

# Environment Protection Licence



Licence - 13101

## Licence Details

Number:	13101
Anniversary Date:	17-September
Review Due Date:	17-Sep-2014

## Licensee

KYOGLÉ COUNCIL  
PO BOX 11  
KYOGLÉ NSW 2474

## Licence Type

Premises

## Premises

Woodenbong Landfill  
Mt Lindsay Hwy  
WOODENBONG NSW 2476

## Scheduled Activity

Waste disposal (application to land)

## Fee Based Activity

Waste disposal (application to land)

## Scale

0 - All

## Region

Waste Ops Coffs Harbour Compliance Team  
Federation House, 20 Moonee Street  
COFFS HARBOUR NSW 2450  
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Locked Bag 914 COFFS HARBOUR  
NSW 2450

<b>INFORMATION ABOUT THIS LICENCE.....</b>	<b>4</b>
Dictionary.....	4
Responsibilities of licensee.....	4
Variation of licence conditions .....	4
Duration of licence .....	4
Licence review .....	4
Fees and annual return to be sent to the EPA.....	4
Transfer of licence .....	5
Public register and access to monitoring data.....	5
<b>1 ADMINISTRATIVE CONDITIONS .....</b>	<b>5</b>
A1 What the licence authorises and regulates .....	5
A2 Premises to which this licence applies.....	7
A3 Other activities .....	7
A4 Information supplied to the EPA.....	7
<b>2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND.....</b>	<b>7</b>
P1 Location of monitoring/discharge points and areas.....	7
<b>3 LIMIT CONDITIONS .....</b>	<b>8</b>
L1 Pollution of waters.....	8
L2 Load limits.....	8
L3 Concentration limits.....	8
L4 Volume and mass limits .....	8
L5 Waste .....	8
L6 Noise Limits.....	9
<b>4 OPERATING CONDITIONS .....</b>	<b>9</b>
O1 Activities must be carried out in a competent manner.....	9
O2 Maintenance of plant and equipment .....	9
O3 Closure plan .....	10
O4 Management of surface waters .....	10
O5 Covering of waste.....	10
O6 Control of pests, vermin and weeds .....	10
O7 Fire extinguishment.....	10
O8 Potentially offensive odour .....	10
O9 Dust.....	11
<b>5 MONITORING AND RECORDING CONDITIONS .....</b>	<b>11</b>
M1 Monitoring records.....	11
M2 Requirement to monitor concentration of pollutants discharged .....	11
M3 Testing methods - concentration limits.....	11
M4 Recording of pollution complaints .....	11
M5 Telephone complaints line.....	12

# Environment Protection Licence



Licence - 13101

M6	Requirement to monitor volume or mass .....	12
<b>6</b>	<b>REPORTING CONDITIONS .....</b>	<b>12</b>
R1	Annual return documents .....	12
R2	Notification of environmental harm.....	14
R3	Written report .....	14
	<b>GENERAL CONDITIONS.....</b>	<b>15</b>
G1	Copy of licence kept at the premises .....	15
	<b>POLLUTION STUDIES AND REDUCTION PROGRAMS .....</b>	<b>15</b>
	Daily Cover Report .....	15
	<b>SPECIAL CONDITIONS.....</b>	<b>15</b>
	<b>DICTIONARY .....</b>	<b>15</b>
	General Dictionary .....	16

## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act); and
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

Licence - 13101

The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

### Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

### Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

### This licence is issued to:

<b>KYOGLE COUNCIL</b>
<b>PO BOX 11</b>
<b>KYOGLE NSW 2474</b>

subject to the conditions which follow.

## 1 Administrative conditions

### A1 What the licence authorises and regulates

A1.1 Not applicable.

A1.2 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity
Waste disposal (application to land)

Fee Based Activity	Scale
Waste disposal (application to land)	0 - All

A1.3 Not applicable.

**A2 Premises to which this licence applies**

A2.1 The licence applies to the following premises:

<b>Premises Details</b>
<b>Woodenbong Landfill</b>
<b>Mt Lindsay Hwy</b>
<b>WOODENBONG</b>
<b>NSW</b>
<b>2476</b>
<b>PART OF LOT 106 DP 751059 AS INDICATED IN SHADED AREA OF MAP WBLF01</b>
<b>DRAWN BY STEVEN GREEN MAY 2009 AS ATTACHED MAP WBLF01</b>

**A3 Other activities**

A3.1 Not applicable.

