



**Licence No. 50677**

**CU-RIVER MINING AUSTRALIA  
PTY LTD**

Northern Power Station and Playford Power Station, Power  
Station Road, PORT AUGUSTA SA 5700

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**ISSUED:**  
27 May 2019

**EXPIRY:**  
31 Dec 2019

**ACN:**  
600 429 043

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Environmental Authorisation  
under Part 6 of the  
*Environment Protection  
Act 1993*

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**South Australian  
Environment  
Protection Authority**  
GPO Box 2607  
Adelaide SA 5001  
Tel: 08 8204 2004

EPA



# Environment Protection Authority

**LICENCE NUMBER** 50677

## LICENSEE DETAILS

Licence Holder: CU-RIVER MINING AUSTRALIA PTY LTD

ACN: 600 429 043

Registered Address: Level 10/185 Victoria Square, ADELAIDE SA 5000

Premises Address(es): Northern Power Station and Playford Power Station, Power Station Road, PORT AUGUSTA SA 5700

## LICENSED ACTIVITIES

The Licensee is authorised to undertake, at the location(s) shown above, the following prescribed activities of environmental significance under Schedule 1 Part A of the Act, subject to the conditions in this Licence.

7(5)	Coal handling and storage
8(2)(a)	Fuel burning coal or wood
8(7)	Discharges to marine or inland waters

## TERMS OF LICENCE

Commencement Date: 27 May 2019

Expiry Date: 31 Dec 2019

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## Licence Explanatory Notes – Do Not Form Part of the Licence

### Compliance with this licence

The EPA seeks to ensure that all reasonable and practicable measures are taken to protect, restore and enhance the quality of the environment according to the principles of ecologically sustainable development. To achieve this objective, the EPA uses a number of regulatory decision making principles and actions outlined in the 'Compliance and enforcement regulatory options and tools' document available on the EPA website.

### Notification – serious or material environmental harm caused or threatened

If serious or material environmental harm from pollution is caused or threatened in the course of an activity, the licence holder must, as soon as reasonably practicable after becoming aware of the harm or threatened harm, notify the EPA (preferably on EPA emergency phone number 1800 100 833) of the harm or threatened harm, its nature, the circumstances in which it occurred and the action taken to deal with it in accordance with section 83 of the [Environment Protection Act 1993](#) (the Act). In the event that the primary emergency phone number is out of order, the licence holder should phone (08) 8204 2004.

### Variations, transfers and surrender of a licence

The EPA may impose or vary the conditions of a licence by notice in writing to the licence holder in accordance with sections 45 and 46 of the Act. Public notice may be required where the variation of licence conditions results in a relaxation of the requirements imposed for the protection or restoration of the environment and results in an adverse effect on any adjoining land or its amenity.

If a licence holder wishes to vary the conditions of a licence, transfer a licence to another entity, or surrender a licence, the licence holder must submit an application to the EPA in accordance with the applicable provisions of the Act (sections 45, 49 and 56, respectively). A licence remains in effect and in its original form until such time as any proposed variation, application for surrender, or transfer has been made and approved in writing by the EPA.

### Suspension or cancellation of a licence

The EPA may suspend or cancel a licence by notice in writing to the licence holder in accordance with section 55 of the Act if satisfied the licence holder has either obtained the licence improperly, contravened a requirement under the Act or if the holder is a body corporate, a director of the body corporate has been guilty of misconduct of a prescribed kind (whether in this State or elsewhere).

### Responsibilities under Environment Protection legislation

In addition to the conditions of any licence, a licence holder must comply with their obligations under all State and Federal legislation (as amended from time to time) including: the [Environment Protection Act 1993](#); the [Environment Protection Regulations 2009](#); all Environment Protection Policies made under the [Environment Protection Act 1993](#); and any National Environment Protection Measures not operating as an Environment Protection Policy under the [Environment Protection Act 1993](#)

### Public Register Information

The EPA maintains and makes available a Public Register of details related to its determinations and other information it considers appropriate (i.e. excluding trade processes or financial information) in accordance with section 109 of the Act. These details include, but are not limited to:

- licensing and beverage container applications and approvals
- enforcement actions
- site contamination
- serious or material environmental harm caused or threatened in the course of an activity
- environment improvement programmes and environment performance agreements
- environment assessment reports; results of testing, monitoring or evaluation required by a licence
- EPA advice or direction regarding development approvals referred to the EPA by a planning authority

## Definitions

Unless the contrary intention appears, terms used in this licence that are defined in the Act (including any regulations or environment protection policies made pursuant to the Act) have the respective meanings assigned to those terms by the Act.

