Permit[1]

Environmental Protection Act 1994

Environmental authority

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Permit[1] number: EPPR00412013

Environmental authority takes effect 01 February 2016.

The anniversary date of this environmental authority is 22 August. An annual return and the payment of the annual fee will be due each year on this day.

Environmental authority holder(s)

Name	Registered address
EDL (OCI) Pty Limited	Garden City Office Park Building 17, 2404 Logan Road EIGHT MILE PLAINS QLD 4113

Environmentally relevant activity and location details

Environmentally relevant activity(ies)	Location(s)
14-(1) Electricity generation >10MW gas	Oaky North Mine, Grasstree Road - Lot 5 Plan TT450

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority is issued is a restatement of the ERA as defined by legislation at the time the approval is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an environmental authority as to the scale, intensity or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority specifically authorises environmental harm.
A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of land give written notice to the chief executive if they become aware of the following:

- a notifiable activity (as defined in Schedule 3) that is being, or has been, carried out on the land (notice must be given within 20 business days)
- an event involving a hazardous contaminant on the land, or a change in the condition of the contaminated land, that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours).

For further information, including the form for giving written notice, refer to the Queensland Government website http://www.qld.gov.au/ (using the search term 'managing contaminated land').

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

	1 - FEB - 2016
Signature	Date

James Mackenzie
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Department of Environment and Heritage Protection
GPO Box 2454
BRISBANE QLD 4001
Phone: 1300 130 372
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Obligations under the *Environmental Protection Act 1994*
In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Conditions of environmental authority

Environmentally relevant activity(ies)	Location(s)
14-(1) Electricity generation >10MW gas	Oaky North Mine and Grasstree Road - Lot 5 Plan TT450

The environmentally relevant activity(ies) conducted at the location as described above must be conducted in accordance with the following site specific conditions of approval.

Agency interest: General	
Condition number	**Condition**
A1	**Prevent and /or minimise likelihood of environmental harm** In carrying out the environmentally relevant activities (ERA) to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused. Any ERA, 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.
A2	**Maintenance of measures, plant and equipment** The operator of the ERA to which this approval relates must: a) install all measures, plant and equipment necessary to ensure compliance with the condition of this environmental authority; and b) maintain such measures, plant and equipment in a proper and efficient condition; and c) operate such measures, plant and equipment in a proper and efficient manner.
A3	**Alterations** No change, replacement or operation of any plant or equipment is permitted if the change, alteration or operation of the plant or equipment increases, is likely to substantially increase the risk of environmental harm or environmental nuisance.
A4	**Site based management plan** From commencement of an ERA to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of the ERA carried out.

A5	The SBMP must address the following matters: a) environmental commitments — a commitment by senior management to achieve specified and relevant environmental goals; b) identification of environmental issues and potential impacts; c) control measures for routine operations to minimise likelihood of environmental harm; d) contingency plans and emergency procedures for non-routine situations; e) organisational structure and responsibility; f) effective communication; g) monitoring of the contaminant releases; h) staff training; i) record keeping; and j) periodic review of environmental performance and continual improvement.
A6	The holder of this environmental authority must not implement a SBMP that contravenes any condition of this environmental authority or any development condition applicable to carrying out the ERA.
A7	**Operational management system** From the commencement of the ERA, an Operational Management System (OMS) must be implemented. The OMS must identify: a) all sources of environmental harm, including but not limited to the actual and potential release of all contaminants; and b) the potential impact of these sources and what action actions will be taken to prevent the likelihood of environmental harm being caused;
A8	The OMS must also provide for the review and 'continual improvement' in the overall environmental performance of all ERA that are carried out.
A9	**Records** Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested, in a specified format.
A10	All records required by this approval must be kept for 5 years.
A11	**Notification** Telephone the Department of Environment and Heritage Protection Pollution Hotline as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval
A12	A written notice detailing the following information must be provided to the Department of Environment and Heritage Protection within 14 days of any advice provided in accordance with A11: a) the name of the operator, including their approval/registration number; b) the name and telephone number of a designated contact person; c) quantity and substance released; d) vehicle and registration details (if applicable); e) person/s involved; f) the location and time of the release; g) the suspected cause of the release; h) a description of the effects of the release; i) the results of any sampling performed in relation to the release; j) actions taken to mitigate any environmental harm caused by the release; and k) proposed actions to prevent a recurrence of the release.
A13	**Equipment calibration** All instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this approval must be calibrated, and appropriately operated and maintained.

