

Environment Protection Licence

Licence - 6423



Licence Details

Number:	6423
Anniversary Date:	19-December

Licensee

WESTON ALUMINIUM PTY LIMITED

PO BOX 5523

WEST CHATSWOOD NSW 1515

Premises

WESTON ALUMINIUM PTY LTD

129 MITCHELL AVENUE

KURRI KURRI NSW 2327

Scheduled Activity

Metallurgical activities

Resource Recovery

Waste Storage

Fee Based Activity

Scale

Aluminium production (scrap metal)	> 10000 T processed
Recovery of hazardous and other waste	> 0 T recovered
Scrap metal processing	0-100000 T processed
Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	> 0 T stored

Region

North - Hunter

Ground Floor, NSW Govt Offices, 117 Bull Street

NEWCASTLE WEST NSW 2302

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NSW 2300

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Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

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

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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

WESTON ALUMINIUM PTY LIMITED
PO BOX 5523
WEST CHATSWOOD NSW 1515

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Metallurgical activities	Aluminium production (scrap metal)	> 10000 T processed
Resource Recovery	Recovery of hazardous and other waste	> 0 T recovered
Metallurgical activities	Scrap metal processing	0 - 100000 T processed
Waste Storage	Waste storage - hazardous, restricted solid, liquid, clinical and related waste and asbestos waste	> 0 T stored

A2 Premises or plant to which this licence applies

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

Premises Details
WESTON ALUMINIUM PTY LTD
129 MITCHELL AVENUE
KURRI KURRI
NSW 2327
LOT 796 DP 39877

A3 Information supplied to the EPA

- A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

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

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2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

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

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Air emissions monitoring Discharge to air	Air emissions monitoring Discharge to air	"Stack 1" on drawing titled "Proposed Site Plan" submitted to the EPA on 2 March 2010 .
2	Air emissions monitoring Discharge to air	Air emissions monitoring Discharge to air	"Stack 2" on drawing titled "Proposed Site Plan" submitted to the EPA on 2 March 2010.
3	Air emissions monitoring Discharge to air	Air emissions monitoring Discharge to air	"Stack 3" on drawing titled "Proposed Site Plan" submitted to the EPA on 2 March 2010.
4	Air emissions monitoring Discharge to air	Air emissions monitoring Discharge to air	"Stack 4" on drawing titled "Proposed Site Plan" submitted to the EPA on 2 March 2010.
13	Air emissions monitoring Discharge to air	Air emissions monitoring Discharge to air	"Stack 5" on drawing titled "Proposed Site Plan" submitted to the EPA on 2 March 2010
14	Air emissions monitoring Discharge to air	Air emissions monitoring Discharge to air	Emissions from gas combustion side of reverberatory furnace shown as "Stack 6" on drawing titled " Proposed Site Plan" submitted to the EPA on 2 March 2010.
15	Air emissions monitoring Discharge to air	Air emissions monitoring Discharge to air	Emissions from stack serving the ALDEX pre-processing plant "Stack 7" on drawing titled " Proposed Site Plan" submitted to the EPA on 2 March 2010.

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

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

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
12	Stormwater quality monitoring		Main pond on drawing "Figure 1 First Flush Stormwater Irrigation Plan" in "Pollution Study and Reduction Program Condition U2.1 Irrigation Sustainability Assessment Weston Aluminium, Kurri Kurri" prepared by HLA -Envirosciences Pty Ltd dated 1/12/06.

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3 Limit Conditions

L1 Pollution of waters

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

L2 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.
- 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)
Coarse Particulates (Air)	6538.00
Fine Particulates (Air)	11622.00
Fluoride (Air)	1894.00
Nitrogen Oxides (Air)	22803.00
Sulfur Oxides (Air)	14935.00
Volatile organic compounds (Air)	3984.00

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

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 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.
- L3.3 Air Concentration Limits

POINT 1

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
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Gaseous fluoride	milligrams per cubic metre	2	
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	10	
Carbon monoxide	parts per million	100	
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	100	
Solid Particles	milligrams per cubic metre	25	
Hydrogen chloride	milligrams per cubic metre	400	
Nitrogen Oxides	grams per cubic metre	2.5	
Cyanide	milligrams per cubic metre	0.5	Dry, 273 k, 101.3 kPa

POINT 2

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Solid Particles	milligrams per cubic metre	35			

POINT 3

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Solid Particles	milligrams per cubic metre	50			

