

Environment Protection Licence

Licence - 21611

Licence Details

Number:	21611
Anniversary Date:	11-May

Licensee

DOWNER EDI WORKS PTY LTD
 9 DEVON ST
 ROSEHILL NSW 2142

Premises

DOWNER SUSTAINABLE ROAD RESOURCE CENTRE
 9 DEVON STREET
 ROSEHILL NSW 2142

Scheduled Activity

Chemical production
 Resource recovery
 Waste storage

Fee Based Activity

Scale

Petrochemical production	> 10000-30000 T annual production capacity
Recovery of general waste	Any general waste recovered
Waste storage - other types of waste	Any other types of waste stored
Waste storage - waste tyres	> Any tyres stored

Contact Us

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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:

DOWNER EDI WORKS PTY LTD
9 DEVON ST
ROSEHILL NSW 2142

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
Chemical production	Petrochemical production	> 10000 - 30000 T annual production capacity
Resource recovery	Recovery of general waste	Any general waste recovered
Waste storage	Waste storage - other types of waste	Any other types of waste stored
Waste storage	Waste storage - waste tyres	> tyres stored

A2 Premises or plant to which this licence applies

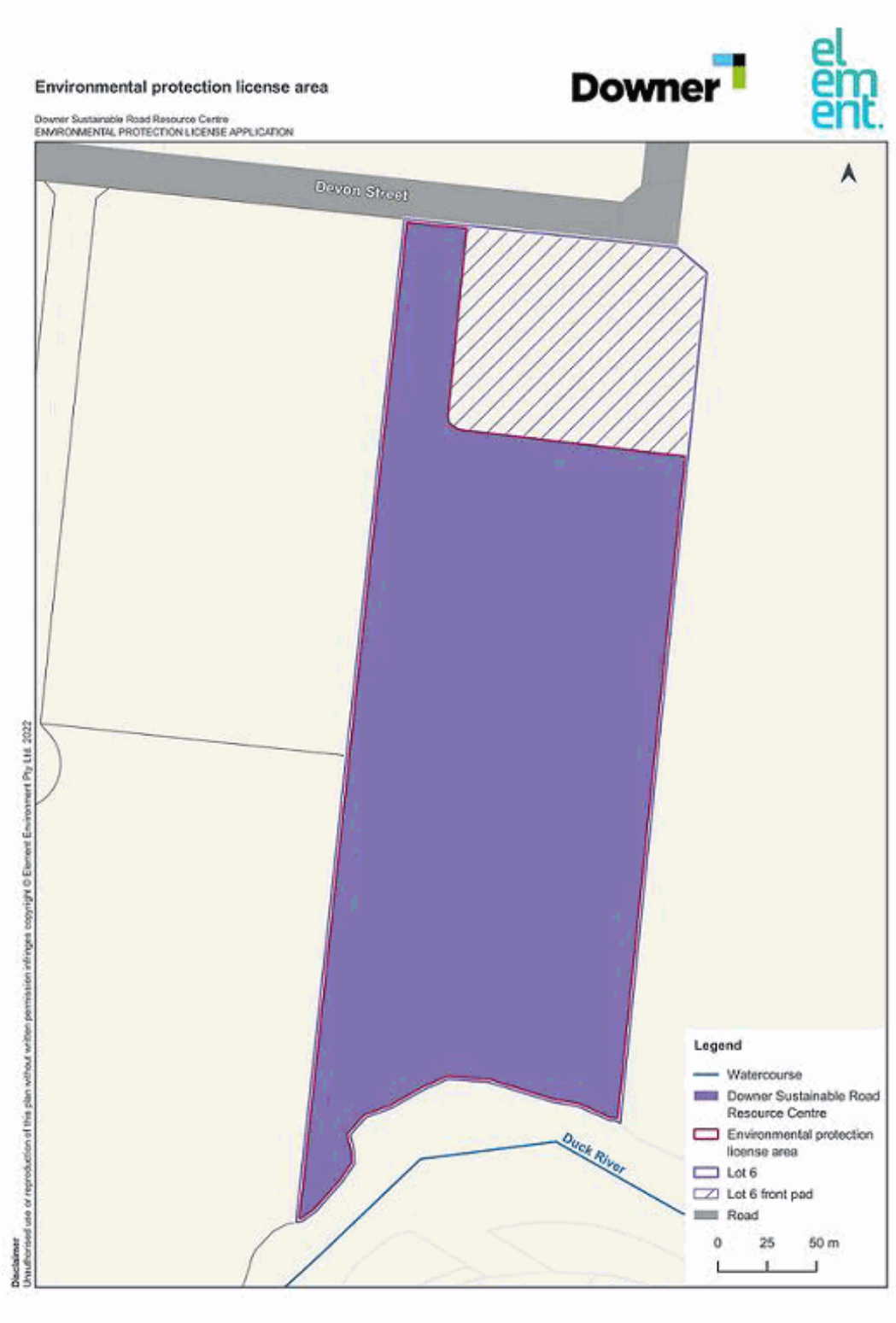
A2.1 The licence applies to the following premises:

Premises Details
DOWNER SUSTAINABLE ROAD RESOURCE CENTRE
9 DEVON STREET
ROSEHILL
NSW 2142
SITE IS LOT 6 DP 1168951

A2.2 The premises location is shown on the map below.

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A3 Other activities

A3.1 Unless specifically stated by another condition of this licence, Environmental Management Plans or systems supplied to the EPA by the licensee do not form part of this licence.

A3.2 This licence applies to all other activities carried out at the premises, including:

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Ancillary Activity

Asphalt manufacturing

A4 Information supplied to the EPA

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

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

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

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 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.

Air

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Air Quality Monitoring		Asphalt Plant Exhaust Stack

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
2	Water Quality Monitoring		Outlet of Bio-retention pond as shown in Figure 3.20, EIS Central Sydney Industrial Estate incorporating the Sustainable Road Resource Centre (2020)

P1.3 The following points referred to in the table below are identified in this licence for the purposes of weather and/or noise monitoring and/or setting limits for the emission of noise from the premises.

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Noise/Weather

EPA identification no.	Type of monitoring point	Location description
3	Noise monitoring	R1A - 72 River Road, Ermington
4	Noise monitoring	R1B - 530 John Street, Rydalmere
5	Noise monitoring	R2A - 86 Carnarvon Street, Silverwater
6	Noise monitoring	R2B - 101 Beaconsfield Street, Silverwater
7	Noise monitoring	R3A - 71 Penelope Lucas Lane, Rosehill
8	Noise monitoring	R3B - 88 James Ruse Drive, Rosehill
9	Noise monitoring	FR01 - 181 James Ruse Drive, Camellia

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.

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

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)
Benzene (Air)	
Fine Particulates (Air)	
Nitrogen Oxides - Summer (Air)	
Nitrogen Oxides (Air)	
Volatile organic compounds - Summer (Air)	
Volatile organic compounds (Air)	

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- L2.3 Load limits listed in condition L2.2 will be calculated following collection of three (3) years of emission monitoring as required under this licence.

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.

Code	Waste	Description	Activity	Other Limits
NA	Grit, sediment, litter and gross pollutants collected in, and removed from, stormwater treatment devices or stormwater management systems.	Includes stormwater that does not contain any characteristics of trackable wastes as per Part 3, Sch 1 of the Protection of the Environment Operations (Waste) Regulation 2014. Solid waste must not be hazardous waste.	Resource recovery Waste storage	Must be managed in accordance with The Downer recovered aggregate and sand order May 2022 and The Downer recovered aggregate and sand exemption May 2022 or as superseded from time to time.
NA	Street sweepings from classified roads	Classified roads as defined in the Dictionary of the Roads Act 1993, as in force from time to time.	Resource recovery Waste storage	Must be managed in accordance with The Downer recovered aggregate and sand order May 2022 and The Downer recovered aggregate and sand exemption May 2022 or as superseded from time to time.
NA	Coal ash	Must meet the requirements of The coal ash order 2014 when received at the premises.	Resource recovery Waste storage	No more than 300 tonnes to be received at the premises in any 12 month period. No more than 23 tonnes to be

