

Registration certificate

Environmental Protection Act 1994

Certificate of Registration

No: ENRE00722007

This registration certificate is issued by the administering authority and is a replacement document for the original approval issued on: 6 October 2008.

The anniversary day for the purposes of the Annual Return remains: 13 November.

This registration certificate is a requirement of section 73F of the *Environmental Protection Act 1994* and authorises the registered operator to undertake the activities listed below at the following place subject to the conditions set out in a development approval attached to the premises, or the relevant code of environmental compliance.

Registered Operator:-
Ms Beryl Neilsen
"Winchester Downs"
MORANBAH QLD 4744

Development Approval: IPCE00121505D11

Place:-

Lot 5 Plan CNS90 FH

Located at:-

Winchester Downs

Registered Activity/ies: -

ERA 16 Extractive and screening activities Threshold 2(b) - extracting, other than by dredging, in a year, 5000t to 100000t of material

ERA 16 Extractive and screening activities Threshold 3(a) - screening, in a year, 5000t to 100000t of material



Delegate
Administering authority
Environmental Protection Act 1994
21/12/09

Notice of decision – Change to an existing approval

This notice is issued by the Environmental Protection Agency pursuant to Section 3.5.33 of the Integrated Planning Act 1997 to advise of a decision or action.

Mr Rod Sercombe
Mackay Sand and Gravel Sales
PO Box 101
MACKAY QLD 4740

cc: Chief Executive Officer
Broadsound Shire Council
PO Box 1
ST LAWRENCE QLD 4707

Our reference: 202975

Dear Mr Sercombe

**Re: Application to change or cancel a condition of your concurrence agency response permit
number IPCE00121505D11**

The Environmental Protection Agency (EPA), acting as concurrence agency, wishes to advise that your request to change or cancel a condition of your existing concurrence agency response [Permit Ref: IPCE00121505D11], received on 8 November 2007, has been assessed, and on 19 December 2007 was granted.

1. Your application requested:

Change or cancel conditions:

To include the authorisation of blasting on IPCE00121505D11.

2. The details of the original approval were:

Property/Location: :

Street address - Winchester Downs
Lot/Plan - Lot 5 Plan CNS90 FH

3. Your application has been approved to the extent detailed below:

Schedule D – Noise and Vibration

Current Condition (D1 – 2):

(D1 – 2) All noise from activities must not exceed the levels specified in Schedule D – Table 1 at any noise affected premises.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Environmental Protection Agency and the Queensland Parks and Wildlife Service

Replaced with amended condition:

- (D1 – 2) All noise from activities must not exceed the levels specified in Schedule D – Table 1 and Table 2 - Airblast Overpressure Level at any nuisance sensitive or commercial place

Schedule D - Table 1 (Noise limits)

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
	Noise measured at a 'Noise sensitive place'					
LA10, adj, 10 mins	45	40	30	45	40	30
LA1, adj, 10 mins	50	45	35	50	45	35
	Noise measured at a 'Commercial place'					
LA10, adj, 10 mins	50	45	35	50	45	35
LA1, adj, 10 mins	55	50	40	55	50	40

Table 2 - Airblast Overpressure Level

Location	Monday to Friday 9am -3 pm	Saturdays, Sundays and public holidays
Sensitive or commercial place	Air blast overpressure level of 115 db (linear peak.) for nine (9) out of ten (10) consecutive blasts initiated, regardless of the interval between blasts and not greater than 120 db (linear peak) at any time.	No blasting to occur

Current Condition (D2 – 1):

- (D2-1) When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

- LA 10, adj, 10 mins
- LA 1, adj, 10 mins
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

Replaced with amended condition:

- (D2- 1) When requested by the administering authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the

RC 19/12/07

administering authority. Monitoring must include:

- airblast overpressure (dB (Lin) Peak);]
- LA 10, adj, 10 mins
- LA 1, adj, 10 mins
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

The following conditions have been added to development permit JPCE00121505D11:

Blasting - General

(D3 -1) Blasting must only occur within the hours of 9:00 am and 3:00 pm Monday to Friday.

Vibration nuisance

(D4 - 1) Vibration emitted from the activity must not cause an environmental nuisance at any nuisance sensitive place or commercial place.

