

Environment Protection Licence

Licence - 12124

<u>Licence Details</u>	
Number:	12124
Anniversary Date:	08-July

<u>Licensee</u>
KYOGLE COUNCIL
PO BOX 11
KYOGLE NSW 2474

<u>Premises</u>
KYOGLE LANDFILL FACILITY
64-78 RUNNYMEDE ROAD
KYOGLE NSW 2474

<u>Scheduled Activity</u>
Waste disposal (application to land)

<u>Fee Based Activity</u>	<u>Scale</u>
Waste disposal by application to land	Any capacity

<u>Region</u>
Waste & Resource Recovery
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SYDNEY SOUTH NSW 1232



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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);
- 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).

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

KYOGLE COUNCIL
PO BOX 11
KYOGLE NSW 2474

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 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	Fee Based Activity	Scale
Waste disposal (application to land)	Waste disposal by application to land	Any capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
KYOGLE LANDFILL FACILITY
64-78 RUNNYMEDE ROAD
KYOGLE
NSW 2474
LOT 1 DP 8406, LOT 7002 DP 92699
RES 47636

A3 Information supplied to the EPA

A3.1 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.

A3.2 The 'Runnymede Road Landfill - Landfill Environmental Management Plan May 2006' is not to be taken as part of the documentation in A3.1, other than those parts specifically referenced in this licence.

Note: For the purposes of this licence the abbreviation 'LEMP' refers to the report described above.

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2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge quality monitoring.	Discharge quality monitoring.	Western leachate dam marked as 'Existing Leachate Pond' on Figure 2 of the LEMP.
2	Discharge quality monitoring.	Discharge quality monitoring.	Eastern leachate dam marked as 'Existing leachate pond' on Figure 2 of the LEMP.
4	Ground water quality.		Deep ground water monitoring bore identified as GW1A in section 5.4 and drawing GJ0409.2 of LEMP.
6	Ground water quality.		Deep ground water monitoring bore identified as GW2A in section 5.4 and drawing GJ0409.2 of the LEMP.
8	Ground water quality.		Deep ground water monitoring bore identified as GW3A in section 5.4 and drawing GJ0409.2 of the LEMP.
10	Ground water quality.		Shallow ground water monitoring bore identified as BH3 in section 5.4 and drawing GJ0409.2 of the LEMP.
11	Ground water quality.		Shallow ground water monitoring bore identified as BH4 in section 5.4 and drawing GJ0409.2 of the LEMP.
12	Ground water quality.		Shallow ground water monitoring bore identified as BH5 in section 5.4 and drawing GJ0409.0 of the LEMP.

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13	Ground water quality.		Shallow ground water monitoring bore identified as BH6 in section 5.4 and drawing GJ0409.2 of the LEMP.
14	Ground water quality.		Shallow groundwater monitoring bore identifies as BH7 in section 5.4 and drawing GJ0409.2 of the LEMP.
15	Surface water quality.		Upstream surface water quality monitoring point identified as SW001 in section 5.7 and in Figure 2 of the LEMP.
16	Surface water quality.		Downstream surface water quality monitoring point identified as SW002 in section 5.7 and in Figure 2 of the LEMP.
17	Surface water quality.		Downstream surface water quality monitoring point identified as SW003 in section 5.7 and in Figure 2 of the LEMP.
18	Ground water quality.		Shallow ground water monitoring bore on "Painter" property west of railway line.
19	Discharge quality monitoring.	Discharge quality monitoring.	Normal discharge point of sediment pond 1 marked on Figure 6 appended to licensee's correspondence dated 13 February 2007.
20	Discharge quality monitoring.	Discharge quality monitoring.	Normal discharge point of sediment basin 2 marked on Figure 6 appended to licensee's correspondence dated 13 February 2007.
21	Discharge quality monitoring.	Discharge quality monitoring.	Normal discharge point of borrow pit detention pond marked on Figure 6 appended to licensee's correspondence dated 13 February 2007.

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.
- L1.2 Leachate is not permitted to overflow from the leachate management system at the premises except as a direct result of rainfall greater than 259mm falling in total over any period of up to five consecutive days and only from the following points: Points 1 and 2.
- L1.3 Stormwater is permitted to overflow from the stormwater management system only as a direct result of a

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rainfall event greater than or equal to 60mm in total falling over any consecutive 5 day period, and only from the spillways of the following points: Points 19, 20, 21.

