

Notice

Environmental Protection Act 1994

Notice of decision - Temporary emissions licence

This statutory notice is issued by the administering authority pursuant to section 357E of the Environmental Protection Act 1994, to advise you of a decision or action.

To:

Moranbah North Coal Pty Ltd
JFEMA Moranbah North Pty Ltd;
Mitsui Moranbah North Investment Pty Ltd;
NS Coal (Moranbah North) Pty Ltd;
NS Moranbah North Pty Ltd;
Shinsho Moranbah Coal Pty Ltd

C/o

Moranbah North Coal Pty Ltd
Level 11, 201 Charlotte Street
BRISBANE QLD 4000 Australia
Via electronic transmission only

Attention: Trevor Spedding, Environmental Superintendent – Moranbah

Email: trevor.spedding@angloamerican.com

Your reference: EPML00738813

Our reference: A-TEL-NEW-100250915

1. Application details

The application for a temporary emissions licence (TEL) with respect to environmental authority EPML00738813 was received by the administering authority on 11 May 2022.

2. Decision

The administering authority has decided to approve the application on different terms than those requested.

This TEL commences on 12 May 2022 and ends on 1 June 2022.

The licence permits the following emission:

- The release of mine affected water with electrical conductivity (EC) no greater than 5,000µS/cm from the Environmental Dam at Release Point 1 (RP1) to Isaac River for a period of no more than 20 days.

The licence overrides the following conditions of your environmental authority, approval number EPML00738813:

- Condition C4;
- Condition C5;
- Condition C8;
- Condition C9;
- Condition C10;

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- Condition C15;
- Condition C17;
- Condition C18;
- Table C2;
- Table C4; and
- Table C5.

The following conditions apply to this licence:

Condition number	Condition
TEL1	The release of mine affected water to waters in accordance with condition C2 must not exceed the release limits stated in Table TEL1: Mine Affected Water Release Limits when measured at the monitoring points specified in Table C1: Mine Affected Water Release Points, Sources and Receiving Waters for each quality characteristic.
TEL2	The release of mine affected water to waters from the release points must be monitored at the locations specified in Table C1: Mine Affected Water Release Points, Sources and Receiving Waters for each quality characteristics and at the frequency specified in Table TEL1: Mine Affected Water Release Limits and Table C3: Release Contaminant Trigger Investigation Levels. Note: The administering authority will take into consideration any extenuating circumstances prior to determining an appropriate enforcement response in the event condition TEL2 is contravened due to a temporary lack of safe or practical access. The administering authority expects the environmental authority holder to take all reasonable and practicable measures to maintain safe and practical access to designated monitoring locations.
TEL3	Mine Affected Water Release Events The holder must ensure a stream flow gauging station/s is operated and maintained to determine and record stream flows at the locations and flow recording frequency specified in Table TEL2: Mine Affected Water Release during Flow Events.
TEL4	Notwithstanding any other condition of this environmental authority, the release of mine affected water to waters in accordance with condition C2 must only take place during periods of natural flow events in accordance with the receiving water flow criteria for discharge specified in Table TEL2: Mine Affected Water Release during Flow Events for the release point(s) specified in Table C1: Mine Affected Water Release Points, Sources and Receiving Waters .
TEL5	The release of mine affected water to waters in accordance with condition C2 must not exceed the Electrical Conductivity and Sulfate release limits for the receiving water flow criterion for discharge specified in Table TEL1: Mine Affected Water Release Limits and Table TEL2: Mine Affected Water Release during Flow Events when measured at the monitoring points specified in Table C1: Mine Affected Water Release Points, Sources and Receiving Waters .
TEL6	Notification of Release Event Exceedance If the release limits defined in Table C4: Mine Affected Water Release Limits are exceeded, the holder of the environmental authority must notify the administering authority within 24 hours of receiving the results.

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TEL7	Receiving Environment Monitoring and Contaminant Trigger Levels The quality of the receiving waters must be monitored at the locations specified in Table C5: Receiving Water Upstream Background Sites and Downstream Monitoring Points for each quality characteristic and at the monitoring frequency stated in Table TEL3: Receiving Waters Contaminant Trigger and Limit Levels.
TEL8	If quality characteristics of the receiving water at the downstream monitoring points exceed any of the trigger levels specified in Table TEL3: Receiving Waters Contaminant Trigger Levels during a release event the environmental authority holder must compare the downstream results to the upstream results in the receiving waters and: (a) where the downstream result is the same or a lower value than the upstream value for the quality characteristic then no action is to be taken; or (b) where the downstream results exceed the upstream results complete an investigation into the potential for environmental harm and provide a written report to the administering authority in the next annual return, outlining: (i) details of the investigations carried out; and (ii) actions taken to prevent environmental harm. Note: Where an exceedance of a trigger level has occurred and is being investigated, in accordance with condition TEL8(b) of this condition, no further reporting is required for subsequent trigger events for that quality characteristic.

Table TEL1: Mine affected water release limits

Quality characteristic	Release limit	Monitoring frequency
pH	6.5-9.0	Daily during the release
Electrical conductivity ($\mu\text{S}/\text{cm}$)	5,000	
Sulfate (mg/L)	1,800	

Table TEL2: Mine affected water release limits

Receiving waters	Release point (RP)	Gauging station	Gauging Station Latitude (decimal degree AGD84)	Gauging Station Longitude (decimal degree AGD84)	Receiving Water Flow Criteria for Discharge (m^3/s)	Receiving Water Flow Recording Frequency
Isaac River	RP1	Monitoring point 1 (Upstream AWS)	-21.870424	147.97056	>3 m^3/s	Continuous (minimum daily)

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Table TEL3: Receiving waters contaminant trigger and limit levels

Quality characteristic	Trigger level	Limit	Monitoring frequency
pH	6.5-9.0	N/A	Daily during the release
Electrical conductivity (µS/cm)	N/A	2,000—cease release	
Sulfate (mg/L)	1,000	N/A	

3. Reasons for the decision

The administering authority has decided the application in accordance with sections 357C - 357G of the *Environmental Protection Act 1994*.

4. Human rights

A human rights assessment was carried out in relation to this decision and it was determined that the decision is compatible with human rights.

Should you have any questions in relation to this notice, please contact the department using the contact details provided below.



Signature

12 May 2022

Date

Dr. Alison Cummings
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Business Centre Coal
PO Box 3028, Emerald QLD 4720
Phone: (07) 4987 9320
Email: CRMining@des.qld.gov.au

Attachments

Letter advising grant of a temporary emissions licence on different terms than those requested in the application.