

Notice

Environmental Protection Act 1994

Notice of decision – Temporary emissions licence

This 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.

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

Coronado Curragh Pty Ltd
Level 31, Central Plaza One
345 Queen Street
Brisbane City, QLD, 4000
By email transmission only
callan@coronadoglobal.com
thennig@coronadoglobal.com
environment@coronadoglobal.com

ATTN: Charissa Allan

Your reference: EPML00643713

Our reference: TEL-101016453

1 Application details

Application for temporary emissions licence (TEL) for the release of mine affected water under varied discharge flow criteria, and varied quality criteria at Curragh Coal Mine.

2 Decision

Thank you for your application for a temporary emissions licence. Your application, which was received by this office on 19 January 2026, has been granted on different terms than those submitted

3 Reason for the decision

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

The administering authority has determined that heavy rainfall associated with the Ex-Tropical Cyclone Koji has resulted in a significant accumulation of water within mine affected water storages onsite at Curragh Mine which has the potential to result in an uncontrolled release.

Justification for granting the temporary emissions licence on different terms than submitted

- (1) The original application sought approval to vary aspects of the EA Tables but did not request for any Conditions of the existing EA to be overridden. The administering authority was required to override certain Conditions of the existing EA in order to give affect to changes in the Tables.
- (2) In addition the administering authority determined it is reasonable to expect that any releases under this temporary emissions license be reported via WaTERS, and has overridden certain conditions to ensure this action occurs.
- (3) Further the administering authority has specified that any release under this temporary emissions license must cease if the limits in Table C7 (Receiving Waters Contaminant Trigger Levels) are exceeded. This ensures that the release will cease if it becomes evident that the volume of water flowing through the Mackenzie River is insufficient to neutralise the pH of the released water.

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.

5 Review and appeal rights

You may apply to the administering authority for a review of this decision within 10 business days after receiving this notice. You may also appeal against this internal review decision to the Land Court. Information about your review and appeal rights is attached to this notice. This information is guidance only and you may have other legal rights and obligations.

6 Temporary emissions licence

This temporary emissions licence commences on 19 January 2026 and ends on 16 February 2026.

The licence permits the following emission:

- The release of mine affected water within the pH threshold of 6.5 to 9.5.
- The release of mine affected water under various discharge criteria, release rates and in compliance with various EC and sulphate limits, as specified in Table C4 TEL

The licence overrides the following conditions of your environmental authority, approval number EPML00643713:

Condition C2 (replaced by TEL C2)

Condition C4 (replaced by TEL C4)

Condition C5 (replaced by TEL C5)

Condition C8 (replaced by TEL C8)

Condition C9 (replaced by TEL C9)

Condition C10 (replaced by TEL C10)

Condition C11 (replaced by TEL C11)

Condition C13 (replaced by TEL C13)

Condition C14 (replaced by TEL C14)

Condition C15 (replaced by TEL C15)

Condition C19 (replaced by TEL C19)

Table C1 Mine affected water release points, sources and receiving waters (replaced by TEL C4) (replaced by Table C1 TEL)

Table C2 Mine affected water release points, sources and receiving waters (replaced by Table C2 TEL)

Table C4 Mine affected water release during flow events (replaced by Table C4 TEL)

The following conditions apply to this licence:

TEL C2	Unless otherwise permitted under the conditions of this environmental authority, the release of mine affected water to waters must only occur from the release points specified in Table C1 TEL and depicted in Figure 1 and Figure 2 attached to this environmental authority.
TEL C4	The release of mine affected water to waters in accordance with condition TEL C2 must not exceed the release limits stated in Table C2 TEL when measured at the monitoring points specified in Table C1 TEL for each quality characteristic.
TEL C5	a) The release of mine affected water to waters from the release points must be monitored at the locations specified in Table C1 TEL for each quality characteristics and at the frequency specified in Table C2 TEL and Table C3. <i>Note: the administering authority will take into consideration any extenuating circumstances prior to determining an appropriate enforcement response in the event condition C5 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.</i> b) The holder of the environmental authority must ensure that there are no adverse impacts to the ecosystem or wetlands through overland flow for RP9.
TEL C8	Mine Affected Water Release Events The holder must ensure a stream flow gauging station/s is installed, operated and maintained to determine and record stream flows at the locations and flow recording frequency specified in Table C4 TEL.
TEL C9	Notwithstanding any other condition of this environmental authority, the release of mine affected water to waters in accordance with condition TEL C2 must only take place during periods of natural flow events in accordance with the receiving water flow criteria for discharge specified in Table C4 TEL for the release point(s) specified in Table C1 TEL .
TEL C10	The release of mine affected water to waters in accordance with condition TEL C2 must not exceed the Electrical Conductivity and Sulphate release limits or the Maximum Release Rate (for all combined release point flows) for each receiving water flow criteria for discharge specified in Table C4 TEL when measured at the monitoring points specified in Table C1 TEL .
TEL C11	The daily quantity of mine affected water released from each release point must be measured and recorded at the monitoring points in Table C1 TEL .

