 2, 3, 4, 5 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Velocity</td><td>m/s</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Volumetric flow rate</td><td>m³/s</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Temperature</td><td>°C</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Moisture</td><td>%</td><td>Quarterly</td><td>TM-22</td></tr><tr><td>Dry gas density</td><td>Kg/m³</td><td>Quarterly</td><td>TM-23</td></tr><tr><td>Molecular weight of stack gases</td><td>g/g.mol</td><td>Quarterly</td><td>TM-23</td></tr></table> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Oxygen</td><td>%</td><td>Quarterly</td><td>TM-25</td></tr><tr><td>Carbon dioxide</td><td>%</td><td>Quarterly</td><td>TM-24</td></tr><tr><td>Oxides of Nitrogen</td><td>mg/m³</td><td>Quarterly</td><td>TM-11</td></tr><tr><td>Sulfuric Acid Mist/Sulfur Trioxide</td><td>mg/m³</td><td>Quarterly</td><td>TM-3</td></tr><tr><td>Sulfur Dioxide</td><td>mg/m³</td><td>Quarterly</td><td>TM-4</td></tr><tr><td>Selection of sampling positions</td><td>-</td><td>-</td><td>TM-1</td></tr></table> Note: 20The requirement for monitoring of emissions at Points 2 and 3 only applies after compressor engines 2 and 3 respectively, commence operations. POINT 6 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Velocity</td><td>m/s</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Volumetric flow rate</td><td>m³/s</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Temperature</td><td>°C</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Moisture</td><td>%</td><td>Quarterly</td><td>TM-22</td></tr><tr><td>Dry gas density</td><td>Kg/m³</td><td>Quarterly</td><td>TM-23</td></tr><tr><td>Molecular weight of stack gases</td><td>g/g.mol</td><td>Quarterly</td><td>TM-23</td></tr><tr><td>Oxygen</td><td>%</td><td>Quarterly</td><td>TM-25</td></tr><tr><td>Carbon dioxide</td><td>%</td><td>Quarterly</td><td>TM-24</td></tr><tr><td>Odour</td><td>OU</td><td>Quarterly</td><td>OM-7</td></tr><tr><td>Selection of sampling positions</td><td>-</td><td>-</td><td>TM-1</td></tr></table> Note: 21The requirement for quarterly monitoring at Point 6 may be removed based on odour emission performance after 12 months from commissioning of the gas treatment plant.	Pollutant	Units of Measure	Frequency	Sampling Method	Oxides of Nitrogen	mg/m ³	Continuous	CEM-2	Temperature	oC	Continuous	TM-2	Moisture	%	Continuous	TM-22	Volumetric flow rate	m ³ /s	Continuous	CEM-8	Oxygen	%	Continuous	CEM-3	Pollutant	Units of measure	Frequency	Sampling Method	Velocity	m/s	Quarterly	TM-2	Volumetric flow rate	m ³ /s	Quarterly	TM-2	Temperature	°C	Quarterly	TM-2	Moisture	%	Quarterly	TM-22	Dry gas density	Kg/m ³	Quarterly	TM-23	Molecular weight of stack gases	g/g.mol	Quarterly	TM-23	Pollutant	Units of measure	Frequency	Sampling Method	Oxygen	%	Quarterly	TM-25	Carbon dioxide	%	Quarterly	TM-24	Oxides of Nitrogen	mg/m ³	Quarterly	TM-11	Sulfuric Acid Mist/Sulfur Trioxide	mg/m ³	Quarterly	TM-3	Sulfur Dioxide	mg/m ³	Quarterly	TM-4	Selection of sampling positions	-	-	TM-1	Pollutant	Units of measure	Frequency	Sampling Method	Velocity	m/s	Quarterly	TM-2	Volumetric flow rate	m ³ /s	Quarterly	TM-2	Temperature	°C	Quarterly	TM-2	Moisture	%	Quarterly	TM-22	Dry gas density	Kg/m ³	Quarterly	TM-23	Molecular weight of stack gases	g/g.mol	Quarterly	TM-23	Oxygen	%	Quarterly	TM-25	Carbon dioxide	%	Quarterly	TM-24	Odour	OU	Quarterly	OM-7	Selection of sampling positions	-	-	TM-1			M2.1, M2.2 and M2.3	M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns: M2.2 Air Monitoring Requirements POINT 1,2,3,4,5 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Carbon dioxide</td><td>percent</td><td>Quarterly</td><td>TM-24</td></tr><tr><td>Dry gas density</td><td>kilograms per cubic metre</td><td>Quarterly</td><td>TM-23</td></tr><tr><td>Moisture</td><td>percent</td><td>Quarterly</td><td>TM-22</td></tr><tr><td>Molecular weight of stack gases</td><td>grams per gram mole</td><td>Quarterly</td><td>TM-23</td></tr><tr><td>Nitrogen Oxides</td><td>milligrams per cubic metre</td><td>Quarterly</td><td>TM-11</td></tr><tr><td>Oxygen (O2)</td><td>percent</td><td>Quarterly</td><td>TM-25</td></tr><tr><td>Sulfuric acid mist and sulfur trioxide (as SO3)</td><td>milligrams per cubic metre</td><td>Quarterly</td><td>TM-3</td></tr><tr><td>Sulphur dioxide</td><td>milligrams per cubic metre</td><td>Quarterly</td><td>TM-4</td></tr><tr><td>Temperature</td><td>degrees Celsius</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Velocity</td><td>metres per second</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Volumetric flowrate</td><td>cubic metres per second</td><td>Quarterly</td><td>TM-2</td></tr></table> POINT 6 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Carbon dioxide</td><td>percent</td><td>Quarterly</td><td>TM-24</td></tr><tr><td>Dry gas density</td><td>kilograms per cubic metre</td><td>Quarterly</td><td>TM-23</td></tr><tr><td>Moisture</td><td>percent</td><td>Quarterly</td><td>TM-22</td></tr><tr><td>Molecular weight of stack gases</td><td>grams per gram mole</td><td>Quarterly</td><td>TM-23</td></tr><tr><td>Odour</td><td>odour units</td><td>Quarterly</td><td>OM-7</td></tr><tr><td>Oxygen (O2)</td><td>percent</td><td>Quarterly</td><td>TM-25</td></tr><tr><td>Temperature</td><td>degrees Celsius</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Velocity</td><td>metres per second</td><td>Quarterly</td><td>TM-2</td></tr><tr><td>Volumetric flowrate</td><td>cubic metres per second</td><td>Quarterly</td><td>TM-2</td></tr></table> POINTS 1,2,3 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Nitrogen Oxides</td><td>milligrams per cubic metre</td><td>Continuous</td><td>CEM-2</td></tr><tr><td>Temperature</td><td>degrees Celsius</td><td>Continuous</td><td>TM-2</td></tr><tr><td>Moisture</td><td>percent</td><td>Continuous</td><td>Method approved by EPA in writing</td></tr><tr><td>Volumetric flow rate</td><td>cubic metres per second</td><td>Continuous</td><td>CEM-8</td></tr><tr><td>Oxygen</td><td>percent</td><td>Continuous</td><td>CEM-3</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	Carbon dioxide	percent	Quarterly	TM-24	Dry gas density	kilograms per cubic metre	Quarterly	TM-23	Moisture	percent	Quarterly	TM-22	Molecular weight of stack gases	grams per gram mole	Quarterly	TM-23	Nitrogen Oxides	milligrams per cubic metre	Quarterly	TM-11	Oxygen (O2)	percent	Quarterly	TM-25	Sulfuric acid mist and sulfur trioxide (as SO3)	milligrams per cubic metre	Quarterly	TM-3	Sulphur dioxide	milligrams per cubic metre	Quarterly	TM-4	Temperature	degrees Celsius	Quarterly	TM-2	Velocity	metres per second	Quarterly	TM-2	Volumetric flowrate	cubic metres per second	Quarterly	TM-2	Pollutant	Units of measure	Frequency	Sampling Method	Carbon dioxide	percent	Quarterly	TM-24	Dry gas density	kilograms per cubic metre	Quarterly	TM-23	Moisture	percent	Quarterly	TM-22	Molecular weight of stack gases	grams per gram mole	Quarterly	TM-23	Odour	odour units	Quarterly	OM-7	Oxygen (O2)	percent	Quarterly	TM-25	Temperature	degrees Celsius	Quarterly	TM-2	Velocity	metres per second	Quarterly	TM-2	Volumetric flowrate	cubic metres per second	Quarterly	TM-2	Pollutant	Units of measure	Frequency	Sampling Method	Nitrogen Oxides	milligrams per cubic metre	Continuous	CEM-2	Temperature	degrees Celsius	Continuous	TM-2	Moisture	percent	Continuous	Method approved by EPA in writing	Volumetric flow rate	cubic metres per second	Continuous	CEM-8	Oxygen	percent	Continuous	CEM-3	
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Schedule 4 - Condition 64	27 The Applicant must not cause or permit the emission of offensive odours from the premises, as defined under Section 129 of the Protection of the Environment Operations Act 1997.		L7.1	No condition of this licence identifies a potentially offensive odour for the purposes 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 the conditions of a licence directed at minimising odour. Note: Should odour emissions become an issue, the EPA will consider requiring investigation and implementation of further odour control measures.																																																																																																																																																																																																																																														
Schedule 4 - Condition 66	28 Except as may be expressly provided for by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, the Applicant shall comply with section 120 of the Protection of the Environment Operations Act 1997 in carrying out the development.		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.																																																																																																																																																																																																																																														
	Management of Waste Water Note: Section 120 of the Protection of the Environment Operations Act 1997 applies to the disposal of waste water. This section refers to the pollution of waters.																																																																																																																																																																																																																																																	