L2 Concentration limits

- L2.1 For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.
- L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table.
- L2.4 Water and/or Land Concentration Limits

POINT 19,20,21

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50

- L2.5 Exceedances of the concentration limits for TSS and pH in condition L2.4 are permitted as a direct result of a rainfall event greater than or equal to 60mm in total falling over any consecutive five day period at the premises, from the normal discharge point and from the spillway of the following points: Points 19, 20 & 21

L3 Waste

- L3.1 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.
- 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.
- This condition does not limit any other conditions in this licence.

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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)	The quantity of waste disposed of at the premises must not exceed 5,000 tonnes per annum.
NA	General solid waste (non-putrescible)	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste disposal (application to land)	The quantity of waste disposed of at the premises must not exceed 5,000 tonnes per annum.
NA	Asbestos waste	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste disposal (application to land)	The quantity of waste disposed of at the premises must not exceed 5,000 tonnes per annum.
NA	Waste tyres	As defined in Schedule 1 of the POEO Act, in force from time to time	Waste disposal (application to land)	The quantity of waste disposed of at the premises must not exceed 5,000 tonnes per annum.
NA	Waste	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

L4 Potentially offensive odour

L4.1 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.

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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 Dust

O3.1 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.

O4 Emergency response

O4.1 The licensee must have in place and implement section 5.12 of the LEMP to minimise the risk of fire at the premises.

O4.2 The licensee must extinguish fires at the premises as soon as possible.

O5 Processes and management

O5.1 The licensee must take all practicable measures to control unauthorised entry to the premises.

O5.2 The licensee must take all practicable measures to minimise the escape of litter from the premises.

O5.3 The licensee must implement all practicable measures to control pests, vermin and weeds at the premises.

O6 Waste management

O6.1 The total quantity of used, rejected or unwanted tyres (including shredded tyres and tyre pieces) stockpiled at the premises must not exceed 50 tonnes.

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- O6.2 The licensee must ensure that stockpiles of used, rejected or unwanted tyres (including shredded tyres and tyre pieces) are located in a clearly defined area.
- O6.3 The licensee must ensure that stockpiles of used, rejected or unwanted tyres (including shredded tyres and tyre pieces) are managed so as not to cause or to be likely to cause the spread of disease by vermin.
- O6.4 The licensee must ensure that measures are taken to prevent stockpiles of used, rejected or unwanted tyres (including shredded tyres and tyre pieces) from catching on fire.
- O6.5 The licensee must submit to the EPA within three 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.
- O6.6 A leachate barrier system must be installed on each surface within the premises to be used for the disposal of waste and the type and extent of the leachate barrier system must be approved in writing by the EPA before installation. This condition does not apply to any surface used for the emplacement of waste before 10 June 2004.
- O6.7 A leachate collection system must be installed on each surface within the premises to be used for the disposal of waste and the type and extent of the leachate collection system must be approved in writing by the EPA before installation. This condition does not apply to any surface used for the emplacement of waste before 10 June 2004.
- O6.8 All leachate which drains from waste filled areas as a direct result of rainfall of up to 259mm falling over any period of up to five consecutive days duration must be collected and stored in leachate dams at the premises.
- O6.9 All leachate collected at the premises must be stored in leachate dams and must be disposed of only by one or more of the following methods:
 - a) Evaporation in the leachate dams;
 - b) Irrigation onto waste-filled areas;
 - c) Transported off the premises to a facility that is lawfully able to receive the leachate.
- O6.10 The licensee must take all practicable measures to minimise at all times the amount of leachate stored in the leachate dams (Points 1 & 2) to enable compliance with conditions L1 of this licence.
- O6.11 Irrigation of leachate at the premises must not occur in a manner which causes surface runoff.
- O6.12 Spray from leachate irrigation must not drift beyond the boundary of the premises.
- O6.13 All waste oil storage drums and/or tanks must be located on a hard-stand area and surrounded by a bund with a capacity to hold at least 110% of the storage capacity of the drums and tanks.
- O6.14 Any battery storage area must be covered to prevent rainfall contacting the batteries and surface water must be diverted away from the storage area.
- O6.15 There must be no incineration or burning of any waste at the premises.
- O6.16 The licensee must have in place and implement procedures to identify and prevent the disposal of any waste not permitted by this licence to be disposed of at the premises.