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				stored at the premises at any one time.
NA	Toner	As per the Downer bituminous pavement order 2020 and the Downer bituminous pavement exemption 2020.	Resource recovery Waste storage	<p>Must be managed in accordance with The Downer bituminous pavement order May 2022 and The Downer bituminous pavement exemption May 2022 or as superseded from time to time.</p> <p>No more than 1,500 tonnes to be received at the premises in any 12 month period.</p> <p>No more than 100 tonnes to be stored at the premises at any one time.</p>
NA	Asphalt waste (including asphalt resulting from road construction and waterproofing works)	As defined in the Protection of the Environment Operations Act 1997, as in force from time to time.	Resource recovery Waste storage	<p>Must be managed in accordance with The Downer bituminous pavement order May 2022 and The Downer bituminous pavement exemption May 2022 or as superseded from time to time.</p> <p>No more than 250,000 tonnes to be received at the premises in any 12 month period.</p> <p>No more than 90,000 tonnes to be stored at the premises at any one time.</p>
NA	Waste tyres	As defined in the Protection of the Environment Operations	Resource recovery Waste storage	Limited to rubber crumb from shredded tyres.

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		<p>Act 1997, as in force from time to time.</p> <p>Must meet the requirements of the recovered tyres order 2014 when received at the premises.</p>		<p>Must be managed in accordance with The Downer bituminous pavement order May 2022 and The Downer bituminous pavement exemption May 2022 or as superseded from time to time.</p> <p>No more than 500 tonnes to be received at the premises in any 12 month period.</p> <p>No more than 10 tonnes to be stores at the premises at any one time.</p>
NA	Steel Furnace Slag	Must meet the requirements of the steel furnace slag order 2019 when received at the premises.	Resource recovery Waste storage	<p>No more than 15,000 tonnes to be received at the premises in any 12 month period.</p> <p>No more than 3,000 tonnes to be stored at the premises at any one time.</p>
NA	Glass	Must meet the requirements of the recovered glass sand order 2014 when received at the premises.	Resource recovery Waste storage	<p>Limited to recovered glass sand.</p> <p>Must be managed in accordance with The Downer bituminous pavement order May 2022 and The Downer bituminous pavement exemption 2022 or as superseded from time to time.</p> <p>No more than 30,000 tonnes to</p>

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				be received at the premises in any 12 month period.
				No more than 150 tonnes to be stored at the premises at any one time.
NA	Virgin excavated natural material	As defined in the Protection of the Environment Operations Act 1997, as in force from time to time.	Resource recovery Waste storage	No more than 460,000 tonnes to be received at the premises in any 12 month period.
				No more than 6,300 tonnes to be stored at the premises at any one time.
NA	Hydro-excavated soil	As per The Downer recovered aggregate and sand order May 2022 and The Downer recovered aggregate and sand exemption May 2022.	Resource recovery Waste storage	Must be managed in accordance with The Downer recovered aggregate and sand order May 2022 and The Downer recovered aggregate and sand exemption May 2022 or as superseded from time to time.

- L3.2 The authorised amount of waste permitted on the premises cannot exceed 101,123 tonnes at any one time.
- L3.3 The maximum amount of waste permitted to be received at the premises is 797,300 tonnes in any 12 month period
- L3.4 Records for each load of waste received under a resource recovery order must be readily available at the premises and must be provided to any officer from the EPA that requests to inspect them.
- L3.5 The licensee must ensure compliance with all specific and general resource recovery orders and exemptions applicable to the waste types received, stored and processed at the premises.
- L3.6 All aggregates and sand received at the premises for asphalt manufacturing must be Virgin Excavated Natural Material (VENM), as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997*.
- L3.7 VENM certificates must be retained at the premises and must be provided to any officer from the EPA that requests to inspect them, aside from VENM received from a licensed quarry.
- L3.8 Waste collected in a stormwater treatment device or stormwater management system from a spill incident or

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pollution event must not be received at the premises.