**THE ACT:** The *Environment Protection Act 1993*

**PREMISES:** The whole of the land comprised in Titles Register - Certificate of Title, Crown Lease and Crown Record.

CT5843/692

CT6134/241

CT6134/240

CT6197/681

CT6197/682

**24 HOUR AVERAGE:** Calendar day average

**AUTHORISATION FEE PAYMENT DATE:** means the anniversary of the grant or renewal of this authorisation.

**EMERGENCY SPILL KIT:** means a kit containing materials that when used would prevent and/or minimise listed waste from entering the stormwater or groundwater system in the event of a spill.

**ENVIRONMENTAL HARM:** means the same as is defined in section 5 of the Environment Protection Act 1993.

**ONE HOUR AVERAGE:** One clock hour average

**PM10:** means particulate matter with an equivalent aerodynamic diameter of 10 micrometres or less

**POLLUTION CONTROL EQUIPMENT:** means 'control equipment' as defined in the Environment Protection (Air Quality) Policy: any device that controls, limits, measures, records or indicates air pollution.

**SUITABLY QUALIFIED EXPERT:** Means a person who holds relevant qualifications, has demonstrated professional experience and expertise encompassing an appropriate range of competencies.

**WASTE:** means -

1. As defined under the Environment Protection Act 1993,

1(a) any discarded, dumped, rejected, abandoned, unwanted or surplus matter, whether or not intended for sale or for purification or resource recovery by a separate operation from that which produced the matter; or

1(b) any matter declared by regulation to be waste for the purposes of this Act (following consultation by the Minister on the regulation with prescribed bodies in accordance with the regulations); or

1(c) any matter declared by an environment protection policy to be waste for the purposes of this Act,

whether or not of value.

2. However, waste does not include—

2(a) an approved recovered resource whilst it is being dealt with in accordance with the declaration of that resource—see section 4A; or

2(b) anything declared by regulation or an environment protection policy not to be waste for the purposes of this Act,

even though the resource or the thing so declared might otherwise, but for the declaration, fall within the definition of waste in subsection (1).

## **Acronyms**

**EPA:** means Environment Protection Authority

## Conditions of Licence

The Licensee is authorised to conduct the prescribed activities as described in this Licence at the Premises nominated, subject to the following conditions:

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### 1 CONTROL OF EMISSIONS

#### 1.1 DUST PREVENTION (S - 9)

The Licensee must:

- 1.1.1 take all reasonable and practicable measures to prevent dust from leaving the Premises.
  - 1.1.2 develop a Dust Management Plan to the satisfaction of the EPA; and
  - 1.1.3 implement the Dust Management Plan approved in writing by the EPA (or any revised plan approved in writing by the EPA).
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### 2 OPERATIONAL MANAGEMENT

#### 2.1 BUNDING (T - 21)

The Licensee must ensure that any substances that by their nature or amount have the potential to cause environmental harm to surface water or groundwater including but not limited to:

- Used Lead Acid Batteries;
- Oils (including waste oils);
- Coolant;
- Fuels; and
- Lubricants,

are stored in an appropriately banded area.

#### NOTES

The EPA will assess the appropriateness of any bund against the EPA's 'Bunding and Spill Management' Guidelines.

#### 2.2 COMPLAINTS REGISTER (S - 1)

The Licensee must:

- 2.2.1 prepare and maintain a register of all complaints concerning environmental issues.



- 2.2.2 ensure the register includes:
- a the date and time that the complaint was made;
  - b details of the complaint including the likely cause of events giving rise to the complaint;
  - c the contact details of the complainant (if permitted by the complainant); and
  - d details of any action taken in response to the complaint by the Licensee.

