

TABLE A3.2
Compliance Review – Environment Protection Licence 12290

Condition	Conditional Requirement	Compliance	Comments
A1.2	Carry out coal mining and crushing at specified premises at a scale >500 000 – 2 000 000t.	Yes	ROM coal production in 2007/2008 Reporting Period = 1,036,288t.
A4.1	Carry out works and activities in accordance with proposal contained in licence application.	Yes	Activities carried out generally in accordance with EIS which accompanied licence application.
L1.1	Comply with Section 120 of the POEO Act 1997 (re water quality).	No	Breach in void water structure. Dishcharge potentially contaminated water. Under Investigation by DECC.
L3.1	Comply with concentration limits: Oil and Grease 10 mg/L pH 6.5 – 8.5 TSS 50 mg/L	No	20-21 August 2007 TSS during wet weather discharges 60mg/L(Point 10), 110mg/L (Point 12) and 125mg/L (Point 13). 20-21 August 2007 during wet weather discharges 92mg/L (QC-Up), 165mg/L (WC-Up), 125mg/L (QC-Down), 690mg/L (WC-Down). 5 February 2008 PH during wet weather discharge 9.0 (Point 10).
L5.1	Ensure no waste receipt or disposal at premises, except as permitted by licence.	Yes	No wastes are received at the site and virtually all wastes are removed from site.
L6.1	Ensure noise compliance: (a) $L_{Aeq(15min)}$ criterion of 40dB(A) (7am-6pm) Mon-Friday, & (7am-1pm) Sat; and (b) $L_{Aeq1(1min)}$ noise emission criterion of 45dB(A) at night (midnight to 7am and 10pm to midnight Monday to Saturday and midnight to 8am and 10pm to midnight Sundays and Public Holidays), and (c) $L_{Aeq(15min)}$ criterion of 35dB(A) at all other times.	No	See Appendix 7 Spectrum Acoustics Reports and Section 3.10.
L6.2	To determine compliance, measure noise within 30m of noise sensitive residences or receptors.	Yes	All monitoring is conducted within 30m of each residence.
L7.1	Carry out production and processing activities (except highwall mining) between 7am-10pm Monday-Friday, 8am – 6pm Saturday and at no time on Sunday or public holidays.	Yes	Construction completed.

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L7.2	Activities at premises, other than construction work, is only carried out at the times specified for Stage 1 Permitted Operating Hours except as permitted by condition L7.3.	Yes	Stage 1 completed.
L7.3	Activities at premises, other than construction work were only carried out at times specified for Stage 2 – Permitted Operating Hours after: <ul style="list-style-type: none"> a) completion of pollution reduction study b) results of pollution reduction study demonstrate full compliance with noise limits set by EPA's Industrial Noise Policy and c) obtained written approval for EPA for project to progress to Stage 2. 	Yes	
L8.1	Do not exceed blasting overpressure levels: <ul style="list-style-type: none"> • 115dBL for more than 5% of total number of blasts over 12 months. • 120dBL at any time. 	Yes No	15/05/2007 overpressure exceedance 121.4 dBL "Railway View" was recorded and reported to EPA. 03/07/2007 overpressure exceedance 121.9 dBL "Railway View" was recorded and reported to EPA.
L8.2	Do not exceed vibration particle velocity from blasting by: <ul style="list-style-type: none"> (a) 5mm/s for more than 5% of total blasts during reporting period; and (b) 10mm/s at any time; At any point within 30m of any affected residential boundary or noise sensitive location.	Yes Yes	. All blast monitors positioned within 30m to the nominated residences (typically 5m to 20m).
L8.3	Carry out blasting between 9am-5pm, Monday-Friday, and not on Sundays or public holidays.	Yes	See Appendix 6 - Blast Monitoring Results.
L8.5	1 Blast on each day only is permitted	Yes	See Appendix 6 - Blast Monitoring Results.

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O1.1	Carry out licensed activities in a competent manner, i.e. (a) processing, handling, movement and storage of materials and substances; and (b) treatment, storage, processing, reprocessing, transport and disposal of generated waste.	Yes Yes	
O2.1	Maintain and operate all plant and equipment at premises in proper and efficient condition.	Yes	All plant and equipment is closely monitored and regularly serviced by MME and WCC.
O3.1	Minimise or prevent emission of dust from the premises.	Yes	Dust emissions are successfully minimised (unable to “prevent” dust emission) principally through watering and progressive rehabilitation.
O3.2	Trucks transporting coal from site must be covered immediately after loading and maintain until immediately before unloading.	Yes	
O4.1	Prepare and implement Erosion and Sediment Control Plan.	Yes	In Site Water Management Plan prepared in April 2005 and approved by DIPNR 07/04/2005. Revised Site Water Management Plan updated February 2008.
O5.1	Prepare and implement Stormwater Management Plan.	Yes	In Site Water Management Plan prepared in April 2005 and approved by DIPNR 07/04/2005.
O6.1	Waste water only be applied to Point 15 (defined in condition P1.3)	Yes	
O6.2	Spray from waste water application must not drift beyond the boundary of the waste water utilisation area.	Yes	
O7.1	Effective use of waste water	Yes	
O8.1	Prepare and implement a Noise Management Plan.	Yes	Plan prepared in March 2005 and approved by DIPNR 07/05/2005.
O8.2	Prepare and implement a Blasting Management Plan.		Plan prepared in June 2005 and approved by DIPNR 15/04/2005.
O8.3	Reversing beepers fitted to vehicles must be mid-high frequency broadband	Yes	Confirmed February 2008.
M1.1	Record and retain monitoring results required as per this licence.	Yes	Monitoring results documented in the AEMR and held on internal databases.