- L3.9 The liquid portion of waste received at the premises is not permitted to be recycled or re-used for any purpose.

L4 Noise limits

- L4.1 Noise generated at the premises that is measured at each noise monitoring point established under this licence must not exceed the noise levels specified in Column 4 of the table below for that point during the corresponding time periods specified in Column 1 when measured using the corresponding measurement parameters listed in Column 2.

POINT 3

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	Special Frequency 1	30
Evening	LAeq (15 minute)	Special Frequency 1	30
Night	LAeq (15 minute)	Special Frequency 1	33
Night	LAm _{ax}	Special Frequency 1	52

POINT 4

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	Special Frequency 1	31
Evening	LAeq (15 minute)	Special Frequency 1	31
Night	LAeq (15 minute)	Special Frequency 1	34
Night	LAm _{ax}	Special Frequency 1	52

POINT 5

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	LAeq (15 minute)	Special Frequency 1	34
Evening	LAeq (15 minute)	Special Frequency 1	34
Night	LAeq (15 minute)	Special Frequency 1	37
Night	LAm _{ax}	Special Frequency 1	53

POINT 6

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Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	L _{Aeq} (15 minute)	Special Frequency 1	36
Evening	L _{Aeq} (15 minute)	Special Frequency 1	35
Night	L _{Aeq} (15 minute)	Special Frequency 1	38
Night	L _{Amax}	Special Frequency 1	53

POINT 7,9

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	L _{Aeq} (15 minute)	Special Frequency 1	30
Evening	L _{Aeq} (15 minute)	Special Frequency 1	30
Night	L _{Aeq} (15 minute)	Special Frequency 1	30
Night	L _{Amax}	Special Frequency 1	55

POINT 8

Time period	Measurement parameter	Measurement frequency	Noise level dB(A)
Day	L _{Aeq} (15 minute)	Special Frequency 1	30
Evening	L _{Aeq} (15 minute)	Special Frequency 1	32
Night	L _{Aeq} (15 minute)	Special Frequency 1	30
Night	L _{Amax}	Special Frequency 1	55

L4.2 For the purposes of monitoring points 3, 4, 5, 6, 7, 8 and 9 Special Frequency 1 means upon written request by an EPA authorised officer, the licensee must undertake an operator attended noise monitoring survey (Noise Survey) to ensure noise generated at the premises does not exceed the limits details in condition L4.1. Results of the Noise Survey must be provided to any EPA authorised officer upon request.

L4.3 For the purpose of Condition L4.1:

- Day means the period from 7am to 6pm Monday to Saturday and the period from 8am to 6pm Sunday and public holidays.
- Evening means the period from 6pm to 10pm.
- Night means the period from 10pm to 7am Monday to Saturday and the period from 10pm to 8am Sunday and public holidays.

L4.4 Meteorological Conditions

- The noise emission limits set out in Condition L4.1 apply under the following meteorological conditions referred to in the table below.
- For those meteorological conditions not referred to in the table below, the noise limits that apply are the

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noise limits in condition L4.1 plus 5dB.

Assessment Period	Meteorological Conditions
Day	Stability Categories A, B, C and D with wind speeds up to and including 0.5m/s at 10m above ground level.
Evening	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level.
Night	Stability Categories A, B, C and D with wind speeds up to and including 3m/s at 10m above ground level; or Stability category E and F with wind speeds up to and including 2m/s at 10m above ground level.

L4.5 For the purposes of condition L4.4:

- a) The meteorological conditions are to be determined from meteorological data obtained from the meteorological weather station identified as Sydney Olympic Park AWS (Archery Centre); and
- b) Stability category shall be determined using the following method from Fact Sheet D of the *Noise Policy for Industry* (NSW EPA, 2017):
 - i. Use of sigma-theta data (section D1.4).