TEL C13	Notification of Release Event The environmental authority holder must notify the administering authority via WaTERS as soon as practicable and no later than twenty-four (24) hours after commencing the release mine affected water to the receiving environment. Notification must include the submission of written advice to the administering authority of the following information: a) release commencement date/time; b) expected release cessation date/time; c) release point/s; d) release volume (estimated); e) receiving water/s including the natural flow rate; and f) any details (including available data) regarding likely impacts on the receiving water(s).
TEL C14	The environmental authority holder must notify the administering authority via WaTERS within twenty-four (24) hours after cessation of a release event of the cessation of a release notified under condition TEL C13 and within twenty-eight (28) days provide the following information in writing: a) release cessation date/time; b) natural flow volume in receiving water; c) volume of water released; d) details regarding the compliance of the release with the conditions of Agency Interest: Water of this environmental authority (i.e. contamination limits, natural flow, discharge volume); e) all in-situ water quality monitoring results; and f) any other matters pertinent to the water release event. <i>Note: Successive or intermittent releases occurring within twenty-four (24) hours of the cessation of any individual release can be considered part of a single release event and do not require individual notification for the purpose of compliance with conditions TEL C13 and TEL C14, provided the relevant details of the release are included within the notification provided in accordance with conditions TEL C13 and TEL C14.</i>
TEL C15	Notification of Release Event Exceedance If the release limits defined in Table C2 TEL are exceeded, the holder of the environmental authority must notify the administering authority within twenty-four (24) hours of receiving the results.
TEL C19	Receiving waters monitoring and contaminant trigger levels The quality of the receiving waters must be monitored at the locations specified in Table C8 and shown in Figure 1 and Figure 2 for each quality characteristic and at the monitoring frequency stated in Table C7. The holder of this temporary emission license must cease the release immediately if any of the trigger levels in Table C7 are exceeded at any downstream monitoring point specified in Table C8.

Table C1 TEL(Mine Affected Water Release Points, Sources and Receiving Waters)

Release Point	Latitude	Longitude	Mine Affected Water Source and Location	Monitoring Point	Receiving Waters Description
RP1	-23.5130	148.8753	Dam RD1	Dam	Blackwater Creek
RP2	-23.5098	148.8868	Various sources ¹	T-junction	Blackwater Creek
RP3	-23.2837	148.8478	Dam CN3	Release channel downstream of pipe outlet	Mackenzie River
RP4	-23.3588	148.8717	Various sources ² . Pumped from behind the levee to release channel	Release channel downstream of pipe outlet	Mackenzie River
RP5	-23.4522	148.9011	Various sources ³ . Outlet pipe through plug on the former Blackwater Creek channel	Release channel downstream of pipe outlet	Blackwater Creek
RP6	-23.2615	148.8763	Various sources ⁴ . Outlet pipe through Mackenzie River levee	End of pipe	Mackenzie River
RP7	-23.3072	148.8565	Various sources ⁵ . Release outlet to Mackenzie River on pipe network	T-junction	Mackenzie River
RP8	-23.3167	148.8675	Various sources ⁶ , predominantly S pit. Outlet pipe through Mackenzie River levee	Standing water at pipe inlet	Mackenzie River
RP9	-23.2834	148.8936	Dam CN2	End of pipe	Mackenzie River

1 Various source include: Dam RD30, G Pit

2 Various sources include: Dam CN2, S Pit, T Pit

3 Various sources include: F Pit, D Pit, E Pit

4 Various sources include: U Pit Ext., U Pit, T Pit

5 Various sources include: T Pit, S Pit

6 Various sources include: T Pit, S Pit

Table C2 TEL(Mine Affected Water Release Points, Sources and Receiving Waters)

