

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.

Whitehaven Blackwater Pty Ltd and South Blackwater Coal Limited
Level 28, 259 George Street
SYDNEY NSW 2000

By email transmission only

ATTN: Lynden Cini

Email: LCini@whitehavencoal.com.au

Your reference: EPML00717813

Our reference: TEL101037053

1 Application details

Application for temporary emissions licence (TEL) for the release of mine affected water from RP2 and RP3 with varied release contaminant conditions for RP2 and RP3 at Blackwater Coal Mine and varied downstream EC limit at MP8 (REMP8) for a period of ninety (90) days.

2 Decision

Thank you for your application for a temporary emissions licence. Your application, which was received by this office on 17 February 2026 at 12:44PM, has been **granted on different terms than those submitted**

3 Reason for the decision

The department has determined that heavy rainfall associated with ex-tropical cyclone Koji has resulted in substantial amounts of water entering and being captured within the open cut pits, mine affected water (MAW) storages and the dewatering network at Blackwater Coal Mine, which has the potential to contribute to the degradation of water quality over time and further limit release opportunities.

4 Human rights

A human rights assessment was carried out in relation to this decision/action 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 **18 February 2026 at 12:44pm** and ends on **19 May 2026**.

The licence permits the following emission:

- **Release of mine affected water from RP2 and RP3 to Taurus Creek and Blackwater Creek.**

The licence overrides the following conditions of your environmental authority, approval number EPML00717813; however, releases from RP2 and RP3 (as well as other release points approved by your environmental authority) continue to be approved where conducted in accordance with the existing environmental authority conditions:

- **Condition F4** (replaced by TEL F1)
- **Condition F9** (replaced by TEL F2)
- **Condition F10** (replaced by TEL F3)
- **Condition F11** (replaced by TEL F4)
- **Condition F18** (replaced by TEL F7)
- **Condition F19** (replaced by TEL F8)
- **Condition F20** (replaced by TEL F9)
- **Condition F21** (replaced by TEL F10)
- **Table F2** (replaced by TEL Table F2)
- **Table F5** (replaced by TEL Table F5)

New Conditions

- **TEL F5**
- **TEL F6**

The following conditions apply to this licence:

TEL-F1	The release of mine affected water to waters in accordance with condition F2 must not exceed the release limits stated in TEL Table F2 (Mine Affected Water Release Limits) when measured at the monitoring points for release points R2 and RP3 specified in Table F1 (Mine Affected Water Release Points) for each quality characteristic.
TEL-F2	The release rate of mine affected water to waters in accordance with condition F2 , for the release points RP2 and RP3 specified in Table F1 (Mine Affected Water Release Points) , during periods of no natural flow up to natural flow of 0.8m ³ /s, must not exceed 0.8m ³ /s.
TEL-F3	The release rate of mine affected water to waters in accordance with condition F2 , during periods of natural flow >0.8m ³ /s, must not exceed the rate of natural flow measured at Gauging Station 2 specified in Table F4 (Mine Affected Water Release During Flow Events) for release points RP2 and RP3 specified in Table F1 (Mine Affected Water Release Points) .
TEL-F4	The 90th percentile of electrical conductivity (EC) values recorded at the MP8 downstream monitoring point listed in Table F6 (Receiving Waters Upstream Background and Downstream Monitoring Points) must not exceed 5,000µS/cm at any time during the release influence period. The 90th percentile must be calculated using all EC values recorded by the monitoring station during the release influence period. <i>NOTE: Release influence period is the period during which the downstream monitoring points are influenced by mine affected water releases and includes both the duration of release and any lag time between the release point/s and downstream monitoring point/s.</i>
TEL-F5	Electrical conductivity (EC) values recorded at the MP8 downstream monitoring point listed in Table F6 (Receiving Waters Upstream Background and Downstream Monitoring Points) must not exceed 2,000µS/cm for more than 14 consecutive days during the release influence period. <i>NOTE: Release influence period is the period during which the downstream monitoring points are influenced by mine affected water releases and includes both the duration of release and any lag time between the release point/s and downstream monitoring point/s.</i>
TEL-F6	If the electrical conductivity (EC) values recorded at the MP8 downstream monitoring point listed in Table F6 (Receiving Waters Upstream Background and Downstream Monitoring Points) exceeds 2,000µS/cm for 14 consecutive days during the release influence period, the release of mine affected waters from release points RP2 and RP3 specified in Table F1 (Mine Affected Water Release Points) must either: (a) cease for the 5 subsequent days before recommencing in accordance with conditions TEL-F2 or TEL-F3; or (b) have an EC ≤2000 µS/cm for the 2 subsequent days before recommencing in accordance with conditions TEL-F2 or TEL-F3.