L4.6 For the purpose of determining the noise generated from the premises, the modifying factor corrections in Table C1 in Fact Sheet C of the *Noise Policy for Industry* (NSW EPA, 2017) should be applied, if appropriate, to the noise level determined at locations L4.1.

L4.7 To determine compliance with the noise limits in condition L4.1 the noise measurement equipment must be located at:

- the most affected point within an area at a location prescribed by condition L4.1; and/or
- the most affected point other than where there is no dwelling at the location.

L4.8 A non-compliance of condition L4.1 will still occur where noise generated from the premises in excess of the appropriate limit is measured:

- at a location other than those described by condition L4.1; and/or
- at a point other than the most affected point at a location.

L4.9 For the purpose of determining the noise generated at the premises, the modification factors in Section 4 of the NSW Industrial Noise Policy must be applied, as appropriate, to the noise levels measured by the noise monitoring equipment.

L5 Hours of operation

L5.1 Activities at the premises are permitted to be undertaken 24 hours a day, 7 days per week.

L6 Potentially offensive odour

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L6.1 The licensee must not cause or permit the emission of offensive odour beyond the boundary of the premises.

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.

L6.2 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.

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

General

O3.1 All activities occurring in or on the premises must be carried out in a manner which prevents or minimises the emission of air pollutants, including dust and fumes.

O3.2 The premises must be maintained in a condition which prevents or minimises the emission of air pollutants, including dust and fumes, from the premises.

O3.3 Where possible, all mobile non-road diesel equipment operated at the Downer Sustainable Road Resource Centre (DSRRC) site must achieve a particulate matter emission performance commensurate with US EPA Tier 4 particulate emission standards.

O3.4 Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

O3.5 The licensee must ensure that no material, including sediment or oil, is tracked from the premises.

Bitumen Production and Storage

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- O3.6 All bitumen storage and processing tanks must be fitted with carbon filters. All vapour laden air from tank loading and breathing must be directed to the carbon filters prior to discharge to atmosphere.

Asphalt Plant

- O3.7 The asphalt plant burner must operate on natural gas, except during gas shortages beyond the licensee's control.
- O3.8 The asphalt loadout area must be enclosed on a minimum of two sides and fitted with a vapour extraction system that is operated to capture vapour emissions during asphalt load out as far as practical.
- O3.9 The vapour extracted from the loadout area must be directed to the plants' bag filter and discharged via the 40 metre high asphalt plant discharge stack.

Reclaimed Asphalt Pavement Facility

- O3.10 A permanent dust suppression system must be installed and maintained around the unprocessed Reclaimed Asphalt Pavement (RAP) stockpile area. The suppression system must be designed and implemented to achieve complete coverage of the stockpiled waste.
- O3.11 A permanent dust suppression system must be installed and maintained at the end of the conveyors that transfer the processed RAP to the processed RAP storage bays. The dust suppression system must be operated in a manner which ensures that all processed RAP can be dampened prior to discharge from the conveyor into the processed RAP storage bays.
- O3.12 All roller doors on the asphalt processing shed must be closed when processing is occurring within the shed.
- O3.13 All conveyors for transferring material within the RAP processing shed must be completely enclosed.

O4 Emergency response

- O4.1 The licensee must prepare, maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises.

Note: The licensee must develop their PIRMP in accordance with the requirements in Part 5.7A of the *Protection of the Environment Operations Act 1997* and the POEO Regulations.

O5 Processes and management

General

- O5.1 Each type of waste stored on site for recovery/ recycling must be stockpiled separately.
- O5.2 Waste is only permitted to be stored in the dedicated storage areas on the premises. No waste or waste derived material is permitted to be stored on the premises outside of these areas.