**A4 Information supplied to the EPA**

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- (a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- (b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

**2 Discharges to air and water and applications to land****P1 Location of monitoring/discharge points and areas**

P1.1 Not applicable.

P1.2 Not applicable.

P1.3 Not applicable.

## 3 Limit conditions

### L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

### L2 Load limits

L2.1 Not applicable.

L2.2 Not applicable.

### L3 Concentration limits

L3.1 Not applicable.

L3.2 Not applicable.

L3.3 Not applicable.

### L4 Volume and mass limits

L4.1 Not applicable.

### L5 Waste

L5.1 The licensee must not cause, permit or allow any waste to be received at the premises, except the wastes expressly referred to in the column titled "Waste" and meeting the definition, if any, in the column titled "Description" in the table below.



Licence - 13101

Any waste received at the premises must only be used for the activities referred to in relation to that waste in the column titled "Activity" in the table below.

Any waste received at the premises is subject to those limits or conditions, if any, referred to in relation to that waste contained in the column titled "Other Limits" in the table below.

Condition L5.1 does not limit any other conditions in this licence.

Code	Waste	Description	Activity	Other Limits
NA	General Solid Waste (putrescible)	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste Disposal (application to land)	
	General Solid Waste (non putrescible)			Max 5,000t per annum
	Asbestos Waste			
	Waste Tyres			
NA		Any waste received on site that is below licensing thresholds in Schedule 1 of the POEO Act, as in force from time to time		NA

## L6 Noise Limits

L6.1 Not applicable.

## 4 Operating conditions

### O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- (a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- (b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

### O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- (a) must be maintained in a proper and efficient condition; and
- (b) must be operated in a proper and efficient manner.

## O3 Closure plan

- O3.1 The last licensee must prepare and submit to the EPA within 12 months prior to the last load of waste being landfilled a closure plan in accordance with section 76 of the Protection of the Environment Operations Act 1997.

## O4 Management of surface waters

- O4.1 The perimeter of the areas where waste is being landfilled must be contoured to prevent stormwater running onto these surfaces.

## O5 Covering of waste

Cover material must be

(a) Landfill cover

Virgin excavated natural material (venm) must be applied to a minimum depth of 15 centimetres over all exposed landfilled waste at least once per week.

(b) Intermediate cover

Cover material must be virgin excavated natural material and must be applied to a depth of 30 centimetres over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.

(c) Cover material stockpile

At least two weeks cover material must be available at the premises under all weather conditions. This material may be won on site, or alternatively a cover stockpile must be maintained adjacent to the tip face.

## O6 Control of pests, vermin and weeds

- O6.1 The licensee must control pests, vermin and weeds at the premises.

## O7 Fire extinguishment

- O7.1 The licensee must extinguish fires at the premises as soon as possible.

## O8 Potentially offensive odour

- O8.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

Note: Section 129 of the Protection of the Environment Operations Act 1997, provides that the licensee must not cause or permit the emission of any offensive odour from the premises but provides a defence if the emission is identified in the relevant environment protection licence as a potentially offensive odour and the odour was emitted in accordance with the conditions of a licence directed

at minimising odour.

## **O9 Dust**

- O9.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

## **5 Monitoring and recording conditions**

### **M1 Monitoring records**

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- (a) in a legible form, or in a form that can readily be reduced to a legible form;
  - (b) kept for at least 4 years after the monitoring or event to which they relate took place; and
  - (c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- (a) the date(s) on which the sample was taken;
  - (b) the time(s) at which the sample was collected;
  - (c) the point at which the sample was taken; and
  - (d) the name of the person who collected the sample.

### **M2 Requirement to monitor concentration of pollutants discharged**

- M2.1 Not applicable.

### **M3 Testing methods - concentration limits**

- M3.1 Not applicable.

- M3.2 Not applicable.

### **M4 Recording of pollution complaints**

- M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or

agent of the licensee in relation to pollution arising from any activity to which this licence applies.