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Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes																																																																													
Schedule 4 - Condition 68	30 For the purposes of this consent, the points referred to in the table below are identified for the purposes of monitoring and/or setting of limits for the emission of pollutants to water from that point: <table><tr><th>EPA Identification no.</th><th>Type of Monitoring Point</th><th>Type of Discharge Point</th><th>Description of Location</th></tr><tr><td>8</td><td>Discharge to waste facility Discharge quality monitoring</td><td>Discharge (by tanker) to waste processing facility</td><td>Pump connection point at evaporation pond as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr><tr><td>9</td><td>Discharge to waste facility Discharge quality monitoring</td><td>Discharge (by tanker) to sewage treatment plant</td><td>Sewage connection point at sewage storage tank as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr><tr><td>10</td><td>Discharge to waste facility Discharge quality monitoring</td><td>Discharge (by tanker) to waste processing facility</td><td>Pump connection point for oily water wastes as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.</td></tr></table>	EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Description of Location	8	Discharge to waste facility Discharge quality monitoring	Discharge (by tanker) to waste processing facility	Pump connection point at evaporation pond as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.	9	Discharge to waste facility Discharge quality monitoring	Discharge (by tanker) to sewage treatment plant	Sewage connection point at sewage storage tank as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.	10	Discharge to waste facility Discharge quality monitoring	Discharge (by tanker) to waste processing facility	Pump connection point for oily water wastes as shown on 'Camden Gas Project Site Plan Location of Emission Points' drawing number 4229DG06 (Rev 2) provided to the DECCW.		Previously deleted from EPL – EPL Notice Number 1076711 (Refer Appendix 3)	Refer to Notes	EPL Notice Number 1076711 "G. The EPA has removed condition P1.3. There are no water discharges to the environment, so there is no requirement for licensed water discharge points on the licence. Water is not removed from the flare pit, and pump out occurs at both the sewage storage tank and oily wastewater tank for offsite disposal."																																																													
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Schedule 4 - Condition 69	31 For each monitoring/discharge point or utilisation area specified (by point number 32) in the table below, the Applicant must monitor (by sampling and obtaining results by analysis) each parameter specified in Column 1. The Applicant must use the sampling method, units of measure and sample at the frequency specified in the respective columns. POINT 8 <table><tr><th>Pollutant</th><th>Units of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Total suspended solids</td><td>Mg/L</td><td>Monthly</td><td>Representative</td></tr><tr><td>Biochemical oxygen demand</td><td>Mg/L</td><td>Monthly</td><td>Representative</td></tr><tr><td>Oil & Grease</td><td>Mg/L</td><td>Monthly</td><td>Representative</td></tr><tr><td>Total polycyclic aromatic hydrocarbons</td><td>µg/L</td><td>Monthly</td><td>Representative</td></tr><tr><td>Phenols</td><td>µg/L</td><td>Monthly</td><td>Representative</td></tr><tr><td>Total organic carbon</td><td>µg/L</td><td>Monthly</td><td>Representative</td></tr><tr><td>Total petroleum hydrocarbons</td><td>µg/L</td><td>Monthly</td><td>Representative</td></tr><tr><td>Electrical conductivity</td><td>µS/cm</td><td>Monthly</td><td>Representative</td></tr><tr><td>Water level in storage</td><td>Mm</td><td>Monthly</td><td>Direct measurement</td></tr></table>	Pollutant	Units of Measure	Frequency	Sampling Method	Total suspended solids	Mg/L	Monthly	Representative	Biochemical oxygen demand	Mg/L	Monthly	Representative	Oil & Grease	Mg/L	Monthly	Representative	Total polycyclic aromatic hydrocarbons	µg/L	Monthly	Representative	Phenols	µg/L	Monthly	Representative	Total organic carbon	µg/L	Monthly	Representative	Total petroleum hydrocarbons	µg/L	Monthly	Representative	Electrical conductivity	µS/cm	Monthly	Representative	Water level in storage	Mm	Monthly	Direct measurement		M2.7	Water and/ or Land Monitoring Requirements	POINT 16 <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>BOD</td><td>milligrams per litre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>Electrical conductivity</td><td>microsiemens per centimetre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>Oil and Grease</td><td>milligrams per litre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>Phenols</td><td>micrograms per litre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>Total organic carbon</td><td>milligrams per litre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>Total PAHs</td><td>micrograms per litre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>Total petroleum hydrocarbons</td><td>micrograms per litre</td><td>Monthly</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>milligrams per litre</td><td>Monthly</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling Method	BOD	milligrams per litre	Monthly	Grab sample	Electrical conductivity	microsiemens per centimetre	Monthly	Grab sample	Oil and Grease	milligrams per litre	Monthly	Grab sample	Phenols	micrograms per litre	Monthly	Grab sample	Total organic carbon	milligrams per litre	Monthly	Grab sample	Total PAHs	micrograms per litre	Monthly	Grab sample	Total petroleum hydrocarbons	micrograms per litre	Monthly	Grab sample	Total suspended solids	milligrams per litre	Monthly	Grab sample	
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Schedule 4 - Condition 72	30 Subject to any express provision to the contrary in this licence, the Applicant shall undertake monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area or taken off-site in accordance with the Approved Methods Publication unless another method has been approved by the DECCW in writing before any tests are conducted. Gas Gathering System - Stream Crossings Note: The <i>Rivers and Foreshore Improvement Act 1948</i> applies to the proposed development and therefore any excavation, removal of material from the bank, shore or bed of any stream, estuary or lake, or land within 40 metres from the top of the bank will require a Part 3A permit.		M3.3	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.																																																																														
Schedule 4 - Condition 103	53 The Applicant must ensure that any hazardous, industrial or Group A waste at the premises is assessed and classified in accordance with the DECCW's Environmental Guidelines: "Assessment Classification and Management of Liquid and Non-Liquid Wastes" in force as at 1 July 2003.		O5.1	The licensee must ensure that any liquid and/or non-liquid waste generated and/or stored at the premises is assessed and classified in accordance with the DECC Waste Classification Guidelines as in force from time to time.																																																																														
Schedule 4 - Condition 104	54 The Applicant must ensure that waste identified for recycling is stored separately from other waste.		O5.2	The licensee must ensure that waste identified for recycling is stored separately from other waste.																																																																														
Schedule 4 - Condition 105	55 Any movement of hazardous, industrial or Group A waste from the premises must be conducted in accordance with the DECCW's waste tracking requirements. A copy of these tracking requirements is included in Schedule 8.		Previously deleted from EPL – EPL Notice Number 1076711 (Refer Appendix 3)	Refer to Notes	EPL Notice Number 1076711 "K. The Protection of the Environment Operations (Waste) Regulation 2005 includes new waste tracking provisions which commenced on 1 March 2006. Waste tracking requirements for licensed premises and \transporters are now included in the regulation. As a result, waste tracking conditions are no longer required on licences. This variation notice removes waste tracking conditions from the licence."																																																																													