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- O5.3 Where waste is stored in a storage bunker the waste must be contained wholly within the bunker.
- O5.4 The height of any waste stockpile in the RAP stockpile area must not exceed ten (10) metres.
- O5.5 Height markers must be maintained on, in or immediately adjacent to any waste stockpile which is not within a storage bunker. The markers must show the stockpile height limit and be positioned so that a visual check can be made of each stockpile.
- O5.6 All waste processing must occur inside the designated processing buildings. No waste or waste derived material is permitted to be processed on external surfaces.
- O5.7 The licensee must ensure there is a dedicated waste quarantine area on the premises. This area must be clearly signposted.
- O5.8 The licensee must ensure any waste which is stored, processed, or recovered at the premises must be assessed and classified as per the *EPA Waste Classification Guidelines*, as in force from time to time.
- O5.9 The licensee must comply with the requirements set out in the *EPA Standards for managing construction waste in NSW*, as in force from time to time.
- O5.10 All non-conforming waste received at the premises must be disposed of at a facility that can lawfully receive that type of waste as soon as practicable.
- O5.11 All above ground tanks containing chemicals capable of causing harm to the environment if they spill or leak must be stored within a bunded area, or within an appropriate alternative spill containment system that achieves the same outcome.
- O5.12 Bunds at the premises must:
- have walls and floors construction of impervious materials;
 - be of sufficient capacity to contain 110% of the volume of the tank (or 110% volume of the largest tank where a group of tanks are installed);
 - have floors graded to a collection sump; and
 - not have a drain valve incorporated in the bund structure.

Reclaimed Asphalt Pavement Facility

- O5.13 Only reclaimed asphalt pavement (RAP) waste is permitted to be stored and processed at the RAP facility. No other waste types are permitted to be stored or processed at any time at this facility.
- O5.14 Processed RAP waste must only be stored in the designated storage bays.
- O5.15 Unprocessed RAP waste stockpiles must only be stored in permanent designated storage areas. These areas must be clearly marked.
- O5.16 Road access must be maintained through the centre of the unprocessed RAP stockpile area. No waste or material is permitted to be stored in the road access area at any time. Any spills of waste or material on the road access must be cleaned immediately.
- O5.17 No operations or activities under the licence are to be conducted at the RAP processing shed until:
- The RAP processing shed is installed as per the EIS, RtS and development consent SSD-10459;

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- b) The licensee provides written notification to the EPA (Regulatory Operations - Metro) advising the construction of the RAP processing shed has been completed; and
- c) An inspection of the completed RAP processing shed has been conducted by the EPA.

Note: No RAP processing is permitted to occur at the premises prior to all parts of this condition being satisfied.

Reconomy Facility

- O5.18 The maximum amount of waste which can be stored at the Reconomy facility at any one time is 1,540 tonnes.
- O5.19 The maximum amount of waste permitted to be received at the Reconomy facility is 40,000 tonnes in any 12 month period.
- O5.20 Unloading of waste must only occur within the designated unloading area.
- O5.21 Waste must only be stored in the storage bunkers in the designated storage area at the northern end of the Reconomy facility, or in the storage bunkers and bins in the processing area. Waste is not permitted to be stored in the processing area aside from the waste which is stored in the storage bunkers and bins.
- O5.22 All recovered waste which is deposited into the storage bunkers in the processing area of the facility must be transferred to the dedicated storage bunkers in the storage area as soon as possible and prior to the storage bunkers reaching capacity.
- O5.23 All recovered organic waste/ leaf litter must be disposed of to an EPA licensed waste disposal facility unless it is subject to an EPA-approved resource recovery trial.

5 Monitoring and Recording Conditions

M1 Monitoring records

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

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M2 Testing methods - load limits

Note: Division 3 of the *Protection of the Environment Operations (General) Regulation 2021* 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.

M3 Recording of pollution complaints

M3.1 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.

M3.2 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.

M3.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M3.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M4 Telephone complaints line

M4.1 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.

M4.2 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.

M4.3 The preceding two conditions do not apply until one month after the date of the issue of this licence.

M5 Other monitoring and recording conditions

Requirement to Monitor Noise

M5.1 All noise monitoring must be undertaken in accordance with:

- a) Australian Standard AS 2659.1-1998: "Guide to the use of sound measuring equipment - portable sound level meters"; and
- b) the compliance monitoring guidance provided in the *Noise Policy for Industry* (NSW EPA, 2017).

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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 notification that the Annual Return is due.

