

Environment Protection Licence

Licence - 21627

Licence Details

Number:	21627
Anniversary Date:	31-January

Licensee

SNOWY HYDRO LIMITED

2 HART ROAD

LOXFORD NSW 2327

Scheduled Activity

Electricity generation

Fee Based Activity

Scale

Generation of electrical power from gas

> 1000-4000 GWh annual generating capacity

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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:

SNOWY HYDRO LIMITED
2 HART ROAD
LOXFORD NSW 2327

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 development work listed below at the premises listed in A2:

Construction of the Hunter Power Station, subject of Project Approval xxx under the Environmental Planning and Assessment Act 1979.

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

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

Scheduled Activity	Fee Based Activity	Scale
Electricity generation	Generation of electrical power from gas	> 1000 - 4000 GWh annual generating capacity

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
HUNTER POWER STATION
HART ROAD
LOXFORD
NSW 2327
PREMISES WITHIN THE "PREMISES BOUNDARY" MARKED AND SHOWN ON THE PLAN TITLED "PREMISES PLAN: HUNTER POWER STATION", PREPARED BY JACOBS, REVISION 1, DATE 16/12/21, AND THE SPATIAL FILES TITLED "KKOCGT_DPIE_PREMISEMAP_BOUNDARY.ZIP" EMAILED TO THE EPA ON 17/12/2021 (EPA REF. DOC22/26802).

A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Ancillary Activity

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Generation of electrical power from diesel

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:

- 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
- 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
1	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Unit 1 gas turbine stack marked and shown as "Unit 1" on plan titled "Premises plan: Hunter Power Station", prepared by Jacobs, Revision 0, dated 8/11/2021 (EPA reference DOC21/1012033).
2	Discharge to air Air emissions monitoring	Discharge to air Air emissions monitoring	Unit 2 gas turbine stack marked and shown as "Unit 2" on plan titled "Premises plan: Hunter Power Station", prepared by Jacobs, Revision 0, dated 8/11/2021 (EPA reference DOC21/1012033).

- P1.2 Prior to commissioning the facility, the licensee must provide to the EPA an updated plan of the premises marking and showing the as built location of licensed Points 1 and 2. The plan must be provided by email to info@epa.nsw.gov.au.

- 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.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
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3	Discharge quality monitoring	Outlet of stormwater system marked and shown as "Point 1" on plan titled "Premises plan: Hunter Power Station", prepared by Jacobs, Revision 0, dated 8/11/2021 (EPA reference DOC21/1012033).
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P1.4 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.

Noise/Weather

EPA identification no.	Type of monitoring point	Location description
4	Meteorological Station	Meteorological station to be appropriately sited and established (with its location to be marked and shown on an updated plan of the premises to be provided to the EPA) prior to commencing operations.

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)
Nitrogen Oxides (Air)	
Salt (Enclosed Water)	
Total suspended solids (Enclosed Water)	

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L3 Concentration limits

L3.1 For each monitoring/discharge point or utilisation area specified in the table(s) 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 Air Concentration Limits

POINT 1,2

Pollutant	Units of measure	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Nitrogen Oxides	milligrams per cubic metre	51	Dry, 273K, 101.3kPa	15% O ₂	1 hour
Carbon monoxide	milligrams per cubic metre	12.5	Dry, 273K, 101.3kPa	15% O ₂	1 hour

L3.3 For the purposes of the table above, the air concentration limits specified apply when Unit/s associated with licensed Points 1 and 2 are being fired on natural gas.

L3.4 The following air concentration limits apply when the Unit/s associated with licensed Points 1 and 2 are being fired on diesel.

Pollutant (and units of measure in mg/m ³)	100 percentile concentration limit	Reference conditions	Oxygen correction	Averaging period
Nitrogen Oxides	86	Dry, 273K, 101.3kPa	15% O ₂	1 hour
Carbon monoxide	63	Dry, 273K, 101.3kPa	15% O ₂	1 hour

L3.5 For the purposes of the air concentration limits specified in the table(s) above, Nitrogen Oxides means: nitrogen dioxide (NO₂) or nitrogen oxide (NO) or both, as NO₂ equivalent.

L3.6 The limits contained in this licence do not apply during a period of start up or shut down, as defined by the Protection of the Environment Operations (Clean Air) Regulation 2021.

Note: While the limits contained in this licence do not apply under the specified periods, the licensee will still be subject to the requirements of Section 128(2) of the Protection of the Environment Operations Act 1997.

Air concentration limit emergency exceedances

L3.7 The air concentration limits specified in the licence may be temporarily exceeded under the following circumstances:

1. the Australian Electricity Market Operator (AEMO), or a person authorised by AEMO, directs the licensee, under the National Electricity Law and the National Electricity Rules, to take relevant actions to maintain or restore the security or reliability of the electricity network; and
2. the relevant AEMO direction referred to above remains in force; and

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3. the licensee takes all practical measures to prevent and minimise air pollution.