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- O6.17 The licensee must manage the disposal of waste at the premises in accordance with a progressive filling plan which is updated annually.
- O6.18 The licensee must ensure that the landfill cells are capped progressively and in accordance with condition O6.19 during operations and specifically at times when the level of waste reaches final heights as detailed in section 5.28 and Figure 5 of the LEMP.
- O6.19 Final capping must comprise four layers in the order of installation: a properly designed and engineered seal bearing surface; a minimum 500mm thick sealing layer exhibiting a permeability of less than 10⁻⁸ m/s; a minimum 300mm thick infiltration drainage layer exhibiting a permeability of greater than 10⁻⁵ m/s, and; a minimum 150mm thick revegetation layer.
- O6.20 Daily cover
Earthen cover material must be applied daily to a minimum compacted depth of 150mm over all exposed landfilled waste prior to ceasing operations at the end of each day.
Intermediate cover
Earthen cover material must be applied to a minimum compacted depth of 300mm over surfaces of the landfilled waste at the premises which are to be exposed for more than 90 days.
- O6.21 The perimeter of the areas where waste has been landfilled must be contoured to prevent stormwater running onto these surfaces from all storm events less than or equal to a 259mm rainfall event falling over any period of up to five days duration.
- O6.22 The licensee must minimise the tracking of waste and mud offsite by vehicles leaving the premises.

O7 Other operating conditions

- O7.1 The licensee must regularly review and implement revised erosion and sedimentation control plans to adequately forward plan, design, implement and maintain erosion and sedimentation controls to address changing catchments and activities. The licensee must ensure all surface runoff is controlled, directed to, captured and filtered by erosion and sedimentation controls.

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;

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- 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 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

M2.2 Water and/ or Land Monitoring Requirements

POINT 1,2

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Quarterly	Grab sample
Ammonia	milligrams per litre	Quarterly	Grab sample
Arsenic	milligrams per litre	Quarterly	Grab sample
Calcium	milligrams per litre	Quarterly	Grab sample
Chloride	milligrams per litre	Quarterly	Grab sample
Conductivity	microsiemens per centimetre	Quarterly	Probe
Dissolved organic carbon	milligrams per litre	Quarterly	Grab sample
Iron	milligrams per litre	Quarterly	Grab sample
Magnesium	milligrams per litre	Quarterly	Grab sample
Manganese	milligrams per litre	Quarterly	Grab sample
Nitrate	milligrams per litre	Quarterly	Grab sample
Nitrite	milligrams per litre	Quarterly	Grab sample
Nitrogen	milligrams per litre	Quarterly	Grab sample
pH	pH	Quarterly	Probe
Potassium	milligrams per litre	Quarterly	Grab sample
Sodium	milligrams per litre	Quarterly	Grab sample
Sulfate	milligrams per litre	Quarterly	Grab sample
Total petroleum hydrocarbons	micrograms per litre	Quarterly	Grab sample

POINT 4,6,8,10,11,12,13,14,18

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Special Frequency 1	Representative sample
NH3-N	milligrams per litre	Special Frequency 1	Representative sample

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pH	pH	Special Frequency 1	Probe
TN	milligrams per litre	Special Frequency 1	Representative sample
Total petroleum hydrocarbons	micrograms per litre	Special Frequency 1	Representative sample

POINT 15,16,17

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Special Frequency 1	Grab sample
Ammonia	milligrams per litre	Special Frequency 1	Grab sample
Arsenic	milligrams per litre	Special Frequency 1	Grab sample
Calcium	milligrams per litre	Special Frequency 1	Grab sample
Chloride	milligrams per litre	Special Frequency 1	Grab sample
Conductivity	microsiemens per centimetre	Special Frequency 1	Probe
Dissolved organic carbon	milligrams per litre	Special Frequency 1	Grab sample
Iron	milligrams per litre	Special Frequency 1	Grab sample
Magnesium	milligrams per litre	Special Frequency 1	Grab sample
Manganese	milligrams per litre	Special Frequency 1	Grab sample
Nitrate	milligrams per litre	Special Frequency 1	Grab sample
Nitrite	milligrams per litre	Special Frequency 1	Grab sample
Nitrogen	milligrams per litre	Special Frequency 1	Grab sample
pH	pH	Special Frequency 1	Probe
Potassium	milligrams per litre	Special Frequency 1	Grab sample
Sodium	milligrams per litre	Special Frequency 1	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Special Frequency 1	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

