

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

Yarrabee Coal Company Pty Ltd
Level 25, 363 George Street,
SYDNEY SOUTH NSW 2000

Attention: Daniel Jones
Email: DanielM.Jones@yancoal.com.au

Your reference: EPML00844613
Our reference: 175134 / ENEL06648416

Application for a temporary emissions licence for the Yarrabee Coal Mine

Your application for a temporary emissions licence (TEL), which was received by this office on 9 February 2016, has been granted subject to different terms than those requested in the application.

This TEL commences on 10 February 2016 and ends on 10 May 2016 inclusive.

This TEL overrides the following conditions of environmental authority EPML00844613:

- **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 1** attached to this environmental authority.*
- **Condition C4:** *The release of mine affected water to waters in accordance with **condition C2** 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 C9:** *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 C4: 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**.*
- **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: Mine affected water release points, sources and receiving waters**.*
- **Condition 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: Mine affected water release points, sources and receiving waters**.*



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All conditions of environmental authority EPML00844613 (EA) continue to apply for the duration of this TEL, with the exception of conditions C2, C4, C9, C10 and C11, and associated Tables C1, C2, C4, C5, and C6, 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** and depicted in **Figure 1: Mine Affected Water Release Points for TEL ENEL06648416** of this TEL.
- **Condition TEL2:** The release of mine affected water to waters must not exceed any of the '**End of Pipe Release Limits**' stated in **Table 2: TEL Mine Affected Water Release Limits** of this TEL, 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 cease immediately if any '**Receiving waters contaminant limit**' as defined in **Table 2: TEL Mine Affected Water Release Limits**, are exceeded at any of the '**Downstream Monitoring Points**' specified in **Table 3: Receiving water downstream monitoring points** of this TEL.
- **Condition TEL4:**
 - a) The holder of this TEL must conduct monitoring of mine affected water releases in receiving waters in accordance with requirements detailed in **Table 3: Receiving water downstream monitoring points** and at the monitoring locations and frequency specified in **Table 4: Monitoring Parameters and Frequency** of this TEL; and
 - b) Notify the administering authority as soon as practicable, but within a maximum of 24 hours, of becoming aware of any exceedence of a '**Receiving waters contaminant limit**'.

Table 1: TEL mine affected water release points

Release Point	Easting*	Northing*	Pumping Location	Receiving Waters
TEL 1**	706,654	7,422,876	DOM2N	Twelve Mile Creek
TEL 2**	707,056	7,423,472	D Pit	Twelve Mile Creek
TEL 3	707,718	7,424,177	C Pit	Twelve Mile Creek
TEL 4	707,972	7,425,232	CE North	Twelve Mile Creek

* AGD84 Zone 55

** Note that TEL1 and TEL2 are upstream from the gauging station. Discharge from TEL1 and TEL2 will be subtracted from the gauging station flow to calculate natural flow rate.

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Table 2: TEL Mine Affected Water Release Limits

Receiving Waters	Release Points	Receiving Waters Flow Rate	End of Pipe Release Limits	Max Release Rate (for all combined RP flows)	Receiving waters contaminant limit
12 Mile Creek	TEL 1 TEL 2 TEL 3 TEL 4	No Flow	EC: 700 uS/cm pH: 6.5 – 9.5 Sulphate: 250mg/L	No Maximum	EC: 700uS/cm pH: 6.5 – 9.5 Sulphate: 250mg/L Turbidity: 130mg/L
		Low Flow < 0.46 m ³ /s for a period of 28 days after natural flow events that exceed 0.46 m ³ /s	EC: 1,000 uS/cm pH: 6.5 – 9.5 Sulphate: 1,000mg/L	No Maximum	
		Medium Flow > 0.46 m ³ /s	EC: 1,500 uS/cm pH: 6.5 – 9.5 Sulphate: 2,000mg/L	No Maximum	
		High Flow >4.0 m ³ /s	EC: 3,500 uS/cm pH: 6.5 – 9.5 Sulphate: 3,400mg/L	No Maximum	
		Very High Flow >10 m ³ /s	EC: 10,000 uS/cm pH: 6.5 – 9.5 Sulphate: 5,000mg/L	No Maximum	

* See Table 3 for downstream locations

** The onus remains on the environmental authority holder to accurately determine the receiving water flow rate, as well as the release rate from mine-affected water storages to ensure the downstream limits are achieved.

Table 3: Receiving water downstream monitoring points

Receiving Waters Location Description	Northing (GDA_1994_ MGA_Zone 55)	Easting (GDA_1994_ MGA_Zone 55)	Comments
Upstream Background Monitoring Points (Twelve Mile Creek)			
Upstream of TEL1	7420040	704296	
Downstream Monitoring Points (Twelve Mile Creek)			
IMPAC1: Downstream of TEL4	7426822	707943	Monitoring to be undertaken at this location for all releases
IMPAC2: Downstream of TEL4 at Twelve Mile Creek crossing of Fitzroy Development Road.	719689	7436922	Monitored at this location only required during no flow release events.

Table 4: Monitoring Parameters and Frequency

Monitoring Point	Parameters	Monitoring Frequency	Analysis
TEL1, TEL2, TEL3, TEL4, Upstream, and IMPAC1	pH, EC, Turbidity	Daily during release	In-situ field water
	pH, EC, Turbidity, Suspended Solids, Sulphate	At commencement of release and weekly thereafter	Laboratory Analysis
IMPAC2: Downstream	pH, EC, Turbidity, Sulphate	Daily during release	In-situ field water
	pH, EC, Turbidity, Suspended Solids, Sulphate	At commencement of release and weekly thereafter	Laboratory Analysis



Figure 1: Mine Affected Water Release Points for this TEL.

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Definitions

The following definitions apply to conditions of this TEL:

- **EA** means environmental authority EPML00844613.
- **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 EPML00844613.

Difference between application and approved temporary emissions licence

In approving this TEL, the administering authority has decided to impose additional condition **TEL4** that was not requested in the application. The administering authority considers it necessary to impose these additional notification requirements on the TEL to ensure the release of mine affected water under the TEL is managed appropriately, so impacts to environmental values are minimised.

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 Rhys Kellow on telephone (07) 4987 9380.



Signature



Date

Kate Bennink
Department of Environment and Heritage Protection
Delegate of the administering authority
Environmental Protection Act 1994

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