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M1.2	Keep all monitoring records associated with this licence: (a) in a legible form; (b) for at least 4 years; for production to any EPA authorised officer.	Yes	Monitoring results documented in the AEMR and held on internal databases.
M1.3	Keep the following records in respect to samples required: (a) sampling date; (b) sampling time; (c) sampling location; and (d) sample collector's name.	Yes Yes Yes Yes	Monitoring results documented in the AEMR and held on internal databases. Details on COC forms forwarded to Laboratory.
M2.1	Monitor each monitoring point for pollutants as specified in licence.	No	Air quality and dust monitoring parameters are consistent with licence. HVAS sampling not carried out on 17 th February 2008 at all PM10 sites. HVAS Sampling not carried out on 29 th February 2008 and 30 th March 2008 at Point 3.
M3.1	Monitor air pollutants in accordance with the Approved Methods publication or as approved by EPA.	Yes	Test method used (AS3580-10-1991) meets EPA requirements.
M3.2	Monitor pollutants discharged to waters in accordance with the Approved Methods publication or as approved by EPA.	Yes	Three discharges.
M4.1	Keep a legible record of all complaints re pollution arising from licenced activity.	Yes	Complaints register maintained.
M4.2	Keep the following records of complaints. (a) date and time of complaint; (b) method complaint made; (c) any personal details of complainant; (d) nature of complaint; (e) licensee's action in response, any follow-up contact; and (f) if no action – reason why.	Yes Yes Yes Yes Yes Yes	Complaints records are compiled in accordance with the condition.
M4.3	Keep records of complaints for 4 years.	Yes	All records have been kept to date.

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M4.4	Present records to EPA upon request.	Yes	All records would be made available to the EPA upon request.
M5.1	Operate telephone complaints line for receipt of complaints from the public.	Yes	WCC operates a complaints hotline on telephone No (02) 6768 7001.
M5.2	Notify the public of the complaints telephone line number.	Yes	Advertisement in local paper.
R1.1	Complete and supply Annual Return to EPA comprising: (a) Statement of Compliance; (b) Monitoring & Complaints Summary.	Yes	Current return completed by due date of 30th May 2008.
R1.5	Provide EPA with Annual Return no later than 60 days after end of each reporting period.	Yes	Return submitted within the nominated 60 day period.
R1.7	Retain copy of Annual Return for 4 years.	Yes	All annual returns kept on file.
R1.8	Certify the Statement of Compliance within the Annual Return and sign the Monitoring and Complaints Summary by: (a) licence holder; or (b) approved person.	Yes	Document certified and signed by a Director and the Company Secretary.
R2.1	Notify EPA of threatening or harmful incidents as soon as practicable by phoning EPA's Pollution Line service.	Partial	Notified EPA of overpressure exceedance 15/05/2007 and 03/07/2007.
R2.2	Provide written details of the incident to EPA within 7 days of incident.	Yes	Written details provided.
R3.1	Upon an EPA officer suspecting that an event is causing or likely to cause environmental harm: (a) at the premises; or (b) in connection with vehicles or plant associated with the licenced activities; a request may be made for a written report of the event.	Yes	Written reports submitted to EPA.
R3.2	WCC make inquiries in relation to the event and supply the report to the EPA within the time specified.	Yes	

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R3.3	The report may be required to include: (a) event cause, time and duration; (b) type, volume and concentration of every pollutant discharged; (c) contact details of employees or agents of licensee who witnessed event; (d) contact details of any other persons witnessing the event; (e) the action taken and follow-up contact with complainants in relation to event; (f) mitigation measures proposed to prevent recurrence; (g) any other relevant matters.	Yes	
R3.4	EPA may request further details – must be supplied within specified time.	Yes	Mine Dewatering Dam details supplied to EPA upon Request After receiving notice to provide Information.
G1.1	Retain a copy of this licence at premises to which the licence applies.	Yes	Retained in the Werris Creek Coal Site Office.
G1.2	Produce licence to EPA officer upon request.	Not Yet Applicable	WCC personnel will produce the licence upon request.
G1.3	Make licence available for inspection by any employee or agent of licensee working at premises.	Yes	Licence is located in Werris Creek Coal Site Office. If required, WCC personnel would produce the licence upon request.

Filename: Appendix 3 - Table A3-2 compliance
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2008\Appendices
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