Notice

Environmental Protection Act 1994

Notice of decision – Amendment of Temporary emissions licence

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

Queensland Coal Pty Ltd
Level 25, 123 Albert Street,
BRISBANE QLD 4000

Email: scott.diggles@riotinto.com

Your reference: EPML00661913
Our reference: ENEL06646116

Application for an amendment to the temporary emissions licence (reference ENEL06646116) for the Hail Creek Coal Mine

Your application for amendment of temporary emissions licence ENEL06646116 (TEL), which was received by this office on 9 February 2016, has been granted.

This TEL notice replaces the notice issued by the administering authority on 8 February 2016.

This TEL commences on 8 February 2016 and ends on 22 February 2016 inclusive.

This TEL overrides the following conditions of environmental authority EPML00661913:

- **Condition F2:** *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* ***Table F1 – Mine affected water release points, sources and receiving waters*** *and depicted in* ***Figure 1*** attached to this environmental authority.

- **Condition F4:** *The release of mine affected water to waters in accordance with condition F2 must not exceed the release limits stated in* ***Table F2 – Mine affected water release limits*** *when measured at the monitoring points specified in* ***Table F1 – Mine affected water release points, sources and receiving waters*** *for each quality characteristic stated in* ***Table F2 – Mine affected water release limits.***

- **Condition F9:** The release of mine affected water to waters in accordance with condition **F2** 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 F4 – Mine affected water release during flow events** when measured at the monitoring points specified in **Table F1 – Mine affected water release points, sources and receiving waters.**

All conditions of environmental authority EPML00661913 (EA) continue to apply for the duration of this TEL, with the exception of conditions F2, F4 and F9, which are temporarily replaced by the following TEL conditions:

- **Condition TEL1:** The release of mine affected water to waters must only occur from the release points specified in **Table 1 – TEL Mine affected water release points** (Attachment 1).

- **Condition TEL2:** The release of mine affected waters must not exceed any of the release limits for a quality characteristic stated in **Table 2 – TEL Mine affected water release limits** (Attachment 2) of this TEL when measured at the monitoring points specified in **Table 1 – TEL Mine affected water release points**.

- **Condition TEL3:** The release of mine affected water must not exceed the electrical conductivity release limit, the sulphate release limit or the maximum release rate (for all combined release flow points) for each receiving water flow criteria for discharge specified in **Table 3: TEL mine affected water release during flow events** (Attachment 3) when measured at the monitoring points specified in **Table F1: TEL Mine affected water release points**.

- **Condition TEL4:** The release of mine affected water must cease immediately upon cessation of flow in Middle Creek upstream of the relevant release point specified in **Table 1 – TEL Mine affected water release points**.

Definitions

The following definitions apply to conditions of this TEL:

- **EA** means environmental authority EPML00661913.

- **Mine affected water** means the following types of water:
  a) pit water, tailings dam water, processing plant water;
  b) water contaminated by a mining activity which would have been an environmentally relevant activity under Schedule 2 of the *Environmental Protection Regulation 2008* if it had not formed part of the mining activity;
  c) rainfall runoff which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated, excluding rainfall runoff discharging through release points associated with erosion and sediment control structures that have been installed in accordance with the standards and requirements of an Erosion and Sediment Control Plan to manage runoff containing sediment only, provided that this water has not been mixed with pit water, tailings dam water, processing plant water or workshop water;
  d) groundwater which has been in contact with any areas disturbed by mining activities which have not yet been rehabilitated;
  e) groundwater from the mine's dewatering activities;
  f) a mix of mine affected water (under any of paragraphs a) to b)) and other water.

- **TEL holder** means the holder of environmental authority EPML00661913 and TEL ENEL06646116.

Amendments made to the original TEL

Certain amendments have been made to **Table 3: TEL mine affected water release during flow events** of the TEL, to correct clerical errors to the TEL notice and the current version of the EA, as follows:

- The previous EA specified that under 'medium flow' conditions (defined as >2 m^3/s in receiving waters), mine affected water with electrical conductivity of 2,000 µS/cm could be released at a maximum release rate of 1 m^3/s. This release option has now been included in the TEL. This release option was incorrectly omitted from the most recent EA amendment as issued 9 January 2016 (as part of the internal review decision); and

- The TEL notice listed the receiving water flow criteria for all medium flow release criteria as less than (<) the applicable flow rate, rather than greater than (>) the applicable flow rate for certain release criteria; this was an administrative error which has been corrected to specify greater than (>).