POINT 4

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Solid Particles	milligrams per cubic metre	24			

POINT 13

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Volatile organic compounds	milligrams per cubic metre	77 Note 1	Dry, 273K, 101.3kPa		
Hydrogen chloride	milligrams per cubic metre	10	Dry, 273K, 101.3kPa		

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Solid Particles	milligrams per cubic metre	10	Dry, 273K, 101.3kPa
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	100	
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	5	
Nitrogen Oxides	milligrams per cubic metre	100	Dry, 273K, 101.3kPa
Dioxins & Furans	nanograms per cubic metre	0.1 Note 2	Dry, 273K, 101.3kPa
Carbon monoxide	milligrams per cubic metre	125 Note 3	Dry, 273K, 101.3kPa
Hydrogen chloride	milligrams per cubic metre	10	

POINT 14

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Solid Particles	milligrams per cubic metre	10	Dry, 273K, 101.3kPa	3%	

POINT 15

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Solid Particles	milligrams per cubic metre	15			

Note: Note 1 - Limit value is a rolling 1-hour average. VOC as n-hexane (dry, 273 K, 101.3 kPa).

Note 2 - Limit value is a rolling annual average. Polychlorinated-dibenzo-p-dioxins (PCDD) and polychlorinated-dibenzofurans (PCDF) as 2,3,7,8-tetrachloro-dibenzo-p-dioxin (TCDD) equivalent calculated in accordance with the procedures included in Part 5, Clause 40 of the Protection of the Environment Operations (Clean Air) Regulation 2010, (dry, 273K, 101.3kPa).

Note 3 - Limit value is a rolling 1-hour average.

L3.4 The concentration of gaseous fluoride emitted to the atmosphere from Point 1 must not exceed 1.4 milligrams per cubic metre of fluoride, measured as a one hour average.

L3.5 Total plant gaseous fluoride emissions must not exceed 0.25kg/hr.

L3.6 Total plant particulate emissions must not exceed 5.43 kg/hour.

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L4 Waste

- L4.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.

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

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

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

Code	Waste	Description	Activity	Other Limits
A130	Cyanides (inorganic)	mixed first and second cut spent potlining material consisting of waste refractory lining from Australian primary aluminium smelters	Waste processing (non-thermal treatment) Waste storage	The quantity of mixed first and second cut spent potlining must not exceed 1000 tonnes stored on the premises at any time; and no more than a combined total of 3,000 tonnes of mixed spent potlining is to be processed during the twelve month trial period.
D100	Metal carbonyls	mixed first and second cut spent potlining material consisting of waste refractory lining from Australian primary aluminium smelters	Waste processing (non-thermal treatment) Waste storage	The quantity of mixed first and second cut spent potlining must not exceed 1000 tonnes stored on the premises at any time; and no more than a combined total of 3,000 tonnes of mixed spent potlining is to be processed during the twelve month trial period.
D100	Metal carbonyls	Second cut spent potlining material consisting of waste refractory lining from Australian primary aluminium smelters	Waste processing (non-thermal treatment) Waste storage	Combined total quantity of second cut spent potlining and aluminium dross must not exceed 5000 tonnes stored on the

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				premises at any time; and no more than a combined total of 40,000 tonnes of second cut spent potlining and aluminium dross, in any combination is to be processed per year
A130	Cyanides (inorganic)	Second cut spent potlining material consisting of waste refractory lining from Australian primary aluminium smelters	Waste processing (non-thermal treatment) Waste storage	Combined total quantity of second cut spent potlining and aluminium dross must not exceed 5000 tonnes stored on the premises at any time; and no more than a combined total of 40,000 tonnes of second cut spent potlining and aluminium dross, in any combination is to be processed per year
D300	Non toxic salts	Aluminium Dross	Waste storage Waste processing (non-thermal treatment)	Combined total quantity of second cut spent potlining and aluminium dross must not exceed 5000 tonnes stored on the premises at any time; and no more than a combined total of 40,000 tonnes of second cut spent potlining and aluminium dross, in any combination is to be processed per year.
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption	As specified in each particular resource recovery exemption	NA

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		under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005	
NA	Waste	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

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.

Note: Definitions of first cut Spent Pot Lining , second cut Spent Pot Lining and mixed first and second cut spent pot lining and the twelve month trial period have been included as a note at the end of condition U1.