(D4 - 2) Blasting operations must be carried out in such a manner that if ground vibration should propagate to a noise sensitive place:

(a) the ground-borne vibration must not exceed a peak particle velocity of 5mm per second for nine out of any 10 consecutive blasts initiated, regardless of the interval between blasts; and

(b) the ground-borne vibration must not exceed a peak particle velocity of 10mm per second for any blast.

Vibration monitoring

(D5 - 1) When requested by the Administering Authority, noise and vibration monitoring and recording must be undertaken to investigate any complaint of nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

- a) maximum instantaneous change (MLC) in kg;
- b) airblast overpressure level, dB (linear) peak;
- c) peak particle velocity (mm/s³); and
- d) location of the blast/s within the site (including which bench level); and
- e) meteorological conditions (including temperature, relative humidity, temperature gradient, cloud cover, wind speed and direction)the level and frequency of occurrence of impulsive or tonal noise;
- f) distance/s from the blast site to noise affected building/s, structure/s or the boundary of any noise sensitive place.
- g) effects due to extraneous factors; and
- h) location, date and time of recording.

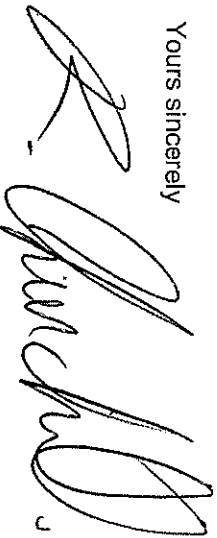
Re 19/12/07

- (D5 - 2) The ground-borne vibration transducer (or array) must be attached to a mass of at least 30 kg to ensure good coupling with the ground where the blast site and the measurement site cannot be shown to be on the same underlying strata. The mass must be buried so that its uppermost surface is at the same level as the ground surface.
- (D5 - 3) The ground-borne vibration transducer (or array) must be placed at a distance of at least the longest dimension of the foundations of a noise-affected building or structure away from such building or structure and between that building or structure and the site of the blasting.

An attached extract from the *Integrated Planning Act 1997* details your appeal rights regarding this decision. You should seek independent advice to confirm all your available avenues.

Should you require any further information please contact Shantale Ianna the project manager, on the telephone number listed below.

Yours sincerely



Ricci Churchill
Delegate
Environmental Protection Agency

19/12/07

Enquiries:

Mackay District Office (EPA)
PO Box 623 MACKAY QLD 4740
Phone: (07) 4944 7812
Fax: (07) 4944 7836



Concurrence Agency Response

Section 3.3.16 and 3.3.18 Integrated Planning Act 1997

Applicant:	Millennium Coal Pty Ltd
Assessment Manager	DA05007
Application number:	
EPA Development	IPCE00121505D11
Application number:	
Date application received by EPA:	7 February 2005
Relevant Laws and Policies:	<i>Environmental Protection Act 1994</i> and subordinate legislation
Jurisdiction::	Item 7 of Schedule 2 of the <i>Integrated Planning Regulation 1998</i>

Development Description:

Carrying out of Environmentally Relevant Activity (ERA):

20(b) Extracting rock or other material - Extracting rock (other than rock mined in block or slab form for building purposes), sand (other than foundry sand), clay (other than clay used for its ceramic properties, kaolin or bentonite), gravel, loam or other material (other than gravel, loam or other material under a mining authority) from a pit or quarry using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, per year

22(b) Screening etc. materials - Screening, washing, crushing, grinding, milling, sizing or separating material extracted from the earth (other than under a mining authority) or by dredging using plant or equipment having a design capacity of 5 000 t or more, but less than 100 000 t, per year.

at the following place(s):

Lot 5 on CNS90

located at:

Winchester Downs

Type of development

Material change of use of premises is:

- the start of a new use of the premises

Response to Development Application

The Environmental Protection Agency, acting as a concurrence agency under the *Integrated Planning Act 1997*, provides its response to the application detailed above.

The concurrence agency response is that conditions must attach to any development approval

Reasons for inclusion of development conditions or refusal

In accordance with section 3.3.18(7) of the *Integrated Planning Act 1997* and section 27B of the *Acts Interpretation Act 1954*, a concurrence response must include reasons for a refusal or for the inclusion of development conditions. The Environmental Protection Agency is recognised as a concurrence agency under the *Integrated Planning Amendment Regulation (No. 1) 1998* for the protection of the environment against the release or potential release of contaminants that will or may cause environmental harm. Development conditions placed on the development approval for the environmentally relevant activity are in accordance with section 79 of the *Environmental Protection Act 1994* (the *EP Act*).

