

# Environment Protection Licence



Licence - 1027

<b>Licence Details</b>	
Number:	1027
Anniversary Date:	28-February

<b>Licensee</b>
PGH BRICKS & PAVERS PTY LIMITED
LOCKED BAG 1345
NORTH RYDE NSW 1670

<b>Premises</b>
CECIL PARK
LOT 7 CECIL ROAD
CECIL PARK NSW 2178

<b>Scheduled Activity</b>
Ceramic works
Crushing, grinding or separating
Extractive activities
Mining for minerals

<b>Fee Based Activity</b>	<b>Scale</b>
Ceramic waste generation	> 5-100 T annual volume of waste generated or stored
Ceramics production	> 200000 T annual production capacity
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Land-based extractive activity	> 500000-2000000 T annual capacity to extract, process or store
Mining for minerals	0-30000 T annual production capacity

<b>Region</b>
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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:

<b>PGH BRICKS &amp; PAVERS PTY LIMITED</b>
<b>LOCKED BAG 1345</b>
<b>NORTH RYDE NSW 1670</b>

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
Ceramic works	Ceramic waste generation	> 5 - 100 T annual volume of waste generated or stored
Ceramic works	Ceramics production	> 200000 T annual production capacity
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Land-based extractive activity	> 500000 - 2000000 T annual capacity to extract, process or store
Mining for minerals	Mining for minerals	0 - 30000 T annual production capacity

### A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
CECIL PARK
LOT 7 CECIL ROAD
CECIL PARK
NSW 2178
LOT 4 DP 236527, LOT 5 DP 236527, LOT 6 DP 236527, LOT 7 DP 236527, LOT 8 DP 236527, LOT 9 DP 236527, LOT 10 DP 236527, LOT 11 DP 236527, LOT 12 DP 236527, LOT 13 DP 236527, LOT 14 DP 236527, LOT 1 DP 533788, LOT 2 DP 533788, LOT 25 DP 653888

### 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:

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- 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 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

<i>Air</i>			
EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
3	Discharge to air; Air emissions monitoring	Discharge to air; Air emissions monitoring	Stack 1 - GPS coordinates advised by licensee in correspondence to EPA dated 18 February 2016.
4	Discharge to air; Air emissions monitoring	Discharge to air; Air emissions monitoring	Stack 2 - GPS coordinates advised by licensee in correspondence to EPA dated 18 February 2016.
5	Discharge to air; Air emissions monitoring	Discharge to air; Air emissions monitoring	Stack 3 - GPS coordinates advised by licensee in correspondence to EPA dated 18 February 2016.
8	Ambient rainfall monitoring		Point 8 is the Rainfall Gauge located adjacent to the sediment dam. GPS coordinates advised by licensee in correspondence to EPA dated 18 February 2016.

P1.2 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.

P1.3 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.

<i>Water and land</i>			
EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1		Discharge to utilisation area	Bund wall west of the Brickworks Plant as shown on drawing titled "Zacubra Brickworks and Quarry Landscape and Rehabilitation Plan" submitted to the EPA with Licence Information Form dated 25/01/00

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2	Effluent quality and quantity monitoring		Outlet of envirocycle tanks located south west of brickworks plant. GPS coordinates advised by licensee in correspondence to EPA dated 18 February 2016.
7	Discharge to waters and water quality monitoring	Discharge to waters and water quality monitoring	Point 7 is the overflow monitoring point for the sedimentation pond and the monitoring point for outlet of the decant pond. GPS coordinates advised by licensee in correspondence to EPA dated 18 February 2016.
9	Recycled water quality monitoring		Point 9 is the monitoring point for recycled water to be used in the manufacture of bricks.

Note: Monitoring Point 9 is not a discharge point to waters or to land. Discharge Point 9 is a monitoring point solely used for the monitoring of the wastewater to be used in the manufacture of bricks on the premises.