L5 Noise limits

L5.1 To restrict noise impacts, truck movements to and from the premise must be limited to between the hours of 7am and 10pm.

L5.2 Noise from the premises must not exceed the noise limits presented in the table below.

Note: Where amenity noise levels are lower than intrusive noise levels, both levels are in the licence condition in order to ensure that intrusive noise impacts are controlled at all times.

Location	Daytime	Evening	Night time
Residences at the corner of Government and 10th Streets	LAeq(15 minute) 48 dB(A)	LAeq(15 minute) 48dB(A), LAeq(evening) 40dB(A)	LAeq(15 minute) 47dB(A), LAeq(night) 35dB(A), LAeq(1 minute) 57dB(A)
Residences on Northcote Street	LAeq(15 minute) 44dB(A)	LAeq(15 minute) 44dB(A)	LAeq(15 minute) 44 dB(A), LAeq(night) 40dB(A), LAeq(1 minute) 57dB(A)
Residences in the Light Industrial Zone on Mitchell Avenue and Railway Avenue	LAeq(15 minute) 43dB(A)	LAeq(15 minute) 43dB(A)	LAeq(15 minute) 43dB(A), LAeq(night) 41dB(A), LAeq(1 minute) 55dB(A)

L6 Potentially offensive odour

L6.1 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

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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.

L7 Other limit conditions

- L7.1 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 Aluminium Smelter Wastes containing Fluoride and/or Cyanide, 1986".

4 Operating Conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.
This includes:
- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
- a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

O4 Processes and management

- O4.1 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 Office of Environment and Heritage Waste Classification Guidelines as in force from time to time.

O5 Waste management

- O5.1 The licensee must ensure that waste identified for recycling is stored separately from other waste.

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- O5.2 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.
- O5.3 The licensee must ensure that suitable measures (e.g. high/low alarms, control valves with interlock control, one way valves) are installed on all tanks, ponds or clarifiers and associated pipes and hoses to prevent the spillage of waste.

O6 Other operating conditions

- O6.1 The continuous fluoride emission monitoring system must activate visible and audible alarms in the event that the concentration of fluoride emitted to atmosphere exceeds the limit value of 1.4 milligrams per cubic metre.
- O6.2 If the 1 hour average concentration of gaseous fluoride emitted to atmosphere exceeds 1.4 milligrams per cubic metre at Point 1, the plant or section of the plant where the exceedance occurs must cease operating until the licensee is able to ensure compliance with the emission limits specified in this licence.
- O6.3 The automated lime dosing system feeding the baghouse which services Point 13 must activate and audible alarm in the event that insufficient lime is added to the baghouse.
- O6.4 Logged data from the automated lime dosing system feeding the baghouse which services Point 13 and records demonstrating that the reverberatory furnace metal level is adequately maintained must be kept on site for a period of at least 4 years after the data or record was obtained.

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

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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

Pollutant	Units of measure	Frequency	Sampling Method
Carbon monoxide	parts per million	Yearly	OM-1
Cyanide	milligrams per cubic metre	Yearly	Special Method 1
Gaseous fluoride	milligrams per cubic metre	Continuous	In line instrumentation
Hydrogen chloride	milligrams per cubic metre	Yearly	TM-7 & TM-8
Nitrogen Oxides	milligrams per cubic metre	Yearly	TM-11
Solid Particles	milligrams per cubic metre	Yearly	TM-15
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	Yearly	TM-3
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Yearly	TM-12, TM-13 & TM-14

POINT 2

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	milligrams per cubic metre	Yearly	TM-15

POINT 3

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	milligrams per cubic metre	Yearly	TM-15

POINT 4

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	milligrams per cubic metre	Yearly	TM-15

POINT 13

Pollutant	Units of measure	Frequency	Sampling Method
Dioxins & Furans	nanograms per cubic metre	Every 6 months	TM-18
Dry gas density	kilograms per cubic metre	Every 6 months	TM-23

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Fluorides	milligrams per cubic metre	Yearly	TM-10
Hydrogen chloride	milligrams per cubic metre	Yearly	TM-7 & TM-8
Moisture content	percent	Yearly	TM-22
Nitrogen Oxides	milligrams per cubic metre	Yearly	TM-11
Oxygen (O ₂)	percent	Every 6 months	TM-25
Solid Particles	milligrams per cubic metre	Yearly	TM-15
Sulfuric acid mist and sulfur trioxide (as SO ₃)	milligrams per cubic metre	Yearly	TM-3
Temperature	degrees Celsius	Yearly	TM-2
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Yearly	TM-12, TM-13 & TM-14
Velocity	metres per second	Every 6 months	TM-2
Volatile organic compounds	milligrams per cubic metre	Yearly	OM-2
Volumetric flowrate	normalised cubic metres per second	Every 6 months	TM-2