## **2.3 DEVELOP AND IMPLEMENT CLOSURE AND POST-CLOSURE PLAN (U - 251)**

The Licensee must:

- 2.3.1 Prepare and submit to the EPA by 22 April 2016 a Closure and Post-Closure Plan (the Plan) to the satisfaction of the EPA, for the cessation of the activities undertaken pursuant to the Licence;
- 2.3.2 Ensure the Plan outlines actions, timeframes and milestones for all closure and post-closure activities in order to prevent or minimise environmental harm, including, but not limited to, the following specified requirements:
- a decommissioning of coal burning plant and equipment/prescribed electricity assets;
  - b decommissioning and decontamination of fuel and chemical storage areas;
  - c removal of fuels, oils, lubricants, chemical substances and waste from the site, including but not limited to materials within above and below ground storage tanks, storage areas, pipe lines, sumps, refuelling points, transfer points and other equipment;
  - d removal of coal from the coal stockpile area and other coal storage and handling areas, silos, bins, conveyors, mills and burners;
  - e decommissioning and rehabilitation of the ash dams;
  - f decommissioning and rehabilitation of the polishing pond including removal of cenospheres;
  - g surface water management, including minimisation of ponded stormwater, prevention of contamination of stormwater and discharge of waters offsite;
  - h removal of waste (including asbestos and scrap metal) from the site generated by decommissioning activities.
- 2.3.3 Ensure the Plan outlines actions to prevent or minimise off-site environmental impacts during the closure and post-closure phase, including when daily reclamation from the coal stockpile and decommissioning works are occurring.
- 2.3.4 Ensure the Plan includes a schedule for progress assessment and reporting to the EPA, including, as a minimum, quarterly reporting of the status of all requirements listed in paragraph 2.(a)-(h) of this condition.

- 2.3.5 Comply with the Plan (or any revised Plan approved in writing by the EPA) forthwith upon approval in writing by the EPA until all actions and milestones specified in paragraph 2.(a)-(h) of this condition, have occurred.

## **2.4 EMERGENCY SPILL KIT (S - 21)**

The Licensee must ensure that an appropriate emergency spill kit is kept on the Premises at all times and is used in the event of a spill.

## **2.5 GENERIC CONTINGENCY PLAN (S - 120)**

The Licensee must prepare an appropriate contingency plan for the Premises to address any spillages, equipment or plant failure that has the potential to increase the risk of harm to the environment.

## **2.6 POLLUTION CONTROL EQUIPMENT REGISTER (S - 2)**

The Licensee must:

- 2.6.1 maintain all Pollution Control Equipment to ensure that pollution is minimised; and
- 2.6.2 keep a written record of all inspections of Pollution Control Equipment, which includes:
- a the name of the recording officer;
  - b the date of each inspection of the equipment;
  - c details of the equipment that was inspected;
  - d an assessment of whether the equipment was working effectively; and
  - e the action taken (if required) to rectify any faults or failures.

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## **3 MONITORING AND REPORTING**

### **3.1 AMBIENT AIR MONITORING (U - 574)**

The Licensee must:

- 3.1.1 install and operate a continuous meteorological monitoring station at a location within the Premises approved in writing by the EPA;
- 3.1.2 continuously monitor ambient PM10 concentrations using an Ecotech E-sampler Particulate Monitor (or other comparable equipment) at locations within the Premises approved in writing by the EPA;