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Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes																																																										
Schedule 5 - Condition 12	⁶⁰ The Applicant shall pay the load based licensing fees once a licence under the <i>Protection of the Environment Operations Act 1997</i> has been issued. The licence will identify the assessable pollutants for each fee-based activity classification. These assessable pollutants will be required to be monitored and pollutant loads calculated in accordance with the DECCW's Load Calculation Protocol. The assessable pollutants and load limits applicable to this activity are given in the table below. <table><tr><th>Assessable Pollutant</th><th>Load Limit (kg)</th></tr><tr><td>Benzene (air)</td><td>47</td></tr><tr><td>Benzo (a) pyrene (air)</td><td>0.27</td></tr><tr><td>Fine particles (air)</td><td>460</td></tr><tr><td>Hydrogen sulphide (air)</td><td>1.6</td></tr><tr><td>Nitrogen oxides (air)</td><td>103000</td></tr><tr><td>Sulphur oxides (air)</td><td>3000</td></tr><tr><td>Volatile organic compounds (air)</td><td>33000</td></tr><tr><td>Total suspended solids (water)</td><td>360</td></tr><tr><td>Biochemical oxygen demand (water)</td><td>370</td></tr><tr><td>Oil and grease (water)</td><td>96</td></tr><tr><td>Total PAHs (water)</td><td>0.14</td></tr><tr><td>Total phenolics (water)</td><td>0.1</td></tr></table> Note: ⁶¹An assessable pollutant is a pollutant which affects the licence fee payable for the licence. ⁶²The above load limits in the table may be revised after submission of annual returns for the first three years of operation of the plant. Note: ⁶³Clause 17(1) and (2) of the <i>Protection of the Environment Operations (General) Regulation 1998</i> requires that monitoring of actual loads of assessable pollutants listed in Condition 12 (above) must be carried out in accordance with the testing method set out in the relevant load calculation protocol for the fee-based activity classification.	Assessable Pollutant	Load Limit (kg)	Benzene (air)	47	Benzo (a) pyrene (air)	0.27	Fine particles (air)	460	Hydrogen sulphide (air)	1.6	Nitrogen oxides (air)	103000	Sulphur oxides (air)	3000	Volatile organic compounds (air)	33000	Total suspended solids (water)	360	Biochemical oxygen demand (water)	370	Oil and grease (water)	96	Total PAHs (water)	0.14	Total phenolics (water)	0.1		L2.2	The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol. <table><tr><th>Assessable Pollutant</th><th>Load limit (kg)</th></tr><tr><td>Benzene (Air)</td><td>47.00</td></tr><tr><td>Benzo(a)pyrene (equivalent) (Air)</td><td>0.27</td></tr><tr><td>BOD (Enclosed Water)</td><td></td></tr><tr><td>Fine Particulates (Air)</td><td>460.00</td></tr><tr><td>Hydrogen Sulfide (Air)</td><td>1.60</td></tr><tr><td>Nitrogen Oxides - Summer (Air)</td><td></td></tr><tr><td>Nitrogen Oxides (Air)</td><td>103000.00</td></tr><tr><td>Oil and Grease (Enclosed Water)</td><td></td></tr><tr><td>Salt (Enclosed Water)</td><td></td></tr><tr><td>Sulfur Oxides (Air)</td><td>3000.00</td></tr><tr><td>Total PAHs (Enclosed Water)</td><td></td></tr><tr><td>Total Phenolics (Enclosed Water)</td><td></td></tr><tr><td>Total suspended solids (Enclosed Water)</td><td></td></tr><tr><td>Volatile organic compounds - Summer (Air)</td><td></td></tr><tr><td>Volatile organic compounds (Air)</td><td>33000.00</td></tr></table> Note: There are no discharges to waters for purposes of the Condition L2.2.	Assessable Pollutant	Load limit (kg)	Benzene (Air)	47.00	Benzo(a)pyrene (equivalent) (Air)	0.27	BOD (Enclosed Water)		Fine Particulates (Air)	460.00	Hydrogen Sulfide (Air)	1.60	Nitrogen Oxides - Summer (Air)		Nitrogen Oxides (Air)	103000.00	Oil and Grease (Enclosed Water)		Salt (Enclosed Water)		Sulfur Oxides (Air)	3000.00	Total PAHs (Enclosed Water)		Total Phenolics (Enclosed Water)		Total suspended solids (Enclosed Water)		Volatile organic compounds - Summer (Air)		Volatile organic compounds (Air)	33000.00	
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Schedule 5 - Condition 13	⁶⁴ The results of any monitoring required to be conducted by the DECCW's General Terms of Approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in the conditions below (Condition 14 and 15).		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.																																																											
Schedule 5 - Condition 14	⁶⁵ The Applicant shall keep all records required to be kept by the licence: • 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 DECCW who asks to see them.		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.																																																											
Schedule 5 - Condition 15	⁶⁶ The Applicant shall keep the following records in respect of any samples required to be collected: • 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.		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.																																																											
Schedule 5 - Condition 16	⁶⁷ The Applicant shall provide an Annual Return to the DECCW in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the Annual Return the Applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the Applicant will be required to submit load-based fee calculation worksheets with the return.		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, 7. a Statement of Compliance - Environmental Management Systems and Practices; and 8. a Statement of Compliance - Environmental Improvement Works. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.																																																											
Schedule 5 - Condition 19	The Applicant shall record details of all complaints received in an up-to-date Complaints Register. The Register shall record, but not necessarily be limited to: (a) the date and time, where relevant of the complaint; (b) the means by which the complaint was made; (c) any personal details of the complainant that were provided, or if no details were provided, a note to that effect; (d) the nature of the complaints; (e) any action(s) taken by the Applicant in relation to the complaint, including any follow-up contact with the complainant; and (f) if no action was taken by the Applicant in relation to the complaint, the reason(s) why no action was taken. The Complaints Register shall be made available for inspection by the DECCW or the Director-General upon request. The Applicant shall also make summaries of the register, without details of the complainants, available for public inspection.		M5.1 and M5.2	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.																																																											

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Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes
Schedule 6 - All	SCHEDULE 6 MANDATORY CONDITIONS FOR ALL DECCW LICENCES ADMINISTRATIVE CONDITIONS Other activities Not applicable. OPERATING CONDITIONS Activities must be carried out in a competent manner 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. Maintenance of plant and equipment - 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. MONITORING AND RECORDING CONDITIONS Recording of pollution complaints 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. - 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. The record of a complaint must be kept for at least 4 years after the complaint was made. The record must be produced to any authorised officer of the DECCW who asks to see them. Telephone complaints line 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. 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. This condition does not apply until 3 months after the issue of an environment protection licence. REPORTING CONDITIONS Annual Return documents a) a Statement of Compliance; and b) a Monitoring and Complaints Summary. A copy of the form in which the Annual Return must be supplied to the DECCW accompanies this licence. Before the end of each reporting period, the DECCW will provide to the licensee a copy of the form that must be completed and returned to the DECCW. Period covered by Annual Return An Annual Return must be prepared in respect of each reporting, 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. - 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.		O1.1, O2.1, M5.1, M5.2, M5.3, M6.1, M6.2, M6.3, R1.1, R1.2, R1.3, R1.4, R1.5, R1.7, R1.8, R2.1, R2.2, R3.1, R3.2, R3.3, R3.4, G1.1, G1.2, G1.3 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. O2.1 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. 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. 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. 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, 7. a Statement of Compliance - Environmental Management Systems and Practices; and 8. a Statement of Compliance - Environmental Improvement Works. At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA. 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. 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.		

DA 282-6-2003-1			EPL 12003		
Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes
	Note: An application to transfer a licence must be made in the approved form for this purpose. - Where this licence is surrendered by the licensee or revoked by the DECCW 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. Deadline for Annual Return The Annual Return for the reporting period must be supplied to the DECCW 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'). Notification where actual load can not be calculated Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the DECCW in writing as soon as practicable, and in any event not later than the due date. - The notification must specify: a) the assessable pollutants for which the actual load could not be calculated; and b) the relevant circumstances that were beyond the control of the licensee. Licensee must retain copy of Annual Return The licensee must retain a copy of the annual return supplied to the DECCW for a period of at least 4 years after the annual return was due to be supplied to the DECCW. Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary Within the Annual Return, the Statement 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 DECCW to sign on behalf of the licence holder. Notification of environmental harm Note: The licensee or its employees must notify the DECCW of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act Notifications must be made by telephoning the DECCW's Pollution Line service on 131 555. The licensee must provide written details of the notification to the DECCW within 7 days of the date on which the incident occurred. Written report Where an authorised officer of the DECCW 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. The licensee must make all reasonable inquiries in relation to the event and supply the report to the DECCW within such time as may be specified in the request. - 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; and 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; g) (any other relevant matters. The DECCW 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 DECCW within the time specified in the request. GENERAL CONDITIONS Copy of licence kept at the premises or on the vehicle or mobile plant A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies. The licence must be produced to any authorised officer of the DECCW who asks to see it. The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.				