The Environmental Protection Agency concurrence agency conditions for this proposed development that are contained within this response, are required in accordance with section 92 of the *EP Act* and are relevant to the object and policies pertaining to the *EP Act*.

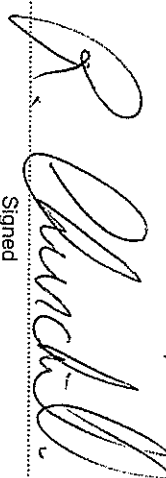
Additional comments or advice about the application

Nil

Additional information for applicants

This concurrence response pursuant to section 79 the *EP Act* applies only to the environmentally relevant activity(ies) component of the development and does not remove the need to obtain any further approval for this development which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities for such approvals as may be required.

It is a requirement of the *Environmental Protection Act 1994* that if the owner or occupier of this site becomes aware a Notifiable Activity (as defined under schedule 2 of the *Environmental Protection Act 1994*) is being carried out on this land or that the land has been affected by a hazardous contaminant, they must, within 30 days after becoming aware the activity is being carried out, give notice to the Environmental Protection Agency. A list of Notifiable Activities is provided within Schedule 2 of the *Environmental Protection Act 1994*.


Signed

7 March 2005
Date

Ricci Churchill
District Manager
Delegate of Administering Authority
Environmental Protection Act 1994



Conditions of the development approval

As part of the concurrence agency response the following schedules of development conditions are to be attached to the development approval:

The aforementioned description of the environmentally relevant activity (ERA) for which this development approval is issued is simply a restatement of the activity as prescribed in the legislation at the time of issuing this development approval. Where there is any conflict between the above description of the ERA for which this development approval is issued and the conditions as specified in this development approval as to the scale, intensity or manner of carrying out of the ERA, then such conditions prevail to the extent of the inconsistency.

This development approval authorises the ERA. It does not authorise environmental harm unless a concurrence agency condition within this development approval explicitly authorises that harm. Where there is no condition or the development approval is silent on a matter, the lack of a condition or silence shall no be construed as authorising harm.

- Schedule A - Activity
- Schedule B - Air
- Schedule C - Water
- Schedule D - Noise
- Schedule E - Waste
- Schedule F - Land
- Schedule G - Community
- Schedule H - Definitions
- Schedule I - Maps / Plans

Schedule A - Activity

Prevent and /or minimise likelihood of environmental harm

- (A1-1) In carrying out the environmentally relevant activities, you must take all reasonable and practicable measures to prevent and / or to minimise the likelihood of environmental harm being caused. Any environmentally relevant activity, that, if carried out incompetently, or negligently, may cause environmental harm, in a manner that could have been prevented, shall be carried out in a proper manner in accordance with the conditions of this approval.

NOTE: This approval authorises the environmentally relevant activity. It does not authorise environmental harm unless a condition contained within this approval explicitly authorises that harm. Where there is no condition or the approval is silent on a matter, the lack of a condition or silence shall not be construed as authorising harm.

Records

- (A5-1) Record, compile and keep all monitoring results required by this document and present this information to the administering authority when requested, in a specified format.



Acid sulphate soils (ASS)

(A7-1)

You must comply with the latest edition of the Queensland Environmental Protection Agency's INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULFATE SOILS, 2001, produced by the Queensland Environmental Protection Agency in consultation with the Department of Natural Resources and Mines and the Department of Primary Industries.

(A7-2)

Acid sulfate soils must be managed such that contaminants are not directly or indirectly released, as a result of the activity, to any waters or the bed and banks of any waters.

Scope of Approval

(A8-1)

This Development Approval applies to the extraction of 14 000 m³ of material per year using methods other than blasting.

Integrated Environmental Management System (IEMS)

(A9-1)

Prior to the commencement of any environmentally relevant activity ('the activities') under this environmental authority, the holder of this environmental authority must:

- develop an Integrated Environmental Management System (IEMS) which provides for the effective management by the holder of the actual and potential environmental impacts resulting from the carrying out of the activities; and
- implement and maintain the IEMS from the commencement of carrying out the activities.