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

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

R1.3 Where this licence is transferred from the licensee to a new licensee:

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

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

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

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 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

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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.

R2 Notification of environmental harm

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

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.

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

R3 Written report

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

a) where this licence applies to premises, an event has occurred at the premises; or

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

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

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

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

a) the cause, time and duration of the event;

b) the type, volume and concentration of every pollutant discharged as a result of the event;

c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;

d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;

e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and

g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not

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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 Special Conditions

E1 Financial Assurance

- E1.1 A financial assurance in the form of an unconditional and irrevocable and on demand guarantee from a bank, building society or credit union operating in Australia as "Authorised Deposit-taking Institutions" under the *Banking Act 1959* of the Commonwealth of Australia and supervised by the Australian Prudential Regulatory Authority (APRA) must be provided to the EPA.
- E1.2 The financial assurance must be in favour of the Environment Protection Authority in the amount of six hundred and seventy-five thousand dollars (\$675,000) must be provided to the EPA prior to the issue of this licence. The financial assurance is required to secure or guarantee funding for works or programmes required by or under this licence. The financial assurance must contain a term that provides that any monies claimed can be paid to the EPA or, at the written direction of the EPA, to any other person. The licensee must provide to the EPA, along with the original counterpart guarantees, confirmation in writing that the financial institution providing the guarantees is subject to supervision by APRA.
- E1.3 The financial assurance must be maintained during the operation of the facility and thereafter until such time as the EPA is satisfied the premises is environmentally secure.
- E1.4 The EPA may require an increase in the amount of the financial assurance at any time as a result of reassessment of the total likely costs and expenses of rehabilitation of the premises.
- E1.5 The EPA may claim on a financial assurance under s303 of the POEO Act if a licensee fails to carry out any work or program required to comply with the conditions of this licence.
- E1.6 The financial assurance must be replenished by the full amount claimed or realised if the EPA has claimed on or realised the financial assurance or any part of it to undertake a work or program required to be carried out by the licence which has not been undertaken by the licence holder.

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E2 Environmental Obligations of Licensee

- E2.1 While the licensee's premises are being used for the purpose to which the licence relates, the licensee must:
- 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.
 - 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
 - Provide all monitoring data as required by the conditions of this licence or as directed by the EPA.
- E2.2 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 must:
- Make all efforts to contain all fire water on the premises;
 - Make all efforts to control air pollution from the premises;
 - Make all efforts to contain any discharge, spill or run-off from the premises;
 - Make all efforts to prevent flood water entering the premises;
 - Remediate and rehabilitate any exposed areas of soil and/or waste;
 - Lawfully dispose of all liquid and solid waste(s) stored on the premises that is not already securely disposed of:
 - At the request of the EPA, monitor groundwater beneath the premises and its potential to migrate from the premises;
 - At the request of the EPA, monitor surface water leaving the premises; and
 - Ensure the premises is secure.
- E2.3 After the licensee's premises cease to be used for the purposes 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:
- Remove and lawfully dispose of all liquid and non-liquid waste stored on the licensee's premises; and
 - Rehabilitate the premises, including conducting an assessment of the site and if required remediation of any site contamination.

E3 Proof of Performance Monitoring - Air Emissions

- E3.1 The licensee must engage a suitably qualified person to undertake post-commissioning air emissions sampling to verify the emission performance of Licence Discharge Point 1.
- E3.2 The post-commissioning sampling must occur within three (3) months of the commencement of all operations at the premises.
- E3.3 Sampling must be performed for all pollutants and parameters listed in the table below, using the methods listed in column 3. All sampling and analysis must be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.

Pollutant	Units of measure	Sampling Method
Temperature	degrees Celsius	TM-2
Volumetric flow rate	Cubic metres per second	TM-2
Oxygen	Percent	TM-25
Moisture	Percent	TM-22

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Solid Particles (Total)	Milligrams per cubic metre	TM-15
Volatile organic compounds	Milligrams per cubic metre	TM-34
Oxides of Nitrogen, as NO ₂ equivalent	Milligrams per cubic metre	TM-11
Type 1 and Type 2 substances (in aggregate)	Milligrams per cubic metre	TM-12, TM-13, TM-14

E3.4 A minimum of two rounds of sampling must be undertaken for each pollutant contained in the above table to provide a suitable characterisation of the emissions during normal operations. The two rounds of sampling must not occur on the same day.