TEL Table F2 (Mine Affected Water Release Limits)

Quality Characteristic	Release Limit	Monitoring Frequency
Electrical Conductivity (µS/cm)	10,000	Real time telemetry for EC and pH with grab samples at commencement and weekly thereafter when safe to do so and access permits. Daily grab samples if telemetry not available (the first sample must be taken as soon as practicable).
pH (pH units)	6.5 (minimum) 9.5 (maximum)	
Sulfate (SO ₄ ²⁻) (mg/L)	To be correlated with EC	

TEL-F7	Notification of release event exceedance If the release limits defined in TEL Table F2 (Mine Affected Water Release Limits) are exceeded, the environmental authority holder must notify the administering authority within 24 hours of receiving the results.
TEL-F8	The environmental authority holder must, within 28 days of the notification provided in accordance with condition TEL-F7, provide a report to the administering authority via WaTERS detailing: (a) the reason for the release; (b) the location of the release; (c) the total volume of the release and which (if any) part of this volume was non-compliant; (d) the total duration of the release and which (if any) part of this period was non-compliant; (e) all water quality monitoring results; (f) any general observations; (g) all calculations; and (h) any other matters pertinent to the water release event.
TEL-F9	Receiving Environment Monitoring and Contaminant Trigger Levels The quality of the receiving waters must be monitored at the locations specified in Table F6 (Receiving Water Upstream Background and Downstream Monitoring Points) for each quality characteristic and at the monitoring frequency stated in TEL Table F5 (Receiving Waters Contaminant Trigger Levels) and Table F3 (Release Contaminant Trigger Investigation Levels).

Notice

Notice of decision – Temporary emissions licence

TEL-F10	If quality characteristic(s) of the receiving water at the downstream monitoring points exceed any of the trigger levels specified in TEL Table F5 (Receiving Waters Contaminant Trigger Levels) during a release event, the environmental authority holder must compare the downstream results to the applicable upstream results in the receiving waters and: (1) 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 (2) where the downstream results exceed the upstream results, or where there is no flow at the upstream monitoring point, complete an investigation into the potential for environmental harm and provide a written report to the administering authority in the next annual return, outlining: (a) details of the investigations carried out; and (b) actions taken to prevent environmental harm. NOTE: <i>Where an exceedance of a trigger level has occurred and is being investigated in accordance with TEL-F10(2) of this condition, no further reporting is required for subsequent trigger events for that quality characteristic.</i>
---------	--

TEL Table F5 (Receiving Waters Contaminant Trigger Levels)

Quality Characteristic	Trigger Level	Monitoring Frequency
pH (pH units)	6.5 to 9.5	Grab samples shall be taken only when safe to do so and in daylight hours.
Electrical Conductivity ($\mu\text{S}/\text{cm}$)	5,000 – 90 th percentile	
Sulfate (SO_4^{2-}) (mg/L)	N/A – to be correlated with EC	

Should you have any questions about the notice, please contact Ben Byrd using the details provided below.



Signature

18 February 2026

Date

Ben Byrd

Department of the Environment, Tourism, Science and Innovation
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@detsi.qld.gov.au

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