

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.

To: Capricorn Copper Pty Ltd
Level 3, 232 Adelaide Street
Brisbane QLD 4000

Email: jalexander@capricorncopper.com
Attention: Mr Jason Alexander

Your reference: EPML00911413
Our reference: 101/0008746

Application for temporary emissions licence (TEL) for mining activities conducted under environmental authority EPML00911413 at the Capricorn Copper Project

Application

Capricorn Copper Pty Ltd's application for a temporary emissions licence was received by the administering authority via email on 6 March 2020 at 11:59am ('**Application**').

Decision

Pursuant to section 357E(1)(a)(ii) of the *Environmental Protection Act 1994*, the Application has been granted subject to different terms than those requested by Capricorn Copper Pty Ltd.

Temporary emissions licence approval

1. This temporary emissions licence ('**TEL**') commences on 6 March 2020 and ends on 3 April 2020 ('**TEL Period**').
2. This TEL overrides the following conditions of environmental authority EPML00911413 ('**EA**') for the duration of the TEL Period:
 - (C1-1) *Contaminants that will, or have the potential to cause environmental harm, must not be released directly or indirectly to any waters except as permitted under the conditions of this environmental authority.*
 - (C2-3) *Waters released from the location listed in Schedule C - Table 1 (Contaminant Release Point) must not exceed the contaminant limit listed in Schedule C - Table 2 (Release Contaminant Limits) for any specified parameter.*

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- (C2-4) *The maximum volume of treated waste waters released in any seventy-two (72) hour period shall not exceed 70,000 cubic metres.*
- (C2-5) *The maximum volume of treated waste waters released in any twelve (12) month period shall not exceed 500,000 cubic metres.*
- (C2-6) *The holder must ensure that contaminant release to receiving waters does not occur unless background flow exceeds 1.1 metres³/second at all times.*

3. The following conditions apply to this TEL:

Condition TEL1 All conditions of the EA continue to apply unless specified otherwise in this TEL.

Condition TEL2 Contaminants must only be released to receiving waters at '**W1 Release Point**' as defined in *Schedule C – Table 1 (Contaminant Release Point)* of the EA.

Condition TEL3 The concentration of contaminants released to Gunpowder Creek at W1 Release Point must not exceed any contaminant limit specified in 'TEL Table 1 – Contaminant Release Limits'.

TEL Table 1 – Contaminant Release Limits

Contaminant (mg/L unless specified otherwise)	Contaminant limit ¹ (maximum release limit unless specified otherwise)
pH (pH units)	Must be between 6.5 to 9.0
Dissolved oxygen	Must be greater than 2
Total dissolved solids	7,000
Sulfate	7,000
Total suspended solids	87
Arsenic	0.3
Cobalt	5
Copper	7.7
Lead	0.09
Zinc	10
Oil & grease	No detectable film or odour

¹ The contaminant limit for metals and metalloids is based on the 'total' metals fraction.

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- Condition TEL4** Contaminants must not be released to Gunpowder Creek unless the background flow in Gunpowder Creek exceeds 20 cubic metres/second.
- Condition TEL5** The release of contaminants to Gunpowder Creek at W1 Release Point must not exceed a rate of 0.600 cubic metres/second.
- Condition TEL6** Monitoring of the quality and rate of contaminants released at W1 Release Point and Gunpowder Creek water quality must occur in accordance with all requirements of the EA.

Note: This TEL does not affect any statutory orders/notices issued to Capricorn Copper Pty Ltd under the *Environmental Protection Act 1994*, including Court Order No. 3163 of 2015 or the Environmental Protection Order issued on 2 December 2019.

Grounds for the decision

In deciding to grant the TEL subject to different terms than those requested by Capricorn Copper Pty Ltd, the administering authority has had regard to the criteria specified under section 357D of the *Environmental Protection Act 1994*.

The conditions imposed on the granted TEL are considered necessary and desirable to ensure all environmental values of the receiving environment are protected during the TEL Period.

Should you have any queries in relation to this notice, please contact Jacob Toe on telephone (07) 4222 5332.

T Gibbs

Signature

06/03/2020

Date

Teale Gibbs
Delegate of the Chief Executive
Environmental Protection Act 1994

Enquiries:
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