DA 282-6-2003-1			EPL 12003		
Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes
	SCHEDULE 8 DECCW WASTE TRACKING REQUIREMENTS O5 Monitoring of waste movements within NSW O5.1 Conditions O5.2 to O5.16 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, within NSW. Prerequisites for waste movements O5.2 If the waste is transported from the premises, the licensee must ensure that the waste is transported: (a) to a place which has been licensed by the DECC to issue consignment authorisation numbers; and (b) to a place that can otherwise lawfully accept that class of waste. O5.3 If the waste is transported from the premises, the licensee must: (a) obtain a consignment authorisation number from the consignee; (b) complete an approved waste data form in relation to the consigned waste in accordance with the instructions on the form and to the extent required, and give a copy of the form to the person transporting the waste; (c) ensure that the waste data form: (i) is completed accurately, and (ii) is retained for a period of not less than 4 years from the time the form was completed, and (iii) is made available for inspection by an authorised officer on request; (d) ensure, if the waste is of such an amount as to require the person transporting it to be licensed, that the person transporting the waste is licensed. Application for a consignment authorisation number O5.4 To obtain a consignment authorisation number as required by O5.3 (a), the licensee must apply in writing to the consignee. An application must include the following information: (a) a statement identifying the classification of the waste in accordance with the requirements of condition O4.1; (b) copies of all information used to classify the waste; (c) an estimate of the amount of waste to which the application applies; (d) whether the consignment will consist a single load or multiple loads; (e) an estimate of the total period required for transportation of the consignment; (f) the date of dispatch of at least the first load in the consignment. Note: The licensee may nominate the dates of dispatch of as many loads as is feasible. This should be discussed with the consignee and will depend on the predictability of the rate of generation of the waste and the likelihood of the need for amendments to the dates nominated. If the waste is predictable, a schedule may be able to be submitted for the entire consignment, however if it is unpredictable, the date of only one future load may be able to be determined at a time (see also O5.9 about amending notified dates). Note: The requirement for a written application for a consignment authorisation number does not preclude preliminary contact to obtain quotes and/or advice. Such preliminary contact does not require the formal provision of the above information that need only be supplied in the formal application. O5.5 Once an application for a consignment authorisation number, as set out in O5.4 has been submitted, the licensee must not submit an application for the same consignment to another consignee until notification is received concerning the outcome of the application. Notification of dates of dispatch of the second and subsequent loads in a consignment O5.6 The licensee must provide the consignee with written notification of the date of dispatch of each load of waste. O5.7 The notification referred to in O5.6 must be received by consignee no later than the date of arrival of the preceding load at the destination. Notification of a final load in a consignment. O5.8 Unless the movement of an entire consignment of waste occurs in a single load, by the time the final load in a consignment is accepted at the destination, the licensee must have informed the consignee in writing, that no further loads are to be dispatched under that consignment authorisation number. Note: The notifications referred to in conditions O5.6 and O5.8 may be attached to the waste data form of the preceding load. Amendments to the nominated date(s) of dispatch O5.9 If the date of dispatch for a load of waste is changed, the licensee must give written notification of this to the consignee and nominate a revised date of dispatch. O5.10 A notification referred to in O5.9 must occur on or before the date of delivery as previously nominated. Note: More than one amendment to dates of dispatch may occur. Cancellation of consignment authorisations O5.11 If the licensee determines that the delivery of a consignment of waste is to be discontinued for any reason, the consignee must be notified in writing before the nominated date of dispatch of the next expected load. Notification of delayed delivery by transporter O5.12 If the licensee receives written notification from a transporter who removed waste from the premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date. Record keeping O5.13 The licensee must record and retain all information related to each consignment of waste. Note: This includes waste data forms and copies of other documents such as notifications of revised delivery dates, regular and other reports, etc. O5.14 The records referred to in O5.13 must be kept so that: (a) all records relating to individual consignment authorisation numbers are kept physically together; (b) consignments transported by each transporter can be readily identified and accessed; and (c) consignments sent to each destination can readily be identified and accessed. Note: The licensee must keep all information for at least 4 years.		Previously deleted from EPL – EPL Notice Number 1076711 (Refer Appendix 3)		EPL Notice Number 1076711 “The Protection of the Environment Operations (Waste) Regulation 2005 includes new waste tracking provisions which commenced on 1 March 2006. Waste tracking requirements for licensed premises and transporters are now included in the regulation. As a result, waste tracking conditions are no longer required on licences. This variation notice removes waste tracking conditions from the licence.” “The EPA removed all waste tracking appendices”.

DA 282-6-2003-I			EPL 12003		
Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes
	Exception reporting O5.15 The licensee must notify the DECCW, in writing, within 48 hours of becoming aware of any suspected breaches of the Act, the Protection of the Environment Operations (Waste) Regulation 1998 or this licence. O5.16 The licensee must notify the DECCW in writing within 48 hours of becoming aware of any of the following: (a) the refusal by a person to whom the licensee has applied for a consignment authorisation number in accordance with 05.4 to issue such a number; (b) the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste; (c) a transporter who transports, or attempts to transport, waste without a waste data form completed to the extent required; (d) the refusal of a consignee to accept waste from the licensee; (e) the failure of the licensee to receive written confirmation of receipt of waste from a consignee within 21 days of dispatch, or where a transporter has provided written notification of a revised date of delivery as set out in 05.12 within 21 days of that date; (f) the notification by a transporter of a revised date of delivery which is more than 90 days after the date of dispatch of the waste. Note: The DECCW should be notified of exception reports by sending a facsimile to: Manager, Hazardous Waste Regulation NSW Environment Protection Authority O6 Monitoring of interstate movements of controlled wastes O6.1 Conditions O6.2 to O6.11 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, into and out of NSW. Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence. Classification of controlled waste O6.2 The licensee must accurately identify the waste, in accordance with 04.1, and determine if the waste is a controlled waste within the meaning of the NEPM. Note: The waste producer must check with the agency in the State or Territory of destination to determine whether waste is classified as a controlled waste under the NEPM. Unless advised otherwise by the agency of the State or Territory of destination, any waste included in Appendix 1 of this licence is a controlled waste for the purposes of the NEPM. Application for a consignment authorisation O6.3 If the waste is transported from the premises to another participating State or Territory, the licensee must comply with all conditions attached to the consignment authorisation issued by an agency or a facility delegated by an agency in the destination State or Territory. Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1998 to obtain, prior to the waste being dispatched, a consignment authorisation from an agency, or a facility delegated by an agency, in the destination State or territory to allow the movement of controlled waste. Waste movements O6.4 If the waste is transported from the premises to another participating State or Territory, the licensee must ensure that the waste is transported to a place that can lawfully be used as a waste facility for that waste. O6.5 The licensee must ensure that the waste transporter is licensed as required by the agency of each participating State or Territory through which the waste is transported. O6.6 The licensee must: (a) retain a copy of the waste transport certificate for the waste for a period of not less than 4 years from the time the form was completed, and (b) make the copy of the waste transport certificate available for inspection by an authorised officer on request. Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1998 to complete a waste transport certificate for the waste. This should be done in accordance with the instructions printed on the certificate and the required copy of the waste transport certificate should be forwarded to the agency in the State of destination. Notification of delayed delivery by transporter O6.7 If the licensee receives written notification from the transporter who removed waste from the licensee's premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date. Record keeping O6.8 The licensee must record and retain all information related to each consignment of waste. Note: This includes the waste transport certificates and copies of other documents such as consignment authorisations issued by an agency in the destination State or Territory, notifications of revised delivery dates by transporters, regular and other reports, etc. O6.9 The records referred to in 06.8 must be kept so that: (a) all records relating to each consignment authorisation are kept physically together; (b) consignments transported by each transporter can be readily identified and accessed, and (c) consignments sent to each destination can readily be identified and accessed. Note: The licensee must keep all information for at least 4 years. Exception reporting				

DA 282-6-2003-1			EPL 12003		
Condition No.	Condition Detail	Notes	Condition No.	Condition Detail	Notes
	O0.10 The licensee must notify the DECCW in writing within 48 hours of becoming aware of a suspected breach of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence. O0.11 The licensee must notify the DECCW in writing within 48 hours of becoming aware of any of the following: (a) the refusal by an agency, or facility delegated by an agency, in participating State or Territory to whom the licensee has applied for a consignment authorisation in accordance with O0.3, to issue such an authorisation; (b) the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste to another participating State or Territory to the extent required; (c) a transporter who transports, or attempts to transport, waste to another participating State or Territory without a waste transport certificate completed to the extent required; (d) the refusal of a destination in another participating State or Territory to accept from the licensee waste for which a consignment authorisation has been issued; (e) the failure of the licensee to receive written confirmation of receipt of waste from a destination in another participating State or Territory within 28 days of dispatch. Note: The DECCW should be notified of exception reports by sending a facsimile to: Manager, Hazardous Waste Regulation NSW Environment Protection Authority R4 Regular reporting of transportation of certain wastes within NSW R4.1 Conditions R4.2 to R4.5 apply to the transport of hazardous and/or industrial and/or Group A waste within NSW. Regular reporting R4.2 The licensee must supply to the DECCW, for each transporter that transported waste from the licensee's premises, the information as set out in Appendix 2, table 1. R4.3 The licensee must supply to the DECCW, for each destination within NSW which received waste from the licensee, the information as set out in Appendix 2, table 2. Reporting periods R4.4 Reports to the DECCW in accordance with R4.2 and R4.3 shall be supplied on or before: (a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year; (b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year; (c) 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year; (d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year. Note: The DECCW should be notified of exception reports by sending a facsimile to: Manager, Hazardous Waste Regulation NSW Department of Environment and Climate Change Nil reports R4.5 If waste has not been transported from the premises in any reporting period as set out in R4.4 the DECCW must be advised in writing by the licensee, by the dates referred to in R4.4 in lieu of reporting as required in R4.2 and R4.3. R5 Regular reporting of interstate movements of controlled wastes R5.1 Conditions R5.2 to R5.5 apply to the movement of hazardous and/or industrial and/or Group A waste as listed in L5.3, into and out of NSW. Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence. Regular reporting R5.2 The licensee must supply to the DECCW, for each transporter that transported waste from the premises to a destination in another participating State or Territory, the information as set out in Appendix 2, table 3. Reporting periods R5.3 Reports to the DECCW in accordance with R5.2 shall be supplied on or before: (a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year; (b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year; 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year; (d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year. Nil reports R5.4 If waste has not been transported from the premises in any reporting period as set out in R5.3, the DECCW must be advised in writing by the licensee, by the dates referred to in R5.3 in lieu of reporting as defined in R5.2. Interstate transport of controlled wastes R5.5 The licensee must comply with the requirements of the NEPM.				