(A9-2)

The IEMS must provide for at least the following functions:

- Training staff in the awareness of environmental issues related to carrying out the activities, which must include at least:
 - The environmental policy of the holder, so that all persons that carry out the activities are aware of all relevant commitments to environmental management; and
 - Any relevant environmental objectives and targets, so that all staff are aware of the relevant performance objectives and can work towards these; and
- Control procedures to be implemented for routine operations for day to day activities to minimise likelihood of environmental harm, however occasioned or caused; and
- Contingency plans and emergency procedures to be implemented for non-routine situations to deal with foreseeable risks and hazards including corrective responses to prevent and mitigate environmental harm (including any necessary site rehabilitation); and
- Organisational structure and responsibility to ensure that roles, responsibilities and authorities are appropriately defined to manage environmental issues effectively; and
- Effective communication to ensure two-way communication on environmental matters between operational staff and higher management;
- Their obligations in respect of monitoring, notification and record keeping obligations under the IEMS and relevant environmental authorities and/or development approvals; and
- Monitoring of the release of contaminants into the environment including procedures, methods, record keeping and notification of results;
- Conducting assessment of the environmental impact of any release of contaminants into the environment;
- Periodic conduct of energy audits and review of environmental performance and procedures adopted, not less frequently than once every 5 years; and
- Waste prevention, treatment and disposal; and
- A program for continuous improvement.



- (A9-3) The holder of this environmental authority must not implement or amend an IEMS (including any environmental management plan) that contravenes any condition of this environmental authority or any development condition applicable to carrying out the activities.

END OF CONDITIONS FOR SCHEDULE A

Schedule B - Air

Nuisance

- (B1-2) The release of noxious or offensive odours or any other noxious or offensive airborne contaminants resulting from the activity must not cause a nuisance at any odour sensitive place.

Dust nuisance

- (B2-1) The release of dust and/or particulate matter resulting from the activity must not cause an environmental nuisance at any dust sensitive place.

- (B2-2) Exceedence of any of the following levels when measured at any dust sensitive place is an environmental nuisance for the purposes of condition B2-1.

- Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 1991; OR
- A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (μm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a dust-sensitive place downwind of the site, when monitored in accordance with:
 - Australian Standard AS 3580.9.6 'Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method'; or
 - any alternative method of monitoring PM10 which may be permitted by the 'Air Quality Sampling Manual' as published from time to time by the administering authority.

(B2-3) When requested by the Administering Authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include:

- for a complaint alleging dust nuisance, dust deposition; and
- for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (μm) (PM10) suspended in the atmosphere over a 24hr averaging time.

END OF CONDITIONS FOR SCHEDULE B

Schedule C - Water

Erosion protection measures and sediment controls

- (C2-1) Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment. The size of any sedimentation dam must be sufficient to contain the run-off expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.

- (C2-2) Prevent the release of sediment to waters or a build up of sediment in any stormwater drain.

Release to waters

- (C3-1) Contaminants must not be released from the site to any waters or the bed and banks of any waters.

Stormwater management

- (C5-1) There must be no release of stormwater runoff that has been in contact with any contaminants at the site to any waters, roadside gutter or stormwater drain.

END OF CONDITIONS FOR SCHEDULE C

Schedule D - Noise and vibration

Noise nuisance

- (D1-1) Noise from activities must not cause an environmental nuisance at any noise affected premises.
(D1-2) All noise from activities must not exceed the levels specified in Schedule D - Table 1 at any noise affected premises.

Schedule D - Table 1 (Noise limits)

Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays		
	7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am
Noise measured at a 'Noise sensitive place'						
L _{A10} , adj, 10 mins	45	40	30	45	40	30
L _{A1} , adj, 10 mins	50	45	35	50	45	35
Noise measured at a 'Commercial place'						
L _{A10} , adj, 10 mins	50	45	35	50	45	35
L _{A1} , adj, 10 mins	55	50	40	55	50	40



Noise monitoring

(D2-1) When requested by the Administering Authority, noise monitoring must be undertaken to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority. Monitoring must include:

- L_A 10, adj, 10 mins
- L_A 1, adj, 10 mins
- the level and frequency of occurrence of impulsive or tonal noise;
- atmospheric conditions including wind speed and direction;
- effects due to extraneous factors such as traffic noise; and
- location, date and time of recording.

(D2-2) The method of measurement and reporting of noise levels must comply with the latest edition of the Environmental Protection Agency's Noise Measurement Manual.

END OF CONDITIONS FOR SCHEDULE D

Schedule E - Waste

There are no conditions prescribed for this Schedule.