- 3.1.3 continuously monitor ambient PM10 concentrations using an Ecotech Met One E-Bam Particulate Monitor (or other comparable equipment) at such locations as may be designated in writing by the EPA including locations at Lea Memorial Oval in Port Augusta and at Stirling North.
  - a provide real-time public access to the monitoring data collected pursuant to this clause.
  - b notify the EPA in writing of any results of monitoring undertaken pursuant to this clause which indicate an exceedance of ambient PM10 concentrations of 50 micrograms per cubic metre for a 24 hour average period. Notification to the EPA must occur within 24 hours of the exceedance.
  - c include in any notification given pursuant to this clause, the actions taken in response to the exceedance in order to mitigate impacts of PM10 from the Premises on the community
- 3.1.4 assess and interpret the results of monitoring undertaken pursuant to this condition to inform the implementation of dust mitigation and management measures based on site-specific trigger values set out in the approved Dust Management Plan, dated 03 March 2017 or any subsequent version approved in writing by the EPA.
- 3.1.5 submit to the EPA on a monthly basis a summary of monitoring results for each 24 hour average period of ambient PM10 concentrations.
- 3.1.6 upon request of an Authorised Officer, provide results of any monitoring undertaken pursuant to this condition.

### **3.2 AMBIENT MONITORING AND REPORTING (U - 660)**

The Licensee must:

- 3.2.1 continuously monitor ambient sulphur dioxide and ambient nitrogen dioxide at a location (or locations) within the Port Augusta township approved in writing by the EPA;
- 3.2.2 monitor ambient particulate concentrations (TSP and PM10) using a high-volume air sampler to determine the 24 hour average at frequencies and location (or locations) within the Port Augusta or Stirling North township approved in writing by the EPA;
- 3.2.3 undertake an investigation to determine the source of any exceedance(s), and provide to the EPA the outcomes of the investigation if following levels are exceeded at any monitoring location(s):
  - a Sulphur dioxide: 571 micrograms per cubic metre (determined as a one hour average);
  - b Nitrogen Dioxide: 246 micrograms per cubic metre (determined as a one hour average); and
  - c Ambient particulate concentrations (PM10): 50 micrograms per cubic metre (determined as a 24 hour average); and
- 3.2.4 notify the EPA within seven days of any sulphur dioxide exceedance, as measured at the monitoring location(s) referred to in sub-condition 1; and

- 3.2.5 notify the EPA in writing of any results of monitoring undertaken pursuant to sub-condition 2 which indicate an exceedance of ambient PM10 concentrations of 50 micrograms per cubic metre for a 24 hour average period. Notification to the EPA must occur within 24 hours of the exceedance.
  - a include in any notification given pursuant to this clause, the actions taken in response to the exceedance in order to mitigate impacts of PM10 from the Premises on the community
- 3.2.6 submit to the EPA on a monthly basis a summary of monitoring results for ambient particulate concentrations (TSP and PM10), ambient nitrogen dioxide and ambient sulphur dioxide.

### **3.3 ASSESSMENT OF OPTIONS (U - 855)**

The Licensee must:

- 3.3.1 appoint a suitably qualified expert(s) to undertake a detailed assessment of options ("Options Assessment") to prevent or minimise particulate emissions from the Premises;
- 3.3.2 ensure that the Options Assessment includes a comprehensive investigation and assessment of best-practice options to prevent or minimise particulate emissions from dust sources at the Premises, including, without limitation:
  - a comprehensive details of each option investigated and assessed including the technical aspects; resources involved for implementation, timelines to achieve effective dust control, known examples of the options investigated having been successfully applied elsewhere and limitations associated with each option;
  - b the feasibility of each option, such feasibility to also consider the risks and recommendations for dealing with such risks;
  - c the methodology applied and considerations involved in selecting recommended options; and
  - d the recommended option(s) to be taken to prevent or minimise particulate emissions and a plan for implementation of such option(s) including specific actions and timelines.
- 3.3.3 submit the Options Assessment to the EPA by the date listed below.

**Compliance Date: 30-Jun-2018**

### **3.4 DEVELOP AND IMPLEMENT CLOSURE AUDIT PLAN (U - 1028)**

The Licensee must:

- 3.4.1 Appoint a suitably qualified expert(s) to prepare and submit to the EPA by 28 February 2020 a Closure Audit Plan (the Plan) to the satisfaction of the EPA.