POINT 19,20,21

Pollutant	Units of measure	Frequency	Sampling Method
Alkalinity (as calcium carbonate)	milligrams per litre	Special Frequency 2	Grab sample
Ammonia	milligrams per litre	Special Frequency 2	Grab sample
Arsenic	milligrams per litre	Special Frequency 2	Grab sample
Calcium	milligrams per litre	Special Frequency 2	Grab sample
Chloride	milligrams per litre	Special Frequency 2	Grab sample
Conductivity	millisiemens per centimetre	Special Frequency 2	Probe
Dissolved organic carbon	milligrams per litre	Special Frequency 2	Grab sample
Iron	milligrams per litre	Special Frequency 2	Grab sample
Magnesium	milligrams per litre	Special Frequency 2	Grab sample
Manganese	milligrams per litre	Special Frequency 2	Grab sample
Nitrate	milligrams per litre	Special Frequency 2	Grab sample

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Nitrite	milligrams per litre	Special Frequency 2	Grab sample
Nitrogen	milligrams per litre	Special Frequency 2	Grab sample
pH	pH	Special Frequency 2	Probe
Potassium	milligrams per litre	Special Frequency 2	Grab sample
Sodium	milligrams per litre	Special Frequency 2	Grab sample
Total petroleum hydrocarbons	milligrams per litre	Special Frequency 2	Grab sample
Total suspended solids	milligrams per litre	Special Frequency 2	Grab sample

Note: For the purposes of conducting monitoring in accordance with the above tables 'Special Frequency 1' means the collection of samples following the first 24hour rainfall event exceeding 25mm in each quarterly period.

M2.3 For the purposes of conducting monitoring in accordance with the above tables 'Special Frequency 2' means the collection of samples during the first discharge event of each quarter arising from a rainfall event of less than 60mm in total falling over a consecutive five day period.

M2.4 Within three months after the completion of 8 rounds of groundwater characterisation-phase monitoring of the deep (regional) aquifer carried out in accordance with condition M2, the licensee must:

- a) assess the results of the 8 rounds of monitoring,
- b) establish for each parameter sampled the concentration indicative of uncontaminated groundwater at the premises,
- c) propose and justify a list of parameters, monitoring points and future sampling frequencies to be used as the basis of an on-going groundwater contamination detection-phase monitoring program,
- d) for the parameters proposed in 3. above establish and justify a list of concentration thresholds to be used to detect leachate pollution and to trigger the need to undertake a Groundwater Assessment Program, and
- e) submit a report to the EPA incorporating all monitoring results from 1. and 2. above in graphical and tabular form and seeking approval for the monitoring program and thresholds proposed under 3 and 4 above.

M2.5 Within three months after the completion of 8 rounds of surface water characterisation-phase monitoring carried out in accordance with condition M2, the licensee must:

- a) assess the results of the 8 rounds of monitoring,
- b) establish for each parameter sampled the concentration indicative of uncontaminated surface water at the premises,
- c) propose and justify a list of parameters, monitoring points and future sampling frequencies to be used as the basis of an on-going surface water contamination detection-phase monitoring program,
- d) for the parameters proposed in 3. above establish and justify a list of concentration thresholds to be used to detect leachate pollution of surface waters and to trigger the need to undertake a Surface Water Assessment Program, and
- e) submit a report to the EPA incorporating all monitoring results from 1. and 2. above in graphical and tabular form and seeking approval for the monitoring program and thresholds proposed under 3 and 4 above.

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M3 Testing methods - concentration limits

- M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.
- M3.2 Water sampling must be undertaken in accordance with the EPA document "Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales (2004)".

M4 Weather monitoring

- M4.1 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period at the same time each day.

M5 Recording of pollution complaints

- M5.1 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.
- M5.2 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.
- M5.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M5.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M6 Telephone complaints line

- M6.1 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.
- M6.2 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.
- M6.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

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M7 Requirement to monitor volume or mass

- M7.1 The licensee must monitor and record daily the volume of leachate disposed of by irrigation on the leachate irrigation by calculation (volume flow rate or pump capacity multiplied by pump operating time).
- M7.2 The licensee must monitor the depth of leachate and the freeboard (to base of spillway) at Points 1 and 2 daily and in centimetres, using a Graduated in-situ marker method.