A14	**Trained / Experienced operator(s)** The daily operation of the ERA must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of that system and control equipment.
Agency interest: Air	
Condition number	**Condition**
B1	**Nuisance** 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 nuisance sensitive or commercial place.
B2	**Dust nuisance** The release of dust and/or particulate matter resulting from the ERA must not cause an environmental nuisance at any nuisance sensitive or commercial place.
B3	Dust and particulate matter must not exceed any of the following levels when measured at any nuisance sensitive or commercial place. a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10 of 2003; and b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (µm) (PM10) suspended in the atmosphere of 150 micrograms per cubic metre over a 24 hour averaging time, at a nuisance sensitive or commercial place downwind of the site, when monitored in accordance with: i) Australian Standard AS 3580.9.6 of 2003 Ambient air - Particulate matter - Determination of suspended particulate PM10 high-volume sampler with size-selective inlet - Gravimetric method; and ii) 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.
B4	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: a) for a complaint alleging dust nuisance, dust deposition; and b) 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.
B5	**Dust control** Unsealed trafficable areas must be maintained using all reasonable and practicable measures to minimise the release of windblown dust or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to sealing with bitumen, gravel or other suitable material, keeping surfaces clean and use of water sprays.
B6	**Release of contaminants to the atmosphere** Except as otherwise provided by the conditions of this environmental authority, the ERA must be carried out by such reasonable and practicable means which may be necessary to prevent or minimise the release of contaminants to the atmosphere.
B7	Combustion efficiency of at least five engines per year must be monitored to ensure that each unit complies with the manufactures specifications. The results of monitoring must be submitted to the Department of Environment and Heritage Protection with the annual return.
B8	Within any four year period all engines must undergo combustion efficiency monitoring.

<table>
<tr><td>B9</td><td>Contaminants must not be released to the atmosphere from any individual power station engine other than:
a) in accordance with the manufactures specifications, and
b) directed vertically upwards, with no impedance.</td></tr>
<tr><td>B10</td><td>The release of contaminants to the atmosphere from a point source must occur from those release points identified in Table 1 — Release of contaminants and must be directed vertically upwards without any impedance or hindrance.</td></tr>
<tr><td>B11</td><td>Contaminants must be monitored at the rate specified in Table 1 — Release of contaminants.</td></tr>
<tr><td>B12</td><td>Contaminants must only be released to the atmosphere from a release point at a height and velocity not less than the corresponding height and velocity stated for that release point in Table 1 — Release of contaminants.
Table 1 - Release of contaminants
<table>
<tr><th>Release point number</th><th>Minimum release height (meters above ground)</th><th>Minimum velocity (m/sec)</th><th>Contaminant release</th><th>Maximum release limit</th><th>Monitoring frequency</th></tr>
<tr><td>Release Point 1 to 21</td><td>7.5</td><td>25</td><td>Nitrogen Oxides</td><td>500mg/Nm^3 at 5% O_2, dry</td><td>6 monthly; however, when compliance with the limits prescribed in Table 1 -Release of contaminants is achieved for a minimum of two consecutive years, 5 release points must be monitored per year on a rotational basis, with all release points monitored at least once in a 4 year period.</td></tr>
<tr><td>Release Point 22</td><td>-</td><td>-</td><td>Coal Seam Gas</td><td>-</td><td></td></tr>
</table></td></tr>
<tr><td>B13</td><td>All release points referred to in Table 1 — Release of contaminants, must be conspicuously marked with the corresponding release point number.</td></tr>
</table>