APPENDIX 6

Our reference: EF13/2522:DOC16/185036-19:CK
Contact: Chris Kelly (02) 4224 4100

Mr Aaron Clifton
AGL Upstream Investments Pty Ltd
Locked Bag 1837
ST LEONARDS NSW 2065

Dear Mr Clifton

PREDICTIVE EMISSIONS MONITORING SYSTEM
ENVIRONMENT PROTECTION LICENCE 12003

I refer to the Predictive Emissions Monitoring System (PEMS) Stage 2 Report submitted by AGL Upstream Investments Pty Ltd (AGL) to the Environment Protection Authority (EPA) in accordance with Pollution Reduction Program 7 on Environment Protection Licence (EPL) Number 12003.

The EPA has reviewed the report and met with AGL on 22 June 2016 to discuss its conclusions and determine a regulatory approach for the operation of the proposed PEMS. As an outcome of this process, the EPA advises that it may consider a proposal from AGL to seek to vary the licence as follows:

- Reduce the current nitrogen oxide (NOx) licence concentration limits on Compressor Engines 2 and 3. A NOx concentration limit of 100 milligrams per cubic metre (mg/m³) has been proposed by AGL.
- AGL to cease operating the Continuous Emissions Monitoring System (CEMS) on Compressor Engines 2 and 3 for all parameters listed in the licence. AGL will undertake quarterly independent stack testing on these Engines as required by the licence.
- Compressor Engine 1 will continue to operate CEMS and quarterly independent stack testing will be undertaken as required by the licence.
- AGL will operate its PEMS as an internal "early warning" NOx indicator but not as a formal requirement on the licence.
- Monthly stack testing on Compressor Engines 2 & 3 will cease.

In developing this proposal, AGL must provide supporting information, including but not limited to the following:

- Demonstrated compliance with the Protection of the Environment Operations Act 1997 and associated regulation. This should include the systems in place to detect and prevent licence non-compliances. The EPA has undertaken regulatory action in the past for non-compliances with agreed licence limits for NOx and maintenance of plant/equipment.
- Supporting environmental information that any licence variation will not authorise a significant increase in the environmental impact of the activity authorised or controlled by the licence. This includes AGL's air quality monitoring data.
- Consistency with any relevant existing AGL planning approval. The EPA recommends that AGL consult Department of Planning and Environment and provide advice on the acceptability of any proposed licence changes under existing planning approvals and whether they may be permissible or alternatively a modification may be required.
- Advice on how AGL will communicate any proposed changes to the monitoring program to the community and feedback from this consultation. This should include as a minimum the AGL Community Consultative Committee.

In arriving at the above position, the EPA makes the following observations:

1. In undertaking the Stage 2 PEMS program for Engines 2 and 3, AGL continued to utilise monitoring data from the engine compressors (load and speed) and differential catalyst temperature (pre and post catalyst). The key improvements implemented for the PEMS Stage 2 Trial included:
 - Installation of second catalyst upstream of existing primary catalyst
 - Installation of differential pressure transmitter across the catalyst
 - Replacement of the existing exhaust thermocouples
 - Collect additional information from engine controller for deviation monitoring; and
 - Tune the Catalyst destruction efficiency.
2. AGL has continued to monitor emissions including NO_x with the current Testo CEMS units and undertook monthly independent monitoring on Compressor Engines 2 and 3.
3. In submitting its report, AGL outlined the following conclusions:
 - NO_x emissions were significantly reduced
 - The AGL PEMS is generally conservative; and
 - PEMS operation was functionally reliable.
4. In undertaking the program, and for ongoing operations, AGL added a second catalyst to both Compressor Engines 2 and 3. The additional catalyst significantly reduced NO_x emissions to levels below 40 mg/m³, well below the EPL concentration limit of 461 mg/m³. AGL has subsequently advised EPA that with the catalyst now 'bedded in', it has seen a slight increase in monitoring results however the emissions remain below 60 mg/m³. These low operational emissions following the implemented changes provide operational capacity to prevent licence non-compliances.
5. AGL has advised that during the program, while the actual stack testing and the Testo CEMS monitoring results varied, there was little variation in the PEMS modelling. AGL has maintained that the system would not operate as an actual monitoring system but rather a system to provide early warning or a predictive warning when the related parameters indicate NO_x levels are starting to increase. This provides a mechanism for alarms to alert operators to check operations and determine whether NO_x levels require intervention.
6. During the trial and ongoing monitoring period, Compressor Engine 1 had been shut down due to mechanical issues. Consequently Compressor Engines 2 and 3 generally operated at full capacity during the period. Monitoring results, with the additional catalyst, demonstrated constant low emissions at full capacity.
7. AGL has advised Compressor Engine 1 is presently being returned to full service (June 2016). Once Compressor Engine 1 is at full service, it will take up to 80% of the load from the field. With a reducing gas supply into the plant and Engine 1 taking up to 80% of the load, AGL has stated Compressor Engines 2 and 3 would be operated in rotation at a much lower capacity and operating envelope, which would lead to less emissions from the units.

Should you wish to discuss this matter further, please do not hesitate to contact Mr Chris Kelly on (02) 4224 4100.

Yours sincerely

 28/07/16
PETER BLOEM
 Manager Illawarra
Environment Protection Authority



APPENDIX 7

Memorandum of Understanding on the regulation of gas activities in NSW

1. Introduction

- 1.1 On 1 July 2015, the EPA began a new role as lead regulator for compliance with and enforcement of conditions of gas activity instruments (EPA gas functions) in NSW. This is a key element of the NSW Gas Plan that was released in November 2014. The legislation commenced on 1 December 2015.
- 1.2 Compliance and enforcement of conditions of petroleum titles that solely relate to work health and safety will continue to be the responsibility of the DRE, given it aligns with its existing responsibility to look after work health and safety for mine sites. Therefore, work health and safety conditions on petroleum titles will not be regulated by the EPA.
- 1.3 The legislative amendments to the POEO Act supports the EPA in being a 'one stop shop' for the community should they have any concerns about the regulation of conditions of gas activity instruments in NSW.
- 1.4 This Memorandum of Understanding sets out the agreed administrative arrangements for how the EPA will carry out its gas functions. The EPA and DRE will undertake a dual regulatory approach to conditions of petroleum titles that relate to both work health and safety and non-work health and safety aspects by co-ordinating their compliance monitoring, incident response and investigation activities.
- 1.5 The Memorandum of Understanding replaces the *Memorandum of Understanding: Collaborative working arrangements in relation to the regulation of petroleum activities*.

2 Interpretation

- 2.1 Except insofar as the context or subject matter otherwise indicates or requires, the terms used in this Memorandum of Understanding have the following meanings:

Bore licence means a bore licence in force under the *Water Act 1912* in respect of a gas activity in NSW

Code of Practice means an approved code of practice gazetted under s. 274 of the *Work Health and Safety Act 2011* that apply generally to mining workplaces

Petroleum code means a code of practice enforced through a condition of title under the *Petroleum (Onshore) Act 1991* that may be amended from time to time

DPE means the Department of Planning and Environment

DPI Water means the Water Division within the Department of Primary Industries, Department of Industry, Skills and Regional Development

DRE means the Division of Resources and Energy within the Department of Industry, Skills and Regional Development

EPL or environment protection licence means an environment protection licence as defined under the *Protection of the Environment Operations Act 1997*

EPA means the Environment Protection Authority constituted under the *Protection of the Environment Administration Act 1991*.

EPA gas function means the regulation by the EPA of compliance with and enforcement of conditions of gas activity instruments, but does not include work health and safety conditions on petroleum titles.

Gas means "petroleum" as that term is defined in the *Petroleum (Onshore) Act 1991*.

Gas activity means an activity that relates to the exploration for, or production of, gas in NSW as it relates to a 'gas activity instrument' (see below).

Gas activity instrument means a petroleum title, planning consent or water licence.

Modification application means an application for modification of a development consent referred to in s. 96 of the *Environmental Planning and Assessment Act 1979* or under section 75W of Part 3A of the *Environmental Planning and Assessment Act 1979* insofar as it continues to apply

Petroleum title means an exploration licence, assessment lease, production lease or special prospecting authority in force under the *Petroleum (Onshore) Act 1991* in respect of a gas activity in NSW

Planning consent means an approval or development consent in relation to a gas activity under Part 3A (insofar as it continues to apply), Part 4 or Part 5 of the *Environmental Planning and Assessment Act 1979* to carry out development and includes, unless expressly excluded, a complying development certificate

Resource and Land Use Chief Executive Officers group means the regular (approximately 6 weekly) meetings of the Chief Executive Officers (or equivalent) of the Department of Industry, Skills and Regional Development (including the Department of Primary Industries and the Division of Resources and Energy), the Department of Planning and Environment, the Office of Environment and Heritage, the Environment Protection Authority, NSW Treasury and the Department of Premier and Cabinet.