## 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 The actual load of an assessable pollutant discharged from the premises during the reporting period must not exceed the load limit specified for the assessable pollutant in the table below.

L2.2 The actual load of an assessable pollutant must be calculated in accordance with the relevant load calculation protocol.

Assessable Pollutant	Load limit (kg)
Coarse Particulates (Air)	39000.00
Fine Particulates (Air)	85000.00
Fluoride (Air)	30000.00
Nitrogen Oxides - Summer (Air)	
Nitrogen Oxides (Air)	59000.00
Sulfur Oxides (Air)	585000.00



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Note: An assessable pollutant is a pollutant which affects the licence fee payable for the licence.

## L3 Concentration limits

L3.1 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.

L3.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L3.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table.

L3.4 Air Concentration Limits

### POINT 3

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Total Solid Particles	milligrams per cubic metre	100			
Hydrogen fluoride	milligrams per cubic metre	50			
Sulphur dioxide	milligrams per cubic metre	700			
Nitrogen Oxides	milligrams per cubic metre	2000			
volatile organic compounds as n-propane equivalent	milligrams per cubic metre	40			
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	1			
Chlorine	milligrams per cubic metre	200			

### POINT 4

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Chlorine	milligrams per cubic metre	200			

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volatile organic compounds as n-propane equivalent	micrograms per cubic metre	40
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	1
Hydrogen fluoride	milligrams per cubic metre	50
Total Solid Particles	milligrams per cubic metre	100
Sulphur dioxide	milligrams per cubic metre	700
Nitrogen Oxides	milligrams per cubic metre	2000

## POINT 5

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Hydrogen fluoride	milligrams per cubic metre	50			
Total Solid Particles	milligrams per cubic metre	100			
Nitrogen Oxides	milligrams per cubic metre	2000			
Sulphur dioxide	milligrams per cubic metre	700			
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	1			
volatile organic compounds as n-propane equivalent	milligrams per cubic metre	40			
Chlorine	milligrams per cubic metre	200			

## L3.5 Water and/or Land Concentration Limits

### POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit

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Biochemical oxygen demand	milligrams per litre	-	-	-	20
Chlorine (free residual)	milligrams per litre				2
Faecal Coliforms	colony forming units per 100 millilitres	-	-	-	200
pH	pH	-	-	-	6.5-8.5
Total suspended solids	milligrams per litre	-	-	-	30

## POINT 7

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				10
pH	pH				6.5-8.5
Total suspended solids	milligrams per litre				50
Turbidity	nephelometric turbidity units				66

## POINT 9

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Ammonia	milligrams per litre				32
Arsenic	milligrams per litre				1
Cadmium	milligrams per litre				1
Chlorine (total residual)	milligrams per litre				50
Chromium	milligrams per litre				3

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Copper	milligrams per litre	5
Lead	milligrams per litre	2
Manganese	milligrams per litre	5
Mercury	milligrams per litre	0.03
Nickel	milligrams per litre	1
Oil and Grease	milligrams per litre	25
pH	-	6.5 - 10
Phosphorus	milligrams per litre	10
Polycyclic aromatic hydrocarbons	milligrams per litre	8
TPH C10-C36 Fraction	milligrams per litre	5
TPH C6-C9 Fraction	milligrams per litre	5

L3.6 Exceedance of a quality limit specified in this Licence for the discharge of total suspended solids or turbidity from Point 7 is permitted if the discharge from Point 7 occurs as a result of rainfall at the premises that is equal to or greater than a 90th percentile 5-day rain event.

L3.7 For the purposes of Condition L3.6, a 90th percentile five day rain event equates to a total rainfall over any consecutive five day period of 50 mm.

## L4 Volume and mass limits

L4.1 For each discharge point or utilisation area specified below (by a point number), the volume/mass of:

- liquids discharged to water; or;
- solids or liquids applied to the area;

must not exceed the volume/mass limit specified for that discharge point or area.

Point	Unit of Measure	Volume/Mass Limit
1	kilolitres per week	35

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## 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.