M8 Requirement to record overflow or bypass incidents

- M8.1 For the purposes of complying with Condition R5 the licensee must monitor overflow events from the following discharge points: Points 1 and 2.

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
 - 1. a Statement of Compliance,
 - 2. a Monitoring and Complaints Summary,
 - 3. a Statement of Compliance - Licence Conditions,
 - 4. a Statement of Compliance - Load based Fee,
 - 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
 - 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
 - 7. a Statement of Compliance - Environmental Management Systems and Practices.

At 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.

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

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given; or

b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or 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').

R1.6 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.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

a) the licence holder; or

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

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.

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

R2 Notification of environmental harm

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.

R2.3 Whenever leachate discharges off the premises or discharges from any of the following points the licensee must notify the event to the EPA in accordance with condition R2.4: Points 1 and 2

R2.4 The licensee must provide written details of any leachate discharge(s) to the EPA within 7 days of the date on which the incident occurred in accordance with condition R2.5.

R2.5 The written details referred to in the above condition must be provided as a report. The report must include the following information:

a) the estimated volume of the leachate discharged and over what time period the discharge occurred;

b) the date and time of the commencement of the discharge;

c) the weather conditions at the time of the discharge, specifying the amount of rainfall on a daily basis that had fallen:

i) on the day(s) of the discharge; and

ii) on each of the preceding 7 days prior to the discharge.

d) the most recent monitoring results of the chemical composition of the leachate;

e) an explanation as to why the discharge occurred;

f) the location(s) of the discharge;

g) was the discharge permitted by this licence, and if not;

h) a plan of action to prevent a similar discharge in the future.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening

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material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- where this licence applies to premises, an event has occurred at the premises; or
 - 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:
- the cause, time and duration of the event;
 - the type, volume and concentration of every pollutant discharged as a result of the event;
 - 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;
 - 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;
 - action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
 - 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.

R4 Other reporting conditions

- R4.1 The licensee must record the following data in relation to fires occurring at the premises:
- Time and date when the fire started.
 - Whether the fire was authorised by the licensee, and, if not, the circumstances which ignited the fire.
 - The time and date that the fire burnt out or was extinguished.
 - The location of fire (eg. clean timber stockpile, putrescible garbage cell, etc).
 - Prevailing weather conditions at the time of the fire.
 - Observations made in regard to smoke direction and dispersion.
 - The amount of waste that was combusted by the fire.
 - Action taken to extinguish the fire;
 - Action taken to prevent a reoccurrence.

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The data must be recorded on each day that the fire is burning.

- R4.2 The licensee or its employees or agents must notify the occurrence of all fires on the premises in accordance with conditions R2.1 and R2.2 as soon as practical after becoming aware of the fire.

7 General Conditions

G1 Copy of licence kept at the premises or plant

- 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.

8 Pollution Studies and Reduction Programs

U1 Surface Water Controls

- U1.1 The Licensee must update or prepare an Erosion and Sedimentation Control Plan (ESCP) in accordance with the following:

- Managing Urban Stormwater - Soils and Construction - Volume 2B Waste Landfills (DECC 2008)
- Environmental Guidelines - Solid Waste Landfills (EPA 2016)

The ESCP must be submitted to the EPA by 4pm on 31 May 2018 to the email waste.operations@epa.nsw.gov.au or by post to Unit Head - Regional Waste Compliance, Locked Bag 914, Coffs Harbour NSW 2450.

- U1.2 In addition to addressing the guidelines above, the ESCP must:

- address relevant conditions within the licence
- be created in a manner that allows for efficient and regular updating as major changes occur in the operational activities at the Premises or at the minimum on an annual basis
- detail an itemised timeline containing dates when construction will start on any identified required surface water management infrastructure and when it will become operational
- detail the management practices that will be undertaken by Council to manage controlled and uncontrolled discharges from sedimentation ponds
- detail the maintenance program for maintaining surface water control infrastructure

U2 Monitoring Program Review

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U2.1 The licensee must complete the reports required under conditions M2.4 and M2.5 of this licence. The reports must:

- be submitted to the EPA before 4pm on 6 August 2018 by email at waste.operations@epa.nsw.gov.au or by post to Unit Head - Regional Waste Compliance, Locked bag 914 Coffs Harbour 2450
- not be limited to the initial 8 rounds of monitoring, but include all monitoring data collected by the licensee relevant to the surface and ground water monitoring points specified in this licence

9 Special Conditions

E1 Stockpile Management

- E1.1 The licensee must develop and implement strategies to ensure:
- a) excavation volumes are planned for and managed;
 - b) stockpiles are located away from drainage lines and surface runoff is directed away from stockpiles;
 - c) stockpiles are established and maintained in a way that minimises dust and stormwater pollution;
 - d) stockpiles are covered or stabilised daily to prevent soil erosion and sedimentation; and
 - e) erosion and sedimentation controls are implemented on the down-slope of stockpiles.