State significant development application means an application referred to in Div. 4.1 of Pt. 4 of the *Environmental Planning and Assessment Act 1979*

Water access licence means a water access licence in force under the *Water Management Act 2000* in respect of a gas activity in NSW

Water licence means a water access licence or a bore licence

Well means a hole made by drilling in connection with exploration for petroleum or operations for the recovery of petroleum, but does not include a seismic shot hole

Work health and safety in relation to a condition of a petroleum title means a condition which addresses one or more of the requirements of the *Work Health and Safety Act 2011*.

Work Program means the approved work program of a petroleum title

2.2 In this Memorandum of Understanding:

- a) a reference to particular legislation is a reference to the legislation, as amended from time to time.

3 Parties

3.1 The Parties to the Memorandum of Understanding are:

- a) the EPA;
- b) DRE;
- c) DPE; and
- d) DPI Water.

Drafting note

This MoU was drafted prior to the 1 July 2016 establishment of the Resources Regulator (RR) within the Department of Industry.

Since 1 July 2016, the RR has been responsible for compliance and enforcement functions that were previously part of the Division of Resources and Energy (DRE).

This machinery change within the Department of Industry will not materially impact the operation of the MoU. The change does not impact the principles agreed by the parties, or the objectives and the intended effect of the MoU.

The MoU will be updated in due to course to reflect the establishment of the RR.

4 Objectives and effect of the MOU

- 4.1 The Memorandum of Understanding will support the community and industry to understand and navigate the Government's regulatory framework for gas activities.
- 4.2 This Memorandum of Understanding is not intended to create a legally binding agreement between the Parties. In particular, nothing in this Memorandum of Understanding is intended to confer or impose any legal rights, duties or liabilities on any Party, and the provisions of this Memorandum of Understanding are subject to any relevant statutory provisions.

5 Agency responsibilities for regulating gas activities

- 5.1 To facilitate effective, transparent and efficient regulation of gas activities, the Memorandum of Understanding sets out the responsibilities of the Parties in the regulation of gas activities and establishes systems and processes to support them to perform these roles effectively and seamlessly. The flowchart at **Schedule A** illustrates the process in which the Parties work together.

Environment Protection Authority

5.2 The EPA is the lead regulator for gas functions.

5.3 The EPA's key gas functions are to:

- a) issue and regulate environment protection licences for gas activities;
- b) undertake compliance and enforcement action of planning consents under the *Environmental Planning and Assessment Act 1979* in respect of gas activities;
- c) assess compliance with and undertaking enforcement of conditions of a petroleum title issued under the *Petroleum (Onshore) Act 1991*;
- d) undertake compliance and enforcement action under the *Water Management Act 2000*, comprising:
 - i. assessing compliance with and undertaking enforcement of conditions of a water access licence;
 - ii. regulating offences for the carrying out of a gas activity without the appropriate water access licence; and
 - iii. assessing compliance with and undertaking enforcement for water use approvals, water supply work approvals where linked to relevant water access licences.
- e) undertake compliance and enforcement action related to bore licences (although bores licensed for the purpose of groundwater monitoring or investigation under the *Water Act 1912* will remain the primary regulatory responsibility of DPI Water).

5.4 The EPA is not responsible for:

- a) administration (including approval, renewal, suspension and cancellation) of petroleum titles, water licences or planning consents, but will provide expert environmental and regulatory advice to DRE and DPE respectively to support environmental assessment and determination processes consistently with its statutory functions;
- b) assessing compliance with and undertaking enforcement of conditions of petroleum titles that relate to work health and safety, which will continue to be regulated by DRE (further detail about how DRE and the EPA will undertake a dual regulatory model is at **Schedule B**);
- c) collecting or returning rehabilitation security bonds after well closure which will continue to be determined by DRE (although DRE will not release any final security bonds without first seeking a recommendation from the EPA); and

- d) compliance and enforcement functions in relation to gas pipelines that are not subject to environment protection licences, for example, licences granted under the *Pipelines Act 1967* or the *Gas Supply Act 1996*.

Division of Resources and Energy

5.5 DRE is responsible for administering petroleum titles under the *Petroleum (Onshore) Act 1991* which includes approval, renewal, suspension and cancellation of titles and associated processes.

5.6 DRE's key functions in relation to gas regulation are to:

- a) provide advice and recommendations to the Minister for Industry, Energy and Resources (or his or her delegate) in relation to:
 - i. granting, renewal, suspension and cancellation of a petroleum title;
 - ii. imposing or varying the conditions of a petroleum title;
 - iii. Part 5 approvals associated with petroleum titles;
 - iv. developing and gazetting Codes of Practice and petroleum codes; and
 - v. varying work programs of a petroleum title from time to time as required;
- b) undertake assessment and determination of applications and related documentation to inform the advice and recommendations to the Minister or his/her delegate above in cl. 5.6 a);
- c) assess titleholders' reporting that is required under their title, to understand their effectiveness and efficiency;
- d) refer any information about suspected or actual non-compliance with the conditions of a petroleum title to the EPA for consideration of appropriate compliance and enforcement action;
- e) set rehabilitation conditions in all petroleum titles. DRE is solely responsible for setting rehabilitation conditions for exploration titles. With respect to petroleum production titles, DRE sets rehabilitation conditions that are consistent with the development consent.
- f) make final determination on the collection and return of security bonds, noting that DRE will not release any final security bonds without first consulting with the EPA;
- g) provide information and expert advice to the EPA to support compliance and enforcement of the conditions of a petroleum title, excluding work health and safety conditions; and

- h) assess compliance with and undertaking enforcement of conditions of a petroleum title that relate to work health and safety (refer to **Schedule B** for further detail about how DRE and the EPA will undertake a dual regulatory model).

Department of Planning and Environment

5.7 DPE is responsible for the administration of the *Environmental Planning and Assessment Act 1979* and various environmental planning instruments including the *State Environment Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

5.8 DPE's key functions in relation to gas regulation are to:

- a) undertake the environmental assessment of State significant development applications and modification applications for gas activities;
- b) provide recommendations to the Minister for Planning or his/her delegate, to allow the determination of State significant development applications and modification applications, including imposition of conditions. This includes conditions relating to rehabilitation, which include rehabilitation objectives and requirements for both rehabilitation management plans and progressive rehabilitation;
- c) provide information and expert advice to the EPA to support compliance and enforcement of conditions attached to a planning consent; and
- d) refer any information about suspected or actual non-compliance with the conditions of a planning consent to the EPA for consideration of appropriate compliance and enforcement action.

DPI Water

5.9 DPI Water is responsible for overall management of surface and groundwater in NSW, including the administration of the *Water Act 1912* and *Water Management Act 2000*.

5.10 DPI Water's key functions in relation to gas regulation are to:

- a) issue water access licences and other approvals related to water supply and water use;
- b) provide advice and recommendations to the Minister for Lands and Water on granting, renewal, suspension and cancellation of Water Access Licences and other approvals;
- c) provide expert advice on water resources to DRE, DPE and EPA to support environmental assessment and determination processes;
- d) provide information and expert advice to the EPA to support compliance and enforcement of conditions of water licences; and

- e) refer any information about suspected or actual non-compliance with the conditions of a water licence to the EPA for consideration of appropriate compliance and enforcement action.

5.11 DPI Water also has primary responsibility for bores licensed for the purpose of groundwater monitoring or investigation under the Water Act 1912 (see 5.3 (e)).

6. Principles for working together

- 6.1 All Parties agree to a whole of government approach to facilitate transparent and efficient regulation of gas activities.
- 6.2 To support this approach, the Parties will, insofar as permitted by legislation:
 - a) maximise the use of expert knowledge and experience across Government by sharing information and specialist and technical advice with all Parties to assist all to carry out the responsibilities set out in this Memorandum of Understanding;
 - b) maintain interagency relationships to ensure timely and effective consultation and open communication;
 - c) consider advice provided by another agency, where relevant and appropriate, as part of any decision making process;
 - d) work together to minimise duplication and overlap, including in relation to conditions of instruments, reporting on those instruments and investigations, audits and inspections; and
 - e) collaboratively engage with the community and industry in a unified fashion to ensure clear and consistent communication and stakeholder engagement.
- 6.3 All Parties agree to notify each other of any proposal to introduce new or amended policies or material (e.g. policies, guidelines, petroleum codes, Acts or regulations) or structural or organisational change that will substantially impact on the regulation of gas activities, and to consult on any such proposals.
- 6.4 In relation to regulatory activities where reviewing or approving relevant plans and reports continue to be responsibility of the consent authority, all Parties agree to notify the EPA of any implications for compliance, and provide a copy to the EPA for review on request.

7. Interagency systems and processes to support collaboration

- 7.1 The Parties will work together to achieve the responsibilities described in this Memorandum of Understanding, including by implementing the systems and processes to support collaboration described in this clause.