Grounds for the Decision

A clerical error was identified in the original TEL and has been corrected by this agreed amendment to the TEL. The administering authority has decided the application in accordance with sections 357J of the *Environmental Protection Act 1994*.

Should you have any queries in relation to this notice, please contact Jacinta Griffin on telephone (07) 4987 9382.

	9/2/2016
Signature	Date

Jacob Toe
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Delegate of the administering authority
Environmental Protection Act 1994

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Attachment 1

Table 1: TEL mine affected water release points

Release Point (RP)	Latitude (Decimal degrees, GDA94)	Longitude (Decimal degrees, GDA94)	Mine Affected Water Source and Location	Monitoring Point	Receiving waters description
RP1 (Polishing Pond)	-21.512380 S	148.389656 E	Water impounded in the Hail Creek mine water storage system, including water used in processing, dewatering from pits and rainfall entering catchment.	Pontoon on southern side of dam, next to spillway.	Middle Creek, a tributary feeding in Absent Creek, then Hail Creek, then Bee Creek (13,000 ha catchment)
RP4 (West Dam)	-21.441961 S	148.353358 E	Water impounded in the Hail Creek mine water storage system, including water impounded in pit and dam storages from mine affected catchment areas.	End of pump pipeline.	Schammer Creek, a tributary feeding in Absent Creek, then Hail Creek, then Bee Creek (1,100 ha catchment)

Attachment 2

Table 2: TEL mine affected water release limits

Quality Characteristic	Release Limits	Monitoring frequency	Comment
Electrical conductivity (µS/cm)	Release limits specified in **Table 3: TEL mine affected water release during flow events** for variable flow criteria.	Daily during release (the first sample must be taken within **two (2) hours** of commencement of release)	-
Electrical conductivity (µS/cm)	Release limits specified in **Table 3: TEL mine affected water release during flow events** for variable flow criteria.		Low flow releases must be monitored using the gauging station installed at MP6 (Middle Creek – downstream)
pH (pH Unit)	6.5 (minimum) 9.2 (maximum)		-
Turbidity (NTU)	700 NTU		Turbidity is required to assess ecosystems impacts and can provide instantaneous results. Release limit based on 95%ile of Bee Creek Upstream data.
Suspended Solids (mg/L)	No Limit		Suspended solids are required to measure the performance of sediment and erosion control measures.
Sulphate ($SO4^{2-}$) (mg/L)	Release limits specified in **Table 3: TEL mine affected water release during flow events** for variable flow criteria.		Drinking water environmental values from NHMRC 2006 guidelines OR ANZECC.

Attachment 3
Table 3: TEL mine affected water release during flow events

Release point (RP)	Gauging station	Gauging station Latitude (decimal degrees, GDA94)	Gauging station Longitude (decimal degrees, GDA94)	Receiving water flow recording frequency	Receiving water flow criteria for discharge *(m^3/sec)	Maximum release rate (for all combined RP flows*) (m^3/sec)	Electrical conductivity release limits (µS/cm) – End of pipe	Sulphate release limits (mg/L)
RP1 RP4	Bee Creek at Suttor Development Road	-21.554482	148.456678	Continuous (minimum daily)	**Low Flow** <2 m^3/s of natural flow	1 m^3/s for a period of 28 days after a natural flow event that exceeded 2.0 m^3/s	2,050	250
					Medium Flow >2 m^3/s of natural flow	3 m^3/s	1,250	250
						1 m^3/s	2,000	250
						0.75 m^3/s	2,500	250
					>3 m^3/s of natural flow	1.6 m^3/s	2,000	250
						1.1 m^3/s	2,500	250
					>4 m^3/s of natural flow	2.1 m^3/s	2,000	250
						1.5 m^3/s	2,500	250
					High flow >10 m^3/s of natural flow	2.9 m^3/s	3,000	1,000
					Very high flow >35 m^3/s of natural flow	3.41 m^3/s	3,000	1,000

* Including all releases undertaken in accordance with this TEL and applicable conditions of environmental authority EPML00661913.