- 3.4.2 Ensure the Plan includes, but need not be limited to, the following specified requirements:
- a Actions and timeframes for the evaluation of the licensee achieving compliance with all outstanding Closure Obligations in the approved Closure and Post-Closure Plan (U-251);
  - b Actions and timeframes for the evaluation of the measures used to prevent dust leaving the Premises as set out in the approved Dust Management Plan (S-9);
  - c Evaluation of the remaining financial liability associated with continued dust management practices required and other actions required to achieve outstanding Closure Obligations beyond 30 September 2020;
  - d The preparation and submission of a report on Closure Audit Plan implementation to the EPA's satisfaction by 30 September 2020.
- 3.4.3 Appoint a suitably qualified expert to implement the Plan once approved in writing by the EPA.

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## **4 ADMINISTRATION**

### **4.1 ANNUAL RETURN AND PAYMENT OF ANNUAL FEES (A - 4)**

For the purposes of section 48(2)(a) of the Act, the date in each year for the lodgement of the Annual Return is no later than 90 days before the anniversary of the grant or renewal of the Licence; and

- 4.1.1 For the purposes of section 48(2)(b) of the Act, the date in each year for the payment of Annual Authorisation Fee is the anniversary of the grant of the Licence.

### **4.2 APPROVAL OF OPERATING PROCESSES (A - 6)**

The Licensee must not undertake changes to operating processes conducted pursuant to the Licence at the Premises without written approval from the EPA, where such changes:

- 4.2.1 have the potential to increase emissions or alter the nature of pollutants or waste currently generated by, or from the licensed activity; or
- 4.2.2 have the potential to increase the risk of environmental harm; or
- 4.2.3 would relocate the point of discharge of pollution or waste at the Premises.

### **4.3 APPROVAL OF WORKS (A - 5)**

The Licensee must not construct or alter a building or structure, or install or alter any plant or equipment, for use of an activity undertaken pursuant to the Licence at the Premises without written approval from the EPA, where such changes:

- 4.3.1 have the potential to increase the emissions or alter the nature of pollutants or waste currently generated by, or from the licensed activity; or

- 4.3.2 have the potential to increase the risk of environmental harm; or
- 4.3.3 would relocate the point of discharge of pollution or waste at the Premises.

#### **4.4 CHANGE OF LICENSEE DETAILS (A - 3)**

If the Licensee's name or postal address (or both) changes, the Licensee must inform the EPA within 28 days of the change occurring.

#### **4.5 FINANCIAL ASSURANCE (U - 1027)**

The Licensee must:

- 4.5.1 Retain a financial assurance provided to the EPA in accordance with section 51 of the Act to the amount of \$2,400,000.
- 4.5.2 Ensure that the financial assurance is maintained and provided to the EPA as a bank guarantee by 1 October 2019, the discharge or repayment of which is conditional upon the Licensee complying with requirements of:
  - a the Closure and Post-Closure Plan prepared pursuant to Condition U-251; and
  - b condition S-9 Dust Management; and
  - c condition U-574 Ambient Air Monitoring; and
  - d condition U-1028 Develop and Implement Closure Audit Plan.

#### **4.6 LICENCE RENEWAL (A - 2)**

For the purposes of section 43(3) of the Act, an application for Renewal of the Licence must be made no later than 90 days before the expiry date of the Licence.

#### **4.7 OBLIGATIONS TO EMPLOYEES, AGENTS AND CONTRACTORS (A - 1)**

The Licensee must ensure that every employee, agent or contractor responsible for undertaking any activity regulated by the Licence, is informed as to the conditions of the Licence.

#### **4.8 VARIATION OF CONDITIONS OF LICENCE (pursuant to section 45(3) of the Environment Protection Act, 1993) (U - 863)**

The EPA may:

- 4.8.1 Impose conditions or vary conditions of this licence at any time by notice in writing to the Licensee in the following circumstances:
- a in relation to particulate emissions from fugitive sources, including a condition requiring revision of the Dust Management Plan, or Closure and post-Closure Plan (the Plans), based on:
    - i the progress of the implementation of the Plans;
    - ii the reporting required under the Plans;
    - iii the ambient monitoring data and information;
    - iv Dust Management Plan reports;
    - v the Options Assessment; and
  - b on the basis of evaluations, findings and recommendations of the Closure Audit.

## **Attachments**

There are no documents attached to this licence.