B14	**Monitoring** Monitoring of any releases to the atmosphere required by a condition of this approval must be carried out in accordance with the following requirements: a) monitoring provisions for the release points listed in Table 1 — Release of contaminants, must comply with the Australian Standard AS 4323.1 — 1995 Stationary source emissions Method 1: Selection of sampling positions; and b) the following tests must be performed for each release point listed in Table 1 — Release of contaminants: i) gas velocity and volume flow rate; ii) temperature; and iii) water vapour concentration (moisture content). c) during the sampling period the following additional information must be gathered: i) production rate at the time of sampling; ii) raw materials used; iii) number of equipment and mixing vessels operating; iv) operating or mixing temperature; v) product made; and vi) reference to the actual test methods and accuracy of the methods
B15	Monitoring must be undertaken continuously and enable the provision of test results as defined in condition B14.
B16	Monitoring reports must be developed annually from the commencement of the ERA to which this environmental authority relates. The reports must be submitted with the annual return. The monitoring report must contain: a) name and address of reporting organisation or individual; b) date of issue of the report; c) the test method used and details of any deviation from that method; d) period of monitoring (start and end dates and percentage of time the instruments were online); e) location of monitoring points (normal address and Australian Map Grid reference, height above nominal ground level, and a description of the terrain features); f) the air pollutants measured, the monitoring instruments used, and a description of the air sampling system; g) maximum hourly average concentration, daily average concentration, and appropriate longer-term averages; h) appropriate statistical information to describe the variability and range of the concentrations; i) any factors that may have affected the monitoring results; j) the precision of the results (using AS 2706 as a guide); and k) details of the most recent calibration of each instrument used to take measurements.
B17	The minimum data capture for the monitoring system is 90%, to allow for a reasonable period of monitor downtime in the following situations: a) monitor breakdown; b) scheduled monitor maintenance; c) daily zero and span checks; and d) performance specification testing.
B18	A competent person(s) must conduct any monitoring required by this approval.
Agency interest: Water	
Condition number	**Condition**
C1	**Release to waters** Contaminants must not be released from the site to any waters or the bed and banks of any waters.

C2	**Stormwater management** 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.
C3	Stormwater runoff may only be released if it has first been directed through a functional oil water separator.
C4	Suitable banks and/or diversion drains must be installed and maintained to exclude stormwater runoff from entering any ponds or other structures used for the storage or treatment of contaminants or wastes.
C5	**Erosion protection measures and sediment controls** Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
C6	Prevent the release of sediment waters or a build up of sediment in any stormwater drain.
Agency interest: Noise	
Condition number	**Condition**
D1	**Noise nuisance** Noise from an ERA must not cause an environmental nuisance at any noise sensitive place or commercial place.
D2	All noise from activities must not exceed the levels specified in Table 2 — Noise limits, at any noise sensitive place or commercial place.

Table 2 – 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'					
$L_{A10, adj, 10 mins}$	B/g + 5	B/g +5	B/g +0	B/g +5	B/g +5	B/g + 0
$L_{A1, adj, 10 mins}$	B/g + 10	B/g + 10	B/g + 5	B/g + 10	B/g + 10	B/g + 5
	Noise measured at a 'Commercial place'					
$L_{A10, adj, 10 mins}$	B/g + 10	B/g + 10	B/g + 5	B/g + 10	B/g + 10	B/g + 5
$L_{A1, adj, 10 mins}$	B/g + 15	B/g + 15	B/g + 10	B/g + 15	B/g + 15	B/g + 10

D3	**Noise monitoring** 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: a) $L_{A 10, adj, 10 mins}$ b) $L_{A 1, adj, 10 mins}$ c) the level and frequency of occurrence of impulsive or tonal noise; d) atmospheric conditions including wind speed and direction; e) effects due to extraneous factors such as traffic noise; and f) location, date and time of recording.
D4	The method of measurement and reporting of noise levels must comply with the latest edition of the Department of Environment and Heritage Protection's *Noise Measurement Manual.*
D5	**Vibration nuisance** Vibration emitted from activities must not cause a nuisance at any vibration sensitive or commercial place.