Quality Characteristic	Release Limits	Monitoring Frequency	Comment
Electrical conductivity (µS/cm)	Release limits specified in Table C4 variable flow criteria.	Real time telemetry. Grab samples at commencement (within 2 hours of release) and weekly thereafter. Daily grab samples if telemetry not available.	
Sulphate (mg/L)	Release limits specified in Table C4 variable flow criteria.	Daily during release (the first sample must be taken within 2 hours of release)	
pH (pH Unit)	6.5 (minimum) 9.5 (maximum)	Real time telemetry. Grab samples at commencement (within 2 hours of release) and weekly thereafter. Daily grab samples if telemetry not available.	
Suspended Solids (mg/L)		Daily during release* (the first sample must be taken within 2 hours of release)	Suspended solids are required to measure the performance of sediment and erosion control measures
Turbidity (NTU)	Mackenzie River release points 182 NTU or Blackwater Creek release points 629 NTU	Daily during release* (the first sample must be taken within 2 hours of release)	Turbidity is required to assess ecosystems impacts and provide instantaneous results

Note: *Limit for suspended solids can be omitted if turbidity limit is included. Limit for turbidity not required if suspended solids limit included

Table C4 TEL (Mine Affected Water Release during Flow Events)

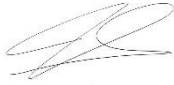
Receiving waters / stream	Release Point	Gauging Station	Gauging Station		Receiving Water Flow Recording Frequency	Receiving Water Flow Criteria for discharge (m³/s)	Maximum release rate (for all combined RP Flows)	Electrical Conductivity and Sulphate Release Limits
			Latitude (decimal, degree, GDA94)	Longitude (decimal, degree, GDA94)				
Mackenzie River	RP 3 RP 4# RP 6 RP 7 RP 8 RP 9	Bingegang tailwater gauge MP 14 (Sunwater)	- 23.0737	149.0319	Continuous (minimum daily)	Very Low Flow > 1 m³/s	≤ 0.5 m³/s	Electrical conductivity ≤ 310 µS/cm Sulphate (SO42-) ≤ 200 mg/L
						Low Flow > 20 m³/s	≤ 0.5 m³/s	Electrical conductivity ≤ 2,500 µS/cm Sulphate (SO42-) ≤ 500 mg/L
						Medium Flow > 40 m³/s	≤ 0.3 m³/s	Electrical conductivity ≤ 3,500 µS/cm Sulphate (SO42-) ≤ 500 mg/L
							≤ 0.15 m³/s	Electrical conductivity ≤ 6,000 µS/cm Sulphate (SO42-) ≤ 750 mg/L
						Medium-High Flow > 60 m³/s	Release rate not to exceed 350 (natural) to 1 (mine affected water) dilution of the flow rate at Bingegang tailwater gauge	Electrical conductivity ≤ 7,000 µS/cm (≤ 6,000 µS/cm for RP 4) Sulphate (SO42-) ≤ 750 mg/L
						High Flow > 80 m³/s	Release rate not to exceed 350 (natural) to 1 (mine affected water) dilution of the flow rate at Bingegang tailwater gauge	Electrical conductivity < 10,000 µS/cm (≤ 6,000 µS/cm for RP4) Sulphate (SO42-) ≤ 750 mg/L
Blackwater Creek	RP 1 RP 2 RP 5	MP 1	- 23.5122	149.0319	Continuous (minimum daily)	Low Flow < 0.5 m³/s for a period of four weeks after natural flow events that exceed 1 m³/s	≤ 0.5 m³/s	Electrical conductivity ≤ 680 µS/cm Sulphate (SO42-) ≤ 250 mg/L
						Medium Flow > 2.5 m³/s	≤ 0.16 m³/s	Electrical conductivity ≤ 6,000 µS/cm Sulphate (SO42-) ≤ 500 mg/L
						High Flow > 5 m³/s	≤ 0.18 m³/s	Electrical conductivity ≤ 10,000 µS/cm Sulphate (SO42-) ≤ 1,000 mg/L

Release of mine affected water from RP4 under high flow conditions (Mackenzie River) must not exceed 6,000 µS/cm.

Notice

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Should you have any questions about the notice, please contact Business Centre Coal using the details provided below.



Signature

Jason Dunlop

Department of the Environment, Tourism, Science and Innovation

Delegate of the administering authority

Environmental Protection Act 1994

19/01/2026

Date

Enquiries:

Business Centre Coal

PO Box 3028, Emerald QLD 4720

Phone: (07) 4987 9320

Email: CRMining@detsi.qld.gov.au

[Information sheet Internal review and appeals \(ESR/2015/1742\)](#)