POINT 14

Pollutant	Units of measure	Frequency	Sampling Method
Carbon monoxide	milligrams per cubic metre	Yearly	OM-1
Dry gas density	kilograms per cubic metre	Yearly	TM-23
Moisture content	percent	Yearly	TM-22
Nitrogen Oxides	milligrams per cubic metre	Yearly	TM-11
Oxygen (O ₂)	percent	Yearly	TM-25
Solid Particles	milligrams per cubic metre	Yearly	TM-15
Temperature	degrees Celsius	Yearly	TM-2
Velocity	metres per second	Yearly	TM-2
Volumetric flowrate	normalised cubic metres per second	Yearly	TM-2

POINT 15

Pollutant	Units of measure	Frequency	Sampling Method
Solid Particles	milligrams per cubic metre	Yearly	TM-15

Note: Special Method 1 means USEPA OTM-29.

M2.3 Water and/ or Land Monitoring Requirements

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POINT 12

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium	milligrams per litre	Yearly	Grab sample
Conductivity	microsiemens per centimetre	Yearly	Grab sample
Cyanide	milligrams per litre	Yearly	Grab sample
Fluoride	milligrams per litre	Yearly	Grab sample
pH	pH	Yearly	Grab sample
Total suspended solids	milligrams per litre	Yearly	Grab sample

M2.4 For the purposes of the Fluoride monitoring required for Point 1 in-line instrumentation means a continuous gaseous fluoride monitor.

M3 Testing methods - concentration limits

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

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

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.

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".

M4 Testing methods - load limits

Note: Division 3 of the *Protection of the Environment Operations (General) Regulation 2009* requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.

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M5 Recording of pollution complaints

- M5.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M5.2 The record must include details of the following:
- a) the date and time of the complaint;
 - b) the method by which the complaint was made;
 - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - f) if no action was taken by the licensee, the reasons why no action was taken.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M6 Telephone complaints line

- M6.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M6.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- a) a Statement of Compliance; and
 - b) a Monitoring and Complaints Summary.
- 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.
- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- 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

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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.

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

a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or

b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

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

R1.6 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.

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.

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.

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.

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

R2 Notification of environmental harm

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

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

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

R3 Written report

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- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
- and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
 - b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.
- R3.5 A noise compliance assessment report must be prepared every three years and submitted to the EPA with the Annual Return. The report must be prepared by an accredited acoustical consultant and must provide an assessment of compliance with Condition L5.2.

7 General Conditions

G1 Copy of licence kept at the premises or plant

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

8 Pollution Studies and Reduction Programs

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U1 Mixed Spent Pot Lining Trial

U1.1 For the duration of the Mixed Spent Pot Lining Trial, parameters that must be monitored and/or recorded include, but need not be limited to:

a) The names, contact details and qualifications and experience of the person(s) conducting and supervising the trial;

b) All process conditions for the trial including,

- i) quantity of Mixed Spent Pot Lining;
- ii) proportions of first and second cut Spent Pot Lining in each batch processed;
- iii) cullet, iron oxide and other additives per batch;
- iv) temperature profile of the rotary furnace during each batch processed;
- v) residence time of material within the rotary furnace;
- vi) fluoride emissions data during each batch processed.

c) Air quality monitoring must be conducted at discharge and monitoring Point 1 as required by Condition M2.1 of the licence, and must include the following additional pollutants and/or parameters:

- i) fine particulates;
- ii) chlorine;
- iii) particulate fluoride;
- iv) polycyclic aromatic hydrocarbons;
- v) volatile organic compounds;
- vi) Type 1 and Type 2 substances;
- vii) cyanide;
- viii) oxygen;
- ix) stack gas velocity;
- x) volumetric flow rate;
- xi) temperature; and
- xii) gas density.