- M4.2 The record must include details of the following:
- (a) the date and time of the complaint;
  - (b) the method by which the complaint was made;
  - (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - (d) the nature of the complaint;
  - (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - (f) if no action was taken by the licensee, the reasons why no action was taken.
- M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M5 Telephone complaints line

- M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.
- M5.3 Conditions M5.1 and M5.2 do not apply until 3 months after:
- (a) the date of the issue of this licence or
  - (b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

## M6 Requirement to monitor volume or mass

- M6.1 Not applicable.

# 6 Reporting conditions

## R1 Annual return documents

**What documents must an Annual Return contain?**

# Environment Protection Licence



Licence - 13101

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- (a) a Statement of Compliance; and
  - (b) a Monitoring and Complaints Summary.
- A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

## Period covered by Annual Return

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- R1.3 Where this licence is transferred from the licensee to a new licensee:
- (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

## Deadline for Annual Return

- R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

## Notification where actual load can not be calculated

- R1.6 Not applicable.

## Licensee must retain copy of Annual Return

- R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

## Certifying of Statement of Compliance and signing of Monitoring and Complaints Summary

- R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

Licence - 13101

- (a) the licence holder; or
- (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

## R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

## R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- (a) the cause, time and duration of the event;
- (b) the type, volume and concentration of every pollutant discharged as a result of the event;
- (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- (g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it

is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

## General conditions

### G1 Copy of licence kept at the premises

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

## Pollution studies and reduction programs

### Daily Cover Report

- U1.1 The licensee must provide a written report to the DECC's Manager Waste Operations investigating the use of alternative daily cover. The report must include, but not be limited to:
  - (a) a qualified assessment of alternative daily cover in meeting the objective or benchmark technique 33 of DECC's Environmental Guidelines: Solid Waste landfills (1996); and
  - (b) Costs associated with the application of such alternative daily covers identified in condition u1.1 (a)
- U1.2 The written report identified in condition U1.1 must be produced to the DECC'S Manager Waste Operations by 5pm on 1 February 2010.

## Special conditions

- E1.1 Not applicable.

## Dictionary

**General Dictionary**

In this licence, unless the contrary is indicated, the terms below have the following meanings:

<b>3DGM [in relation to a concentration limit]</b>	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
<b>Act</b>	Means the Protection of the Environment Operations Act 1997
<b>activity</b>	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
<b>actual load</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>AM</b>	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>AMG</b>	Australian Map Grid
<b>anniversary date</b>	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>annual return</b>	Is defined in R1.1
<b>Approved Methods Publication</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>BOD</b>	Means biochemical oxygen demand
<b>CEM</b>	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>COD</b>	Means chemical oxygen demand
<b>composite sample</b>	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
<b>cond.</b>	Means conductivity
<b>environment</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>environment protection legislation</b>	Has the same meaning as in the Protection of the Environment Administration Act 1991
<b>EPA</b>	Means Environment Protection Authority of New South Wales.
<b>fee-based activity classification</b>	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 1998.
<b>flow weighted composite sample</b>	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
<b>general solid waste (non-putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>general solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act