END OF CONDITIONS FOR SCHEDULE E

Schedule F - Land

Land rehabilitation

(F1-1) The authorised place must be rehabilitated (including all disturbed areas such as slopes, borrow pits, stockpile and screening areas) in a manner such that:

- suitable native species of vegetation are planted and established;
- potential for erosion of the site is minimised;
- the quality of stormwater, water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium, and total manganese are not likely to cause environmental harm;
- the likelihood of environmental nuisance being caused by release of dust is minimised;
- the water quality of any residual water bodies meets criteria for subsequent uses and does not have potential to cause environmental harm;
- the final landform is stable and not subject to slumping; and
- any actual and potential acid sulfate soils in or on the site are either not disturbed; or, submerged, or treated so as to not be likely to cause environmental harm.

(F1-2) Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced.



Preventing contaminant release to land

- (F3-1) Contaminants must not be released to land.
- (F3-2) Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.

NOTE: All petroleum product storage's must be designed, constructed and maintained in accordance with AS 1940 - Storage and Handling of Flammable and Combustible Liquids.

END OF CONDITIONS FOR SCHEDULE F

Schedule G - Community

Complaint response

- (G1-1) All complaints received must be recorded including investigations undertaken, conclusions formed and action taken. This information must be made available to the administering authority on request.

END OF CONDITIONS FOR SCHEDULE G

Schedule H - Definitions

Words and phrases used throughout this licence or development approval are defined below:

Where a definition for a term used in this approval is sought and the term is not defined within this approval the definitions provided in the *Environmental Protection Act 1994*, its regulations, and Environmental Protection Policies shall be used.

Word Definitions

"administering authority" means the Environmental Protection Agency or its successor.

"you" means the holder of this Environmental Authority or owner / occupier of the land which is the subject of this Development Approval.

"site" means the place to which this environmental authority relates or the premises to which this development approval relates.

"authorised place" means the place authorised under this environmental authority/development approval for the carrying out of the specified environmentally relevant activities.

"this authority" means this environmental authority/development approval.

"authority" means level 1 licence (without development approval), or level 1 approval (without development approval), or level 2 approval (without development approval) under the *Environmental Protection Act 1994*.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*

"dust sensitive place" means -

- a dwelling, mobile home or caravan park, residential marina or other residential place;
- a motel, hotel or hostel;
- a kindergarten, school, university or other educational institution;
- a medical centre or hospital;
- a protected area;
- a park or gardens; or

- a place used as an office or for business or commercial purposes. and includes the curtilage of any such place.

"odour sensitive place" has the same meaning as a "dust sensitive place"

"dwelling" means any of the following structures or vehicles that is principally used as a residence-

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

"noxious" means harmful or injurious to health or physical well being.

"offensive" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

"nuisance sensitive place" includes -

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or
- a public thoroughfare, park or gardens; or
- a place used as a workplace, an office or for business or commercial purposes. and includes a place within the curtilage of such a place reasonably used by persons at that place.

" $L_{A10, adj, 10 mins}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

" $L_{A1, adj, 10 mins}$ " means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response

" $L_{A, max adj, T}$ " means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

"noise affected premises" means a "noise sensitive place" or a "commercial place"

"noise sensitive place" means -

- a dwelling, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or
- a protected area; or
- a park or gardens. and includes the curtilage of such place.

"commercial place" means a place used as an office or for business or commercial purposes.

"intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration -

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.



In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 - 1997 Acoustics - Description and Measurement of Environmental Noise Part 2 - Application to Specific Situations.

"protected area" means -

- a protected area under the Nature Conservation Act 1992; or
- a marine park under the Marine Parks Act 1992; or
- a World Heritage Area.

"waters" includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

"dredge spoil" means material taken from the bed or banks of waters by using dredging equipment or other equipment designed for use in extraction of earthen material.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"mg/L" means milligrams per litre.

"vibration sensitive place" means a noise sensitive place or a commercial place.

"annual return" means the return required by the annual notice (under section 316 of the Environment Protection Act, 1994) for the section 86(2) licence that applies to the development approval.

END OF DEFINITIONS FOR SCHEDULE H

Schedule I - Maps / Plans

There are no attachments to this schedule.

END OF CONDITIONS FOR SCHEDULE I

END OF CONCURRENCE AGENCY RESPONSE