All air quality emissions testing must be completed in accordance with the EPA's "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

d) For the duration of the Mixed Spent Pot Lining Trial, all air quality monitoring at discharge and monitoring Point 1 of the licence, including the additional parameters listed in c) above, must occur on a quarterly basis and when SPL material is being processed, with the exception of gaseous fluoride which must be monitored continuously.

e) ensure all Mixed Spent Pot Lining material is appropriately banded and covered to prevent the emission of spent potlining dust, flammable gases and the contamination of stormwater.

U1.2 The licensee notified the EPA that the trial commenced on 3 August 2015. The proposed trial must be completed within twelve (12) months (that is, by 2 August 2016).

U1.3 Within 90 days of the completion of the Mixed Spent Pot Lining Trial, the licensee must submit an air quality monitoring report which details the results of air emissions testing conducted during the trial including the information collected in U1.1 to the EPA's Regional Manager Hunter at PO Box 488G, Newcastle NSW 2300.

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Note: Definitions

Mixed Spent Pot Lining Trial - 12 month trial processing Mixed Spent Pot Lining in existing rotary furnaces as described in the assessment prepared by Weston Aluminium dated 30 November 2012, and approved 17 February 2013 by the Department of Planning and Infrastructure.

First Cut Spent Pot Lining - Spent Pot Lining originating from the carbon lining of Aluminium Reduction Cells (pots)

Second Cut Spent Pot Lining - Spent Pot Lining originating from the refractory lining of Aluminium Reduction Cells (pots)

Mixed Spent Pot Lining - Combination of first and second cut Spent Pot Lining.

9 Special Conditions

E1 Compliance audit

- E1.1 The licensee must conduct an independent compliance audit no less than once every three (3) years to assess and report on compliance with the conditions of this licence, including the adequacy of the documentation required by this licence. A report containing the audit findings must be submitted with the Annual Return.

E2 Trial destruction of illicit drugs and pharmaceutical waste

- E2.1 The licensee is to;
- a) Undertake a trial of the destruction of illicit drugs and pharmaceutical waste at the premises for a period of not more than 24 consecutive months (the trial period).
 - b) Ensure during the trial period that:
 - i) No more than 200 tonnes of illicit drug waste is received or processed on site; and
 - ii) No more than 1,000 tonnes of pharmaceutical waste is received, stored or processed at the premises.
- E2.2 The licensee must ensure that all pharmaceutical waste is stored in an enclosed (appropriately banded and covered) area to prevent the contamination of stormwater.
- E2.3 The licensee must notify the EPA's Regional Manager Hunter, in writing, at least two weeks prior to the commencement of, and within two weeks of the conclusion of, the trial destruction of illicit drugs and pharmaceutical wastes at the premises.
- E2.4 During the trial period and while the destruction of illicit drugs and/or pharmaceuticals is occurring, the

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licensee must:

- a) Carry out the monitoring and recording of air emissions for the following pollutants and stack emission conditions in addition to the monitoring requirements of any other licence condition:
Velocity, Temperature, Dry gas density, Moisture content, Solid particles, Hydrogen chloride, Metals, Dioxins and Furans, Polycyclic Aromatic Hydrocarbons, Carbon dioxide, Carbon monoxide, Oxides of Nitrogen, Oxides of Sulphur, Volatile Organic Compounds and Fluoride.
- b) Monitor fluoride and solid particle emissions via real time continuous monitoring and should any exceedance of the licence limits occur, cease waste processing immediately, and notify the EPA of the exceedance (via the Environment Line on 131555 and by email to hunter.region@epa.nsw.gov.au).
- c) Undertake air quality monitoring on a quarterly basis and whenever pharmaceutical and/or illicit drug wastes are being processed.
- d) Cease processing any pharmaceutical and/or illicit drug wastes and notify the EPA (via the Environment Line on 131555 and by email to hunter.region@epa.nsw.gov.au) if emission test results indicate that pollutant concentrations are greater than any limits set in this licence or the Protection of the Environment Operations (Clean Air) Regulation 2010.
- f) Monitoring and record all processing conditions during the operation of the trial including:
 - i) The names, contact details and qualifications and experience of the person(s) conducting and supervising the trial;
 - ii) The source of the pharmaceutical and drug wastes, a description of the wastes and the amount and date received of each load of waste accepted for disposal as part of the trial;
 - iii) All process conditions for the trial including the quantity of pharmaceutical and/or illicit drug waste in each batch processed, any other materials/additives processed in each batch, the temperature profile of the furnace during each batch processed and the residence time of the material within the furnace.
- g) During the processing of pharmaceutical and/or illicit drug wastes the licence limits and conditions at Monitoring Point 1 for Dioxins and Furans is the same as Monitoring Point 13, that is, 0.1 Nanograms per cubic metre (Note 2) Reference Conditions Dry, 273K, 1013kPa.