Agency interest: Waste	
Condition number	**Condition**
E1	**Waste** Areas must be set aside for storage and segregation of waste that can be practically recycled.
E2	**Waste handling** The holder of this development approval must not: a) allow waste to burn or be burnt at or on the site; and b) remove waste from the site and burn such waste elsewhere.
E3	All regulated waste removed from the site must be removed by a person who holds a current licence for regulated waste transport under the provisions of the Environmental Protection Act 1994.
E4	**Waste records** A record of all waste must be kept detailing the following information: a) date of pickup of waste; b) description of waste; c) quantity of waste; d) origin of the waste; and e) destination of the waste. Note: Trackable wastes as listed in Schedule 1 of the Environmental Protection (Waste Management) Regulation 2000 are not covered by this condition. Trackable wastes have similar recording requirements to this condition in accordance with a waste tracking system established under the above Regulation.
Agency interest: Land	
Condition number	**Condition**
F1	**Preventing contaminant release to land** Contaminants, including, but not limited to waste oils and shredded rubber, must not be released to land.
F2	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.
F3	**Land rehabilitation** The authorised place must be rehabilitated (including all disturbed areas) in a manner such that: a) suitable endemic species of vegetation are planted and established; b) potential for erosion of the site is minimised; c) 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; d) the likelihood of environmental nuisance being caused by release of dust is minimised; e) the water quality of any residual water bodies meets criteria for subsequent uses and does not have potential to cause environmental harm; f) the final landform is stable and not subject to slumping; and g) 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.
F5	Rehabilitation of disturbed areas must take place within 4 weeks of decommissioning of the power station.

F6	**Spill kit** An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.
F7	Anyone operating under this approval must be trained in the use of the spill kit.
F8	**Bunding** All bunding areas are to be maintained to ensure that no materials contained therein can escape the bunds confines without human intervention.
F9	All bunding must be impervious to the materials stored within its confines.
Agency interest: Community	
Condition number	**Condition**
G1	**Complaint response** 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: a) time, date, name and contact details of the complainant; b) reasons for the compliant any investigations undertaken; c) conclusions formed; and d) any actions taken.
G2	In consultation with the administering authority, cooperate with and participate in any community environmental liaison committee established in respect of either the site specifically or the industrial estate where the site is located.

Definitions
Words and phrases used throughout this permit are defined below. Where a definition for a term used in this permit is sought and the term is not defined within this permit the definitions provided in the relevant legislation shall be used.
"administering authority" means the Department of Environment and Heritage or its successors or predecessors.
"annual return" means the return required by the annual notice (under the *Environment Protection Act 1994*).
"authorised place" means the place authorised under this approval for the carrying out of the specified environmentally relevant activities.
"commercial place" means 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.
"**Department of Environment and Heritage Protection"** means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.
"LA 10, 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.
"LA 1, 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.
"land" in the "land schedule" of this document means land excluding waters and the atmosphere.
"noxious" means harmful or injurious to health or physical well-being.
"sensitive **place"** includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:
a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
b) a motel, hotel or hostel; or
c) a kindergarten, school, university or other educational institution; or
d) a medical centre or hospital; or
e) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
f) a public park or garden; or
g) for noise, a place defined as a sensitive receptor for the purposes of the *Environmental Protection (Noise) Policy 2008*.

"offensive" means causing offence or displeasure, is unreasonably disagreeable to the sense, disgusting, nauseous or repulsive.
"protected area" means —
a) a protected area under the *Nature Conservation Act 1992*; or
b) a marine park under the *Marine Parks Act 1992*; or
c) a World Heritage Area.

"regulated waste" means non-domestic waste mentioned in Schedule 7 of the *Environmental Protection Regulation 1998* (whether or not it has been treated or immobilised), and includes -
a) for an element - any chemical compound containing the element; and
b) anything that has contained the waste.

"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval.
"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.
"works" or **"operation"** means the development approved under this development approval.

END OF PERMIT