Developing standard conditions

- 7.2 In consultation with relevant Parties, Parties will work together to develop standard conditions for gas activity instruments (excluding EPLs and water access licences given they largely contain mandatory conditions).
- 7.3 The Parties will consult and seek advice from the EPA on the standard conditions to ensure they are practical, reasonable and enforceable, and make best efforts to agree standard conditions with the EPA (except work health and safety conditions).
- 7.4 Where appropriate, and subject to applicable statutory and common law requirements, including the requirement to ensure that the merits of a particular application for an instrument are considered, the Parties will consider applying the standard conditions to new instruments and, where possible and consistent with these requirements, consider updating existing instruments to reflect the standard conditions.
- 7.5 Where relevant and appropriate having regard to applicable statutory and common law requirements, the Parties will consult with the EPA in relation to any proposal to:
- a) deviate from the standard conditions in relation to a particular project, or
 - b) vary the standard conditions.

This consultation process will include an opportunity for the EPA to provide advice regarding the amendment or deviation and for the EPA to review any proposed amendment or deviation to ensure that, where relevant, its advice has been considered, and that it is enforceable.

- 7.6 The Parties are to review the standard conditions and petroleum codes 12 months after implementation to ensure their effectiveness, and from then on as required.

Streamlining existing conditions

- 7.7 The Parties will work together to identify and reduce duplication of conditions across approvals.
- 7.8 Where possible and consistently with statutory and common law requirements, the Parties will remove or amend duplicative conditions in gas activity instruments to increase efficiency and effectiveness in regulation.

Notification

- 7.9 The Parties will notify the EPA within 7 working days of:
- a) the receipt of an application for a gas activity instrument (or a modification application); and
 - b) the determination of such an application.
- 7.10 The Parties will notify the EPA within 7 working days of modification of any gas activity instruments.
- 7.11 The Parties will notify the EPA as soon as reasonably practicable after detection of a potential breach of a condition of a gas activity instrument or the receipt of information about a complaint on a compliance related incident concerning a gas activity.
- 7.12 The EPA will notify Parties as soon as reasonably practicable of a potential incident concerning a gas activity, or a potential breach of a condition of a gas activity instrument where it can be reasonably expected that the jurisdiction of one or more of the other parties may be involved.
- 7.13 In the course of an EPA investigation into an incident concerning a gas activity or potential breach of a condition of a gas activity instrument, the EPA will provide updates at monthly Gas Working Group meetings (primary NSW Government interagency forum for consideration of gas issues).
- 7.14 The EPA will provide written findings of an investigation into an incident concerning a gas activity or potential breach of a condition of a gas activity instrument to the Minister for Industry, Resources and Energy and any other relevant Minister at the Minister's written request for information.
- 7.15 The EPA will provide written findings of an investigation into an incident concerning a gas activity or potential breach of a condition of a gas activity instrument to the relevant MoU Party as soon as reasonably practicable after its investigation is finalised and any legal action has been instigated or completed and any statutory appeal period has expired.

Public Communication

- 7.16 The EPA Environment Line 131 555 is the one stop shop for any gas exploration and production, and compliance issues. A member of the EPA Gas Regulation Branch will talk you through the process and discuss any issues you may have. The EPA will triage the issues and seek input, or lead other agencies as appropriate to the subject matter.
- 7.17 The EPA will lead all public communications on compliance and enforcement actions in relation to gas activities in NSW for non-work health safety matters.

- 7.18 DRE, DPE, DPI Water and other agencies will lead communications on any matter to do with their legislative frameworks.
- 7.19 All parties will consult with one another to ensure unified messaging on gas activity is disseminated to the community.
- 7.20 The Parties will consult with one another on the development of policies, petroleum codes and other guidance material that relates to, or provides advice regarding compliance and enforcement actions or requirements in relation to a gas activity.
- 7.21 All Parties note that geological expenditure and other information will be kept confidential in accordance with Part 13 of the *Petroleum (Onshore) Act 1999*.
- 7.22 Any disputes in relation to which party will lead on public communications will be resolved by the Executives of the disputing parties.

Determination and regulatory response

- 7.23 The EPA will make an independent determination of the appropriate regulatory response for any alleged non-compliance with a condition of a gas activity instrument, for example, a penalty notice or prosecution.
- 7.24 The EPA's *Compliance Policy* and the *EPA Prosecution Guidelines* outlines the regulatory tools available to the EPA, providing basis on which regulatory responses are used and how regulatory actions are taken.
- 7.25 Where appropriate, the EPA will consult with the relevant MoU Party prior to making a determination on its regulatory response to the alleged non-compliance.
- 7.26 Not more than one Party will issue a penalty notice or institute proceedings against a proponent for the same offence. This is to ensure that a title-holder is not penalised twice for the same offence.
- 7.27 The statutory power to suspend or cancel a petroleum title will continue to be exercised by the Minister for Industry, Resources and Energy.
- 7.28 The EPA will provide timely advice to the Minister for Industry, Resources and Energy (or Minister's delegate) at the Minister's written request to inform the Minister's decision whether to exercise the powers referred to in 7.26 in response to a breach of a condition of a petroleum title.
- 7.29 The statutory power to modify, suspend or revoke a planning consent will continue to be exercised by the Minister for Planning.
- 7.30 The EPA will provide advice to the Minister for Planning (or Minister's delegate) as soon as reasonably practicable at the Minister's written request to inform the Minister's decision whether

to exercise the powers referred to in 7.28 in response to a breach of a condition of a planning consent.

- 7.31 The statutory power to suspend or cancel a water licence will continue to be exercised by the Minister for Lands and Water.
- 7.32 The EPA will provide timely advice to the Minister for Lands and Water (or Minister's delegate) at the Minister's written request to inform the Minister's decision whether to exercise the powers referred to in 7.30 in response to a breach of a condition of a water licence.

Sharing expertise and resources

- 7.33 All Parties will continue to provide timely expert advice to the EPA to assist with compliance and enforcement activities in relation to gas activities. Key resources and information systems of the Parties to which the EPA will need access are listed in **Schedule C**.
- 7.34 It is imperative that the Parties provide the EPA with timely access to agency information and systems necessary to support compliance and enforcement action in relation to gas activities, subject to any legal requirements. Relevant information and systems are listed at **Schedule C**.
- 7.35 If the EPA determines that the activity does not fall within the scope of the EPA gas functions the EPA will refer it in writing to the relevant Party along with any relevant evidence collected subject to any legal requirements.
- 7.36 If another Party is undertaking an investigation and subsequently finds it falls within the EPA gas functions, the Party will refer it to the EPA in writing along with any relevant evidence collected subject to any legal requirements.
- 7.37 The Parties commit to provide formal training for the EPA on the relevant powers and provisions of their respective legislative regimes.
- 7.38 The EPA is also encouraged to consult with the Parties on the technical application of these powers and provisions, without limiting the independence of the EPA.
- 7.39 The Parties commit to provide briefings to one another on their emergency response protocols.

8 Dispute resolution

- 8.1 The EPA will make independent decisions in relation to its compliance and enforcement role for gas activities. However, disputes between the Parties may arise in relation to the implementation of this Memorandum of Understanding. This section therefore refers to dispute resolution about the operation of this Memorandum of Understanding, rather than compliance and enforcement decisions.

- 8.2 Parties will endeavour to resolve any dispute expeditiously, taking steps by mutual agreement, using the following procedure:
- a) the nominated officers of the relevant Parties discuss the dispute;
 - b) if the dispute is not resolved, the nominated senior officers of the relevant Parties will discuss the dispute within 14 days of the original officer level discussion. If necessary, this discussion may involve the Chief Executive Officer or Secretary of the Parties, as applicable.
 - c) If the dispute is not resolved, the discussion is escalated to the Resource and Land Use Chief Executive Officers group.
- 8.3 The nominated officers and senior officers of the Parties are listed at **Schedule D**.

9 Review

- 9.1 The Parties will review and update the Memorandum of Understanding within two years of the date signed.

10 Termination

- 10.1 The Memorandum of Understanding may be terminated at any time by the agreement of all Parties or after any Party gives 3 months' notice of intention to terminate.