The licensee must develop and implement these strategies prior to excavations required for the super stage 1.

E2 Disposal of Waste

- E2.1 The licensee must not landfill waste outside of the following areas:
- the cell constructed in 2011 identified as Stage 1 in the plan titled Kyogle Landfill - Runnymede Road - Leachate Management Plan dated 20/12/2010; OR
 - the cell constructed in 2017 identified as New Waste Cell Constructed Jan 2017 in the plan titled Kyogle Landfill Super Cell New Waste Cell Works as Executed dated 05/01/2017.

E3 Construction of Subsequent Super Cell Stages

- E3.1 Subsequent waste disposal cells adjacent to the new waste cell constructed in 2017 must include a leachate riser for monitoring leachate levels, to provide a point of leachate extraction and to allow flushing of the leachate extraction system within the new waste cell constructed in 2017.

E4 Environmental Obligations of Licensee (Works & Programs)

- E4.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:

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- a) Clean up any spill, leak or other discharge of any waste(s) or other material(s) as soon as practicable after it becomes known to the licensee or to one of the licensee's employees or agents.
- b) In the event(s) that any liquid and non-liquid waste(s) is unlawfully deposited on the premises, such waste(s) must be removed and lawfully disposed of as soon as practicable or in accordance with any direction given by the EPA.
- c) Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.

E4.2 In the event of an earthquake, storm, fire, flood or any other event where it is reasonable to suspect that a pollution incident has occurred, is occurring or is likely to occur, the licensee (whether or not the premises continue to be used for the purposes to which the licence relates) must:

- a) make all efforts to contain all firewater on the licensee's premises,
- b) make all efforts to control air pollution from the licensee's premises,
- c) make all efforts to contain any discharge, spill or run-off from the licensee's premises,
- d) make all efforts to prevent flood water entering the licensee's premises,
- e) remediate and rehabilitate any exposed areas of soil and/or waste,
- f) lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of,
- g) at the request of the EPA monitor groundwater beneath the licensee's premises and its potential to migrate from the licensee's premises,
- h) at the request of the EPA monitor surface water leaving the licensee's premises; and
- i) ensure the licensee's premises is secure.

E4.3 After the licensee's premises cease to be used for the purpose to which the licence relates or in the event that the licensee ceases to carry out the activity that is the subject of this licence, that licensee must:

- a) remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
- b) rehabilitate the site, including conducting an assessment of and if required remediation of any site contamination.

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	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
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	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> .
AMG	Australian Map Grid
anniversary date	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.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	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> .
COD	Means chemical oxygen demand
composite sample	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.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	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.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	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.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	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> .

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

Mr Graeme Budd

Environment Protection Authority

(By Delegation)

Date of this edition: 08-July-2004

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End Notes

- 1 Licence varied by notice 1044198, issued on 18-Feb-2005, which came into effect on 15-Mar-2005.
- 2 Licence varied by notice 1062124, issued on 26-Jul-2006, which came into effect on 26-Jul-2006.
- 3 Licence varied by notice 1064044, issued on 30-Aug-2006, which came into effect on 30-Aug-2006.
- 4 Licence varied by notice 1075011, issued on 14-Oct-2008, which came into effect on 14-Oct-2008.
- 5 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 6 Licence varied by notice 1097750, issued on 24-Mar-2009, which came into effect on 24-Mar-2009.
- 7 Licence varied by notice 1100811, issued on 09-Jun-2009, which came into effect on 09-Jun-2009.
- 8 Licence varied by correction to DECCW Region data record, issued on 01-Nov-2010, which came into effect on 01-Nov-2010.
- 9 Licence varied by notice 1507275 issued on 05-Sep-2016
- 10 Licence varied by notice 1549255 issued on 10-Feb-2017
- 11 Licence varied by notice 1553883 issued on 24-Nov-2017