E3.5 Sampling must be conducted when plant/ process conditions are representative of normal operations.

E3.6 An air emissions verification report (the Report) must be prepared and must contain, as a minimum, the following information:

- a) A description of the process operating conditions at the time of sampling, including, but not limited to:
 - i. a description of the process (e.g. processing rates, materials produced, products used, activities);
 - ii. the process flow diagram showing all inputs and outputs; and
 - iii. a description of all air pollution control systems.

Note: Supporting evidence must be included which confirms that the plan/ process was operating under normal, representative conditions at the time of sampling.

b) A detailed description of the sampling location. Engineering drawings, schematics or photographs should be included to support the description.

c) All information required to be reported under Section 4 of the *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.

d) A comparison of measured emissions with prescribed concentrations contained in the Protection of the Environment Operations (Clean Air) Regulation 2021 (the Clean Air Regulation).

e) Where the comparison in E1.6(d) identified measured emissions greater than the Clean Air Regulation, mitigation measures to achieve compliance with the Clean Air Regulation must be identified with a timeline for implementation.

f) A comparison of measured emissions with the emissions adopted in the Air Quality Impact Assessment submitted for project approval.

g) Where the comparison in E1.6(f) identifies measured emissions greater than the emission adopted in the Air Quality Impact Assessment, a revised Air Quality Impact Assessment must be undertaken in accordance with the *Approved Methods for Modelling and Assessment of Air Pollutants in NSW*.

h) Where a revised Air Quality Impact Assessment required under E1.6(g) identifies exceedances of the EPA's impact assessment criteria, mitigation measures must be nominated with a timeline for implementation.

E3.7 The Report must be submitted to the EPA within three (3) months following commencement of operations at the premises. The Report can be incorporated into the Air Quality Verification Report (AQVR) required under Condition B10 of the planning consent (SSD-10459).

Note: The EPA may utilise the information contained in the report submitted to include additional conditions in this EPL. This includes, but is not limited to, emission limits and ongoing monitoring requirements.

E4 Noise Verification Report

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- E4.1 The licensee must engage a suitably qualified person to prepare a Noise Verification Report (NVR).
- E4.2 The NVR must:
- a) include an analysis of compliance with noise limits specified in condition L4 in accordance with the *Noise Policy for Industry* (NSW EPA, 2017);
 - b) demonstrate that all reasonable and feasible mitigation measures have been incorporated into the development;
 - c) reference manufacturer's specifications and/or performance guarantees for the asphalt plant;
 - d) include an outline of management actions to be taken to where the limits specified in condition L4 have been exceeded; and
 - e) describe the contingency measures and the timing of their implementation in the event the management actions are not effective in reducing the noise impacts to an acceptable level.
- E4.3 The NVR must be submitted to the EPA within three (3) months following commencement of operations at the premises.

E5 Surface Water Verification Report

- E5.1 The licensee must engage a suitably qualified person to prepare a Surface Water Verification Report (SWVR).
- E5.2 The SWVR must:
- a) include an analysis of compliance with the maximum concentrations identified under the surface water management plan;
 - b) demonstrate that all reasonable and feasible mitigation measures have been incorporated into the development;
 - c) reference manufacturer's specifications and/or performance guarantees;
 - d) include an outline of management actions to be taken to address any exceedances of the maximum concentrations identified under the surface water management plan; and
 - e) describe the contingency measures and the timing of their implementation in the event that management actions are not effective in reducing water quality impacts to an acceptable level.
- E5.3 The SWVR must be submitted to the EPA within 18 months following the commencement of all operations at the premises.

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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

Environment Protection Authority

(By Delegation)

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End Notes