- E2.5 The licensee must prepare a report which provides the results of all monitoring conducted during the trial and the outcomes of the trial to the satisfaction of the EPA's Regional Manager Hunter. The report must:
- a) Be submitted to the EPA's Regional Manager Hunter within 90 days of the completion of the trial;
 - b) Detail the results of all monitoring conducted during the trial;
 - c) Compare the monitoring results obtained during the trial to the limits in the licence and in the EPA's air quality impact assessment criteria specified in the "Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC2005)"
 - d) Describe any anomalies in the monitoring data, and any exceedances of the licence limits or assessment criteria;
 - e) Characterise the trial outputs and describe how these products are to be managed and reused, recycled and/or disposed of;
 - f) Describe the findings of the trial;
 - g) Recommend any actions that could be taken to minimise pollutant emissions from the processing of pharmaceutical and illicit drug wastes; and
 - h) Discuss the possible options for future processing of pharmaceutical and illicit drug wastes at the premises.

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Dictionary

General Dictionary

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

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

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

Mr Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 26-April-2000

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End Notes

- 1 Licence varied by notice 1013185, issued on 28-Nov-2001, which came into effect on 23-Dec-2001.
- 2 Licence varied by notice 1014219, issued on 15-Apr-2002, which came into effect on 10-May-2002.
- 3 Licence varied by notice 1017402, issued on 30-Aug-2002, which came into effect on 24-Sep-2002.
- 4 Licence varied by notice 1026798, issued on 14-Aug-2003, which came into effect on 08-Sep-2003.
- 5 Licence varied by notice 1036624, issued on 02-Sep-2004, which came into effect on 27-Sep-2004.
- 6 Licence varied by notice 1051350, issued on 21-Feb-2006, which came into effect on 18-Mar-2006.
- 7 Licence varied by notice 1059849, issued on 14-Sep-2006, which came into effect on 14-Sep-2006.
- 8 Licence varied by notice 1068022, issued on 03-May-2007, which came into effect on 03-May-2007.
- 9 Licence varied by notice 1075595, issued on 04-Sep-2007, which came into effect on 04-Sep-2007.
- 10 Licence varied by notice 1079692, issued on 01-Nov-2007, which came into effect on 01-Nov-2007.
- 11 Licence varied by notice 1082016, issued on 18-Jan-2008, which came into effect on 18-Jan-2008.
- 12 Licence varied by notice 1084007, issued on 27-Mar-2008, which came into effect on 27-Mar-2008.
- 13 Licence varied by notice 1087174, issued on 14-May-2008, which came into effect on 14-May-2008.
- 14 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 15 Licence varied by notice 1093631, issued on 03-Dec-2008, which came into effect on 03-Dec-2008.
- 16 Licence varied by notice 1096523, issued on 01-May-2009, which came into effect on 01-May-2009.
- 17 Licence varied by notice 1106654, issued on 25-Sep-2009, which came into effect on 25-Sep-2009.
- 18 Licence varied by notice 1108647, issued on 13-Nov-2009, which came into effect on 13-Nov-2009.

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19	Licence varied by notice 1111022, issued on 01-Feb-2010, which came into effect on 01-Feb-2010.
20	Licence varied by notice 1111304, issued on 23-Jul-2010, which came into effect on 23-Jul-2010.
21	Licence varied by notice 1118230, issued on 10-Aug-2010, which came into effect on 10-Aug-2010.
22	Licence varied by notice 1501309 issued on 29-Aug-2011
23	Licence varied by notice 1502941 issued on 13-Dec-2011
24	Licence varied by notice 1507415 issued on 27-Jul-2012
25	Licence varied by notice 1508430 issued on 25-Sep-2012
26	Licence varied by notice 1510441 issued on 02-Jan-2013
27	Licence varied by notice 1512256 issued on 15-Mar-2013
28	Licence varied by notice 1519974 issued on 10-Jul-2014
29	Licence varied by notice 1531395 issued on 15-Jul-2015
30	Licence varied by notice 1534264 issued on 01-Oct-2015
31	Licence varied by notice 1535147 issued on 29-Oct-2015