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.

Code	Waste	Description	Activity	Other Limits
NA	General or Specific exempted waste	Waste that meets all the conditions of a resource recovery exemption under Clause 51A of the Protection of the Environment Operations (Waste) Regulation 2005	As specified in each particular resource recovery exemption	NA
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

## L6 Noise limits

L6.1 Noise from the mobile plant must not exceed:

a) (an  $LA_{10(15 \text{ minute})}$  noise emission criterion of 55 dB(A) (7am to 10 pm) Monday to Saturday and 8 am to 10 pm on Sundays and Public Holidays; and

b) at all other times, an  $LA_{10(15 \text{ minute})}$  noise emission criterion of 45 dB(A),

except as expressly provided by this licence.

L6.2 Noise from the premises (excluding mobile plant) must not exceed:

(a) (an  $LA_{10(15 \text{ minute})}$  noise emission criterion of 50 dB(A) (7am to 10 pm) Monday to Saturday and 8 am to 10 pm on Sundays and Public Holidays; and

(b) at all other times, an  $LA_{10(15 \text{ minute})}$  noise emission criterion of 40 dB(A),  
except as expressly provided by this licence.

L6.3 Noise from the premises is to be measured at any point within 30 metres of the most affected residence

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to determine compliance with conditions L6.1 and L6.2; 5 dB(A) must be added to the measured level if the noise is tonal or impulsive in character.

## L7 Potentially offensive odour

L7.1 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.

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

### O4 Effluent application to land

O4.1 The quantity of effluent/solids applied to the utilisation area must not exceed the capacity of the area to effectively utilise the effluent/solids.

For the purpose of this condition, 'effectively utilise' include the use of the effluent/solids for pasture or crop production, as well as the ability of the soil to absorb the nutrient, salt, hydraulic load and organic

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material.

- O4.2 Effluent application to the utilisation area(s) must not occur in a manner that causes surface run-off from the utilisation area(s).
- O4.3 Spray from effluent application to the utilisation area(s) must not drift beyond the boundary of the utilisation area(s) to which it has been applied.
- O4.4 The licensee must retain the utilisation area.
- O4.5 At least 14 days prior to a utilisation area being offered for sale, being disposed of or otherwise rendered unavailable for use, the EPA must be must be advised in writing of this intention.
- O4.6 Public access to any effluent utilisation area must be denied during effluent application and until the effluent application area has dried.
- O4.7 Adequate notices, warning the public not to drink or otherwise use the treated effluent, must be erected on the site. These notices must be legible English and in any other languages as may be necessary, and must indicate at least that the water in use is "Reclaimed Water - Unfit for Drinking".
- O4.8 A visible marker must be installed in both the Decant Pond and the Sedimentation Pond that indicates the volume in each pond available for storage of runoff from the catchment for a rain event of 50 mm rainfall over a 5-day period.
- O4.9 At all times the marker in either the Decant Pond or the Sedimentation Pond must be visible except where 50 mm or more of rain has fallen at the premises in the immediately preceding consecutive 5-day period.
- O4.10 The licensee must take all practical measures to avoid or minimise total suspended solids or turbidity contained in any discharges allowable under Condition L3.4.

## **O5 Processes and management**

- O5.1 The licensee must ensure that any liquid and/or non liquid waste generated and/or stored at the premises is assessed and classified in accordance with the DECC Waste Classification Guidelines as in force from time to time.
- O5.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.