# Environment Protection Licence



Licence - 13101

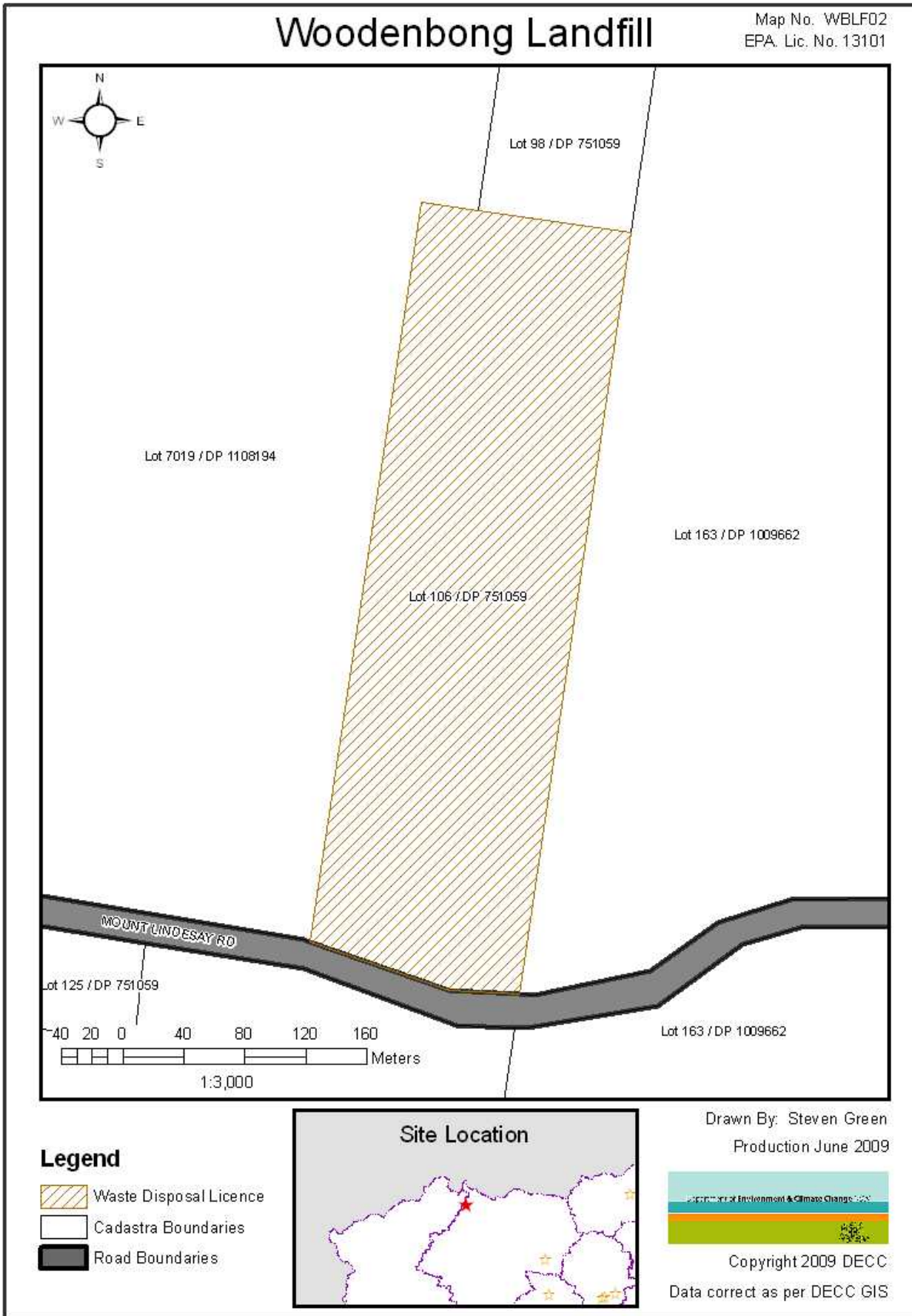
<b>(putrescible)</b>	1997
<b>grab sample</b>	Means a single sample taken at a point at a single time
<b>hazardous waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>licensee</b>	Means the licence holder described at the front of this licence
<b>load calculation protocol</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
<b>local authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>material harm</b>	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
<b>MBAS</b>	Means methylene blue active substances
<b>Minister</b>	Means the Minister administering the Protection of the Environment Operations Act 1997
<b>mobile plant</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>motor vehicle</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>O&amp;G</b>	Means oil and grease
<b>percentile [in relation to a concentration limit of a sample]</b>	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
<b>plant</b>	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
<b>pollution of waters [or water pollution]</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>premises</b>	Means the premises described in condition A2.1
<b>public authority</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>regional office</b>	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
<b>reporting period</b>	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
<b>restricted solid waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>scheduled activity</b>	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
<b>special waste</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
<b>TM</b>	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids

# Environment Protection Licence



Licence - 13101

<b>Type 1 substance</b>	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
<b>Type 2 substance</b>	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
<b>utilisation area</b>	Means any area shown as a utilisation area on a map submitted with the application for this licence
<b>waste</b>	Has the same meaning as in the Protection of the Environment Operations Act 1997
<b>waste type</b>	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non-putrescible), special waste or hazardous waste



Mr Stephen Beaman

Environment Protection Authority

(By Delegation)

Date of this edition - 22-Jun-2010

## End Notes

- 1 Licence varied by Correction to EPA Region data record., issued on 22-Jun-2010, which came into effect on 22-Jun-2010.