11 Schedules

Schedule A: Flow chart

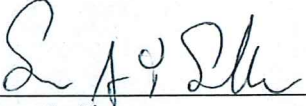
Schedule B: Dual regulation by the EPA and DRE in relation to the work, health and safety conditions of petroleum titles

Schedule C: Parties' resources and information systems

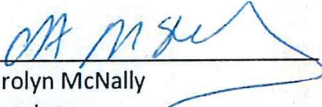
Schedule D: Dispute resolution and nominated officers and senior officers

12 Agreement

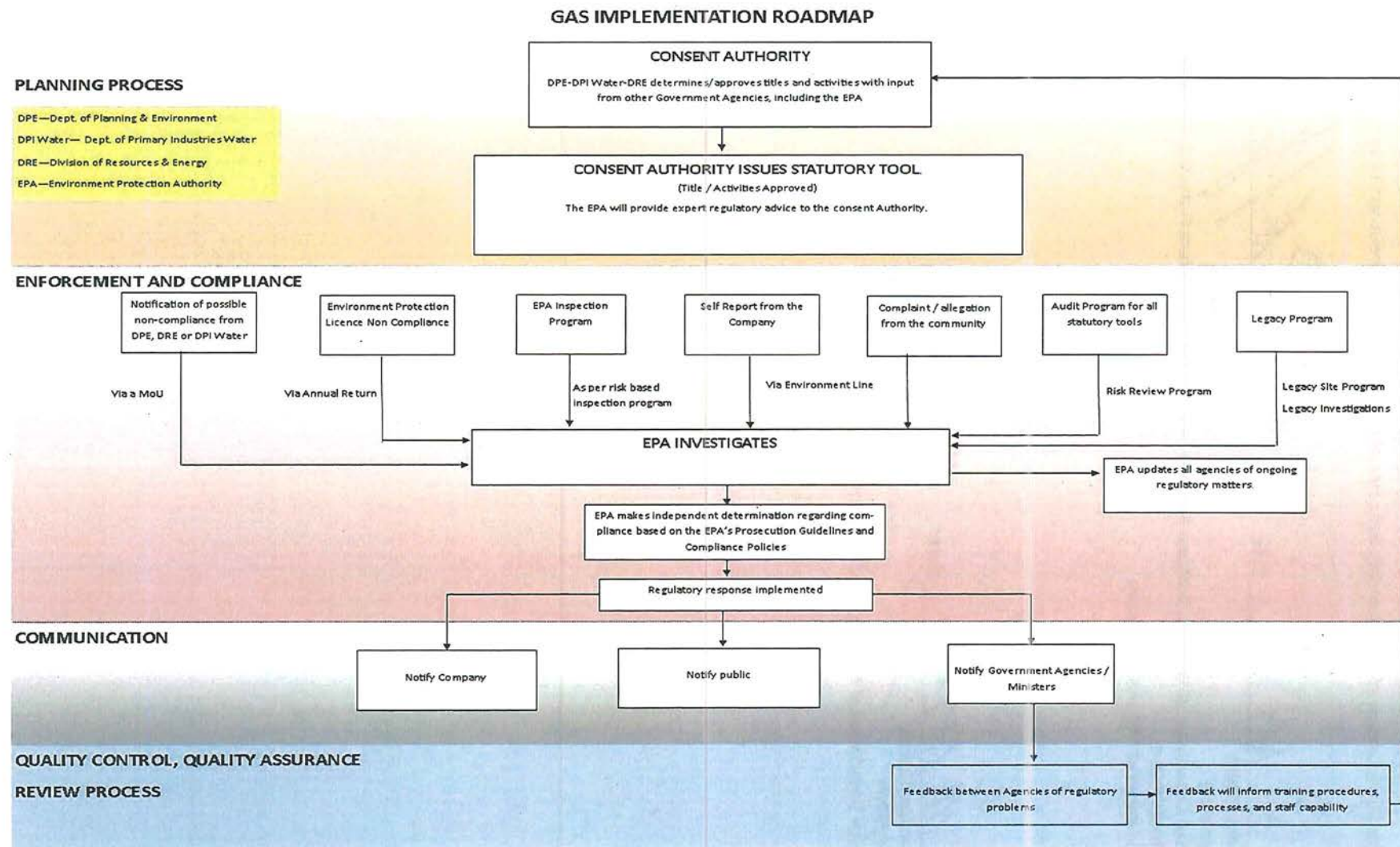
This Memorandum of Understanding and commencing schedules have been agreed by the undersigned.

 Date: _____
Simon Smith
Secretary
NSW Department of Industry, Skills and Regional
Development
(on behalf of DRE and DPI Water)

 Date: 13/7/16
Barry Buffier
Chair and CEO
NSW Environment Protection Authority

 Date: 29.7.16
Carolyn McNally
Secretary
NSW Department of Planning and Environment

Schedule A: Flow chart



Schedule B: Dual regulation by the EPA and DRE in relation to the work, health and safety conditions of petroleum titles

DRE is responsible for safe petroleum and mining worksites under national and State legislation and therefore takes responsibility for compliance and enforcement of conditions of a petroleum title in respect of a gas activity relating to work health and safety. Work health and safety is defined by the objects under the *Work Health Safety Act 2011* and includes the conditions of petroleum titles which address one or more of the requirements under the *Work Health and Safety Act 2011*.

The EPA is responsible for all compliance and enforcement of all other conditions of a petroleum title in respect of a gas activity, including conditions related to the environment, protection of the resource, and the installation and operation of engineering infrastructure.

The EPA and DRE recognise that whilst many engineering standards are designed primarily for human safety, they also contribute to the management and protection of the environment and the resource. This requires a dual regulatory model addressing both 'work health and safety' and 'non-work health and safety' conditions.

To implement an effective and efficient dual regulatory model for work health and safety, the EPA and DRE agree to the following principles:

Compliance activities

DRE and EPA will coordinate their respective compliance activities and work together in a streamlined way in regulating petroleum titles in respect of a gas activity. This will be achieved through co-ordinated proactive joint visits, audits, and sharing of information where legally permissible.

Incidents

DRE and the EPA will work together to manage any incident concerning a gas activity. To support such an approach, DRE and EPA will undertake training in each other's incident response protocols. Incident management will be consistent with the NSW State Emergency Management Plan.

Investigations

Given DRE is the designated work health and safety regulator for mining in NSW, DRE will take the lead for any investigation of work health and safety requirements at the business or undertaking.

In recognition of the fact that safety incidents may well have environmental and other impacts, DRE will advise the EPA of any work health and safety incident related to a petroleum title concerning a gas activity as soon as reasonably practicable after the DRE becomes aware of this. While work health and safety investigations have priority, the EPA is not limited or prevented from investigating other matters in accordance with the Memorandum of Understanding.

As the lead regulator for all conditions of a petroleum title in relation to a gas activity other than work health and safety, the EPA will take the lead in all investigations other than those which have work health and safety consequences at the business or undertaking.

In recognition that the EPA may receive information about work health and safety incidents, the EPA will advise DRE of any work health and safety incident related to a petroleum title as soon as reasonably practicable after the EPA becomes aware of this.

Schedule C: Parties' resources and information systems

Contacts and resources which Parties will need to draw on, including transitional and ongoing access

Agency	Expertise or advice required	Process to access resource
EPA	Compliance and Enforcement Past compliance and activity history Operations and programs	Email: gas.reg@epa.nsw.gov.au
DRE	Geological Survey Past compliance and Activity history Geological advice Titles Administration advice Operations and Programs Compliance and Enforcement	Standard request and response forms - a formal data handshake package Advice/data request template developed by DRE for 2 way communication and data exchange between agencies Email requests to: dre.compliance@industry.nsw.gov.au
DPE	Project application information and advice Project modification information and advice Determination of gas activity and modification applications Post-approval consent condition advice	Email contact – compliance@planning.nsw.gov.au
DPI Water	Groundwater Management Team - Hydrogeological advice Water licensing or compliance advice	Email detailed request marked attention to "Principal Hydrogeologist" to water.enquiries@dpi.nsw.gov.au . An advice request template is available and may help reduce turnaround times. Email request marked attention to "Water Regulation" to water.enquiries@dpi.nsw.gov.au , or phone 1800 353 104

List of information systems that the Parties will need to access

Agency	Information system	Level/method of access	Contact person
EPA	Licensing Management System Investigation Information	Environment Protection Licence Information and Compliance history Information can be freely accessed via the EPA's public register at http://www.epa.nsw.gov.au/publicregister/	Email detailed request to the EPA Email: gas.reg@epa.nsw.gov.au
DRE	Titles information (including Activity approvals, pending applications etc.) Reports by titleholders Records of previous compliance action in relation to petroleum titles GIS database information, including state reserves mapping, location of titles/approvals/wells	Information on petroleum titles is accessible, including relevant recent decisions and locations of wells, on the publicly accessible Common Ground platform http://www.commonground.nsw.gov.au/ Confidential and investigation specific information, including relevant reports prepared by DRE, will be provided through a cloud based platform for other parties to access (noting legal professional privilege).	Email detailed request to DRE dedicated email address for management of this MOU

DPE	Current Project Applications Current Project Modifications Determinations Compliance action taken	Access is available via the Department of Planning and Environment website. http://majorprojects.planning.nsw.gov.au/Access to archived or other specific project information can be provided on request within the timeframes guided by the notifications process outlined in this MOU. Materials required in a shorter timeframe will be negotiated between parties.	Direct request via email to Executive Director, Resource Assessments and Compliance
DPI Water	List of existing WALs and other approvals Records of previous compliance action Pending approvals/applications Spatial and other monitoring data	Static register maintained with EPA, and notification of new or changed as per notification procedures. Advice and updates as required from DPI Water. Direct access through existing web services	Email detailed request to water.enquiries@dpi.nsw.gov.au

Schedule D – Dispute resolution

Dispute resolution escalation nominees

	Nominated officers	Nominated senior officers
EPA	Director Gas Regulation	Chief Environmental Regulator
DPI Water	Director, Monitoring & Investigation Branch (or Director, Water Regulation once DPI Water's new structure takes effect)	Deputy Commissioner, Water Regulation Group (or Deputy Director General – DPI Water once DPI Water's new structure takes effect)
DRE	Director Strategic Compliance Unit	Executive Director, Compliance & Enforcement
DPE	Director, Compliance	Executive Director, Resource Assessments and Compliance