## **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:

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- 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 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 Air Monitoring Requirements

### POINT 3,4

Pollutant	Units of measure	Frequency	Sampling Method
Chlorine	milligrams per normalised cubic metre	Special Frequency 1	TM-7
Dry gas density	kilograms per cubic metre	Special Frequency 1	TM-23
Hydrogen fluoride	milligrams per cubic metre	Yearly	TM-9
Moisture content	percent	Special Frequency 1	TM-22
Molecular weight of stack gases	grams per mole	Special Frequency 1	TM-23
Nitrogen Oxides	milligrams per cubic metre	Yearly	TM-11
Sulphur dioxide	milligrams per cubic metre	Yearly	TM-4
Total Solid Particles	milligrams per cubic metre	Yearly	TM-15
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Special Frequency 1	TM-12 & TM-13
Velocity	metres per second	Special Frequency 1	TM-2
volatile organic compounds as n-propane equivalent	milligrams per cubic metre	Special Frequency 1	TM-34
Volumetric flowrate	cubic metres per second	Special Frequency 1	TM-2

### POINT 5



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Pollutant	Units of measure	Frequency	Sampling Method
Chlorine	milligrams per normalised cubic metre	Yearly	TM-7
Dry gas density	kilograms per cubic metre	Yearly	TM-23
Hydrogen fluoride	milligrams per cubic metre	Yearly	TM-9
Moisture content	percent	Yearly	TM-22
Molecular weight of stack gases	grams per mole	Yearly	TM-23
Nitrogen Oxides	milligrams per cubic metre	Yearly	TM-11
Sulphur dioxide	milligrams per cubic metre	Yearly	TM-4
Total Solid Particles	milligrams per cubic metre	Yearly	TM-15
Type 1 and Type 2 substances in aggregate	milligrams per cubic metre	Yearly	TM-12 & TM-13
Velocity	metres per second	Yearly	TM-2
volatile organic compounds as n-propane equivalent	milligrams per cubic metre	Yearly	TM-34
Volumetric flowrate	cubic metres per second	Yearly	TM-2

## M2.3 Water and/ or Land Monitoring Requirements

### POINT 2

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Yearly	Representative sample
Chlorine (free residual)	milligrams per litre	Yearly	Representative sample
Faecal Coliforms	colony forming units per 100 millilitres	Yearly	Representative sample
pH	pH	Yearly	Representative sample
Total suspended solids	milligrams per litre	Yearly	Representative sample

### POINT 7

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Continuous during discharge	In line instrumentation
Oil and Grease	milligrams per litre	Monthly	Grab sample

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pH	pH	Continuous during discharge	In line instrumentation
Total suspended solids	milligrams per litre	Monthly	Grab sample
Turbidity	nephelometric turbidity units	Continuous during discharge	In line instrumentation

## POINT 9

Pollutant	Units of measure	Frequency	Sampling Method
Ammonia	milligrams per litre	Monthly	Grab sample
Arsenic	milligrams per litre	Monthly	Grab sample
Cadmium	milligrams per litre	Monthly	Grab sample
Chlorine (total residual)	milligrams per litre	Monthly	Grab sample
Chromium	milligrams per litre	Monthly	Grab sample
Copper	milligrams per litre	Monthly	Grab sample
Lead	milligrams per litre	Monthly	Grab sample
Manganese	milligrams per litre	Monthly	Grab sample
Mercury	milligrams per litre	Monthly	Grab sample
Nickel	milligrams per litre	Monthly	Grab sample
Oil and Grease	milligrams per litre	Monthly	Grab sample
pH	-	Monthly	Grab sample
Phosphorus	milligrams per litre	Monthly	Grab sample
Polycyclic aromatic hydrocarbons	milligrams per litre	Monthly	Grab sample
TPH C10-C36 Fraction	milligrams per litre	Monthly	Grab sample
TPH C6-C9 Fraction	milligrams per litre	Monthly	Grab sample

### M2.4 For the purposes of Conditions M2.2 and M2.3:

a) If discharge from Point 7 is the result of an overflow from the Sedimentation Pond, frequency of testing for pH, conductivity and turbidity remain in accordance with M2.3. However, frequency of testing of oil and grease and TSS is required once per day; and

b) *Special Frequency 1* is defined to be six monthly monitoring of the exhaust gases emitted from the kilns. The monitoring must be conducted for a minimum period of 12 months.

