

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

Baralaba Coal Pty Ltd and Wonbindi Coal Pty Ltd
Level 4, 10 Eagle Street
BRISBANE QLD 4000

Email: bbarry@cockatoocoal.com.au

Your reference: EPML00223213
Our reference: 172697

Amendment to temporary emissions licence ENEL06647216 for the Baralaba North and Wonbindi North Coal Mine

Your application for temporary emissions licence ENEL06647216 (TEL), which was received by this office on 7 February 2016, was granted subject to different terms than those requested in the application on the 7 February 2016.

This amended TEL commences on 11 February 2016 and ends on 7 March 2016 inclusive and replaces the original notice of decision as issued on 7 February 2016.

This TEL overrides the following conditions of environmental authority EPML00223213:

- **Condition 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: Mine Affected Water Release Points, Sources and Receiving Waters** and depicted in **Figure 3 - Mine Affected Water Release Points** attached to this environmental authority.*
- **Condition C4:** *The release of mine affected water to waters must not exceed the release limits stated in **Table C2: 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.*
- **Condition C10:** *The release of mine affected water to waters in accordance with condition **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: Mine Affected Water Release During Flow Events**, when measured at the monitoring points specified in **Table C1: Contaminant Release Points, Sources and Receiving Waters**.*

All conditions of environmental authority EPML00223213 (EA) continue to apply for the duration of this TEL, with the exception of conditions C2, C4 and C10, which are temporarily replaced by:

- **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) of this TEL.
- **Condition TEL2:** The release of mine affected water to waters must not exceed the release limits stated in **Table C2: Mine Affected Water Release Limits** of the EA for each quality characteristic

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except for electrical conductivity and sulphate, when measured at the monitoring locations specified in **Table 1: TEL mine affected water release points** of this TEL.

- **Condition TEL3:** The release of mine affected water must not exceed the 'electrical conductivity' and 'sulphate' release limits or the 'maximum release rate' (for all combined release flow points) for each receiving water flow criteria for discharge specified in **Table 2: TEL mine affected water release criteria** (Attachment 2) when measured at the monitoring points specified in **Table 1: TEL mine affected water release points** of this TEL.

The following additional conditions apply for the duration of this TEL:

- **Condition TEL4:** The release of mine affected water must cease immediately upon cessation of flow in the Dawson River anabranch upstream of release point RP N1 as defined in **Table 1: TEL mine affected water release points** of this TEL.
- **Condition TEL5:** The TEL holder must;
 - a) monitor water quality within the Dawson River anabranch at **monitoring location DRA1** for electrical conductivity and sulphate* at a minimum frequency of once every 24 hours; and
 - b) immediately cease the release of mine affected water upon becoming aware of the sulphate* concentration exceeding 250mg/L at **monitoring location DRA1**; and
 - c) notify the administering authority as soon as practicable, but within a maximum of 24 hours, of becoming aware of the trigger level exceedence as per **condition TEL5 b)**.

* The TEL holder must implement and maintain all reasonable measures available to determine the sulphate concentration at monitoring location DRA1, which could include estimating sulphate concentrations based on establishing a correlation between measured electrical conductivity, through applying a suitably conservative methodology. Suitable laboratory analysis must also be used to verify all monitoring results.

Definitions

The following definitions apply to conditions of this TEL:

- **EA** means environmental authority EPML00223213.
- **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.

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- **Monitoring location DRA1** means the downstream monitoring location in the Dawson River anabranch, as detailed below:

Latitude °S (decimal degree)	Longitude °N (decimal degree)
-24.13554	149.83035

- **TEL holder** means the holder of environmental authority EPML00223213.

Difference between application and approved temporary emissions licence

In approving this TEL, the administering authority has decided to impose additional conditions that were not requested in the application, including TEL conditions **Condition TEL2**, **Condition TEL4** and **Condition TEL5**. The reasons for including these additional conditions are detailed below:

- **Condition TEL2** – The administering authority identified that condition C4 of environmental authority EPML00223213 would need to be varied during the term of the TEL to allow the requested releases, which required the inclusion of this additional TEL condition.
- **Condition TEL4 and TEL5** - The administering authority considers that these additional monitoring requirements and control measure are necessary to ensure that the proposed contaminant release can be conducted in a manner that protects the environmental values of receiving waters.

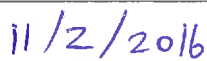
Grounds for the Decision

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

Should you have any queries in relation to this notice, please contact Liz Clarke on telephone (07) 4987 9386.



Signature



Date

Jacob Toe
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Business Centre (Coal)
Department of Environment and Heritage
Protection
PO Box 3028
EMERALD QLD 4720
Phone: (07) 4987 9320
Email: CRMining@ehp.qld.gov.au

Attachment 1

Table 1: TEL mine affected water release points

Release Point (RP)	Latitude (Decimal degrees, GDA94)	Longitude (Decimal degrees, GDA94)	Contaminant Source and Location	Monitoring Point	Receiving waters description
RP N1	-24.14699764	149.8050736	Water storages at Baralaba Central and Baralaba North	Dawson River Anabranh – end of pipe	Dawson River (via Dawson River Anabranh)
RP N2	-24.13749066	149.8003859			

Attachment 2

Table 2: TEL mine affected water release criteria

Receiving waters /stream	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)	Sulphate release limits (mg/L)
Dawson River	RP N1 and RP N2	Gauging Station 1 (Dawson River within 2,000m upstream of Anabranh confluence, and downstream of the Jerry Creek-Dawson River confluence)	-24.14418	149.80036	Continuous (minimum daily)	<5 m ³ /sec For a period of twenty-eight days after natural flow events that exceed 5 m ³ /sec	0.5	<340	250
						3	0.2	500	250
						>5	0.5	500	250
						2	0.1	500	1000
						5	0.1	1500	1000
						9	0.1	2500	1000
						19	0.1	5000	1000
						39	0.1	10000	1000
						47	0.1	12500	1000
						10	0.2	1500	1000
						18	0.2	2500	1000
						38	0.2	5000	1000
						75	0.2	10000	1000
						95	0.2	12500	1000
						15	0.3	1500	1000
						27	0.3	2500	1000
						57	0.3	5000	1000

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						115	0.3	10000	1000
						145	0.3	12500	1000
						45	0.5	2500	1000
						95	0.5	5000	1000
						190	0.5	10000	1000
						240	0.5	12500	1000
						90	1	2500	1000
						190	1	5000	1000
						300	1	7500	1000

* Including all releases undertaken in accordance with this TEL and applicable conditions of environmental authority EPML00223213.

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