Within 28 days after the end of the 12 month monitoring period the licensee must submit a report outlining the results of the monitoring to the EPA's Manager Sydney Industry, PO Box 668 Parramatta NSW 2124.

Following the assessment of the monitoring results, the EPA may revise the monitoring requirements and emission limits for Points 3 and/or 4 and/or 7 specified in the tables of conditions L3.4, L3.5, M2.2 and M2.3, in consultation with the licensee.

### Testing methods - load limits

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- M2.5 Samples taken pursuant to a requirement in this licence to monitor the volume, mass or concentration of pollutants, must be analysed and reported in accordance with the laboratory accreditation requirements set out in section 2.1.3 of the Load Calculation Protocol.

The Load Calculation Protocol is the Protocol referred to in clause 15 of the Protection of the Environment Operations (General) Regulation 2009. A copy of the Protocol was published in the Government Gazette on 25 June 1999 and can be purchased from the EPA or viewed at <http://www.environment.nsw.gov.au>.

## M3 Testing methods - concentration limits

- M3.1 Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:
- a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
  - b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or
  - c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.
- M3.2 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.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2010* requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".

## M4 Testing methods - load limits

Note: Division 3 of the *Protection of the Environment Operations (General) Regulation 2009* requires that monitoring of actual loads of assessable pollutants listed in L2.2 must be carried out in accordance with the relevant load calculation protocol set out for the fee-based activity classification listed in the Administrative Conditions of this licence.

## M5 Weather monitoring

- M5.1 The licensee must install and maintain a rainfall depth measuring device in accordance with Method AM-4 specified in the EPA document titled 'Approved Methods for the Sampling and Analysis of Air Pollutants in NSW'.
- M5.2 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, the same time each day.

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M5.3 The rainfall monitoring data collected in accordance with Condition M7.1 can be used to determine the daily rainfall at the premises and for calculating the total rainfall over any five day period.

M5.4 For each monitoring point specified in the table below, the licensee must monitor the parameter specified in Column 1. The licensee must use the sampling method, units of measure, averaging period and sample at the frequency, specified opposite in the other columns.

Parameter	Units of Measure	Frequency	Averaging Period	Sampling Method
Rainfall	mm	continuous	24 hour	AM - 4

## M6 Recording of pollution complaints

M6.1 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.

M6.2 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.

M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

## M7 Telephone complaints line

M7.1 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.

M7.2 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.

M7.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

## M8 Requirement to monitor volume or mass

M8.1 For each discharge point or utilisation area specified below, the licensee must monitor:

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- a) the volume of liquids discharged to water or applied to the area;
  - b) the mass of solids applied to the area;
  - c) the mass of pollutants emitted to the air;
- at the frequency and using the method and units of measure, specified below.

## POINT 2

Frequency	Unit of Measure	Sampling Method
Daily during any discharge	kilolitres per day	By Calculation (volume flow rate or pump capacity multiplied by operating time)

## 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 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 Where the licensee is unable to complete a part of the Annual Return by the due date because the

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licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee's control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date. The notification must specify:

- a) the assessable pollutants for which the actual load could not be calculated; and
- b) the relevant circumstances that were beyond the control of the licensee.

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.

R1.8 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.

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

- 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

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- 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.

## 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 Completed pollution studies and reduction programs

U1.1

PRP No.	PRP	Description	Completed Date
1	Odour assessment and mitigation report.	To submit an odour impact assessment and mitigation report.	19 July 2004
2	Hydrogen sulphide report.	To submit a report describing hydrogen sulphide emissions for each kiln for a range of bricks; works or variations to achieve compliance; and timetable for implementation.	31 May 2005

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3	Sulphur Dioxide Impact Assessment Report.	To submit a report describing sulphur dioxide impact assessment; compliance with the EPA's environmental outcomes for sulphur dioxide; mitigation and pollution control measures if non-compliant and development of a site-specific emission limit.	28 August 2006
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## Dictionary

### General Dictionary

<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 2009
<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 2009
<b>assessable pollutants</b>	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
<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 2009.
<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

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<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 (putrescible)</b>	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 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 2009
<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> .

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<b>TSP</b>	Means total suspended particles
<b>TSS</b>	Means total suspended solids
<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 Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 13-May-2000

# Environment Protection Licence



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## End Notes

- 1 Licence varied by notice V/M upgrade, issued on 08-Jul-2000, which came into effect on 08-Jul-2000.
- 2 Licence varied by change to common name field, issued on 16-Mar-2001, which came into effect on 16-Mar-2001.
- 3 Licence transferred through application 140301, approved on 02-May-2001, which came into effect on 30-Mar-2001.
- 4 Licence transferred through application 140416, approved on 11-May-2001, which came into effect on 30-Mar-2001.
- 5 Licence varied by notice 1015078, issued on 27-Jun-2002, which came into effect on 22-Jul-2002.
- 6 Licence varied by Admin corrections to archived record, issued on 02-Dec-2002, which came into effect on 02-Dec-2002.
- 7 Licence transferred through application 142427, approved on 14-Jan-2004, which came into effect on 01-Dec-2003.
- 8 Licence varied by notice 1034917, issued on 23-Sep-2004, which came into effect on 18-Oct-2004.
- 9 Licence varied by notice 1045659, issued on 21-Mar-2005, which came into effect on 15-Apr-2005.
- 10 Licence varied by notice 1048880, issued on 25-Jul-2005, which came into effect on 19-Aug-2005.
- 11 Licence varied by notice 1057741, issued on 16-May-2006, which came into effect on 16-May-2006.
- 12 Licence varied by notice 1067750, issued on 18-Jan-2007, which came into effect on 18-Jan-2007.
- 13 Licence varied by notice 1072215, issued on 31-Aug-2007, which came into effect on 31-Aug-2007.
- 14 Licence varied by change to legislation, issued on 20-Sep-2007, which came into effect on 20-Sep-2007.
- 15 Licence varied by notice 1079900, issued on 15-Nov-2007, which came into effect on 15-Nov-2007.
- 16 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 17 Licence varied by change to FBA for summer pollutant, issued on 16-Jan-2009, which came into effect on 16-Jan-2009.

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|----|---|
| 18 | Licence varied by notice 1098502, issued on 22-Apr-2009, which came into effect on 22-Apr-2009.                 |
| 19 | Licence varied by notice 1104808, issued on 25-Sep-2009, which came into effect on 25-Sep-2009.                 |
| 20 | Licence varied by notice 1106782, issued on 07-Oct-2009, which came into effect on 07-Oct-2009.                 |
| 21 | Licence varied by notice 1118918, issued on 30-Aug-2010, which came into effect on 30-Aug-2010.                 |
| 22 | Licence varied by notice 1508705 issued on 21-Feb-2013  |
| 23 | Licence varied by notice 1513231 issued on 10-Apr-2013  |
| 24 | Licence varied by notice 1517638 issued on 21-Oct-2013  |
| 25 | Licence varied by notice 1522811 issued on 19-Jun-2014  |
| 26 | Licence varied by notice 1522946 issued on 20-Jun-2014  |
| 27 | Licence varied by notice 1523503 issued on 30-Jul-2014  |
| 28 | Licence varied by notice 1527801 issued on 05-Feb-2015  |
| 29 | Licence transferred through application 1530239 approved on 04-May-2015 , which came into effect on 04-May-2015 |
| 30 | Licence varied by notice 1532061 issued on 15-Jul-2015  |
| 31 | Licence varied by notice 1538973 issued on 25-Jul-2016  |
| 32 | Licence varied by notice 1546246 issued on 04-Nov-2016  |
| 33 | Licence varied by notice 1549905 issued on 03-Mar-2017  |
| 34 | Licence varied by notice 1554062 issued on 01-Aug-2017  |