L4 Noise limits

L4.1 Noise generated at the premises must not exceed the noise limits (expressed in dB) at the times and locations in the table below.

Location	Day LAeq (15min)	Evening LAeq (15min)	Night LAeq (15min)	Night LAFmax
103 Bishops Bridge Rd, Sawyers Gully	50	48	41	52
10 Dawes Ave, Loxford	45	45	43	53
20 Bowditch Ave, Loxford	43	43	38	52
464 Cessnock Rd, Gillieston Heights	40	35	35	52
59 Sawyers Gully Rd, Sawyers Gully	42	42	38	52

L4.2 For the purposes of Condition L4.1:

- Day means the period from 7am to 6pm Monday to Saturday, and the period from 8am to 6pm Sundays and Public Holidays;
- Evening means the period from 6pm to 10pm; and
- Night means the period from 10pm to 7am Monday to Saturday, and the period from 10pm to 8am Sundays and Public Holidays.

L4.3 Noise-enhancing meteorological conditions:

- The noise limits set out in licence condition L4.1 apply under the meteorological conditions in the following table.
- For those meteorological conditions not referred to in the table below, the noise limits that apply are the noise limits in licence condition L4.1 plus 5dB.

Assessment Period	Meteorological Condition
Day	Stability Categories A, B, C and D with wind speeds up to and including 3m/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.

L4.4 For the purposes of licence condition L4.3:

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- a) The meteorological conditions are to be determined from meteorological data obtained from the licensed Point 4.
- 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).

L4.5 To assess compliance:

- a) with the $L_{Aeq(15\text{ minutes})}$ or the L_{Amax} noise limits in licence condition L4.1 and L4.3, the noise measurement equipment must be located:
 - (i) approximately on the property boundary, where any residence is situated 30 metres or less from the property boundary closest to the premises; or where applicable,
 - (ii) in an area within 30 metres of a residence façade, but not closer than 3 metres where any residence on the property is situated more than 30 metres from the property boundary closest to the premises; or where applicable,
 - (iii) in an area within 50 metres of the boundary of a National Park or Nature Reserve,
 - (iv) at any other location identified in licence condition L4.1.
- b) with the $L_{Aeq(15\text{ minutes})}$ or the L_{Amax} noise limits in licence condition L4.1 and L4.3, the noise measurement equipment must be located:
 - (i) at the reasonably most affect point at a location where there is no residence at the location; or
 - (ii) at the reasonably most affected point within at area at a location prescribed by licence condition L4.5(a).

L4.6 A non-compliance of licence conditions L4.1 and L4.3 will still occur where noise generated from the premises is measured in excess of the noise limit at a point other than the reasonably most affected point at locations referred to in licence condition L4.5(a) or L4.5(b).

L4.7 For the purposes for licence conditions L4.5 and L4.6, the reasonably most affected point is a point at a location or within an area at a location experiencing or expected to experience the highest sound pressure level from the premises.

L4.8 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) may be applied, if appropriate, to the noise measurement by the noise monitoring equipment.

L4.9 Noise measurements must not be undertaken where rain or wind speed at microphone level will affect the acquisition of valid measurements.

L4.10 For the purposes of the licence:

- Noise Policy for Industry means the document entitled “*Noise Policy for Industry*” published by the NSW Environment Protection Authority in October 2017.
- Noise – ‘sound pressure levels’ for the purposes of conditions L4.1 to L4.8 includes:
 - L_{Aeq} (15 minute), meaning the value of the A-weighted sound pressure level of a continuous steady sound that, over a 15 minute time interval, has the same mean square sound pressure level as a sound under consideration with a level that varies with time (Australian Standard AS 1055:2018 *Acoustics: description and measurement of environmental noise*).
 - L_{AFmax} , meaning the maximum sound pressure level of an event measured with a sound level meter satisfying Australian Standard AS IEC 61672.1-2013 *Electroacoustics - Sound level meters - Part 1: Specifications* set to ‘A’ frequency weighting and fast time weighting.

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L5 Hours of operation

Construction hours

L5.1 All construction work at the premises must be conducted between 7am and 6pm Monday to Friday, and 8am and 1pm Saturdays, and at no time Sundays and Public Holidays.

Exceptions to construction hours

- L5.2 The following activities may be carried out outside the construction hours in licence condition L5.1:
- a) construction that causes LAeq(15minute) noise levels that are:
 - (i) no more than 5dB above Rating Background Level at any residence in accordance with the *Interim Construction Noise Guideline* (DECC, 2009); and
 - (ii) no more than the Noise Management Levels specified in Table 3 of the *Interim Construction Noise Guideline* (DECC, 2009) at other sensitive land uses; or
 - b) for the delivery of materials required by the police or other authorities for safety reasons; or
 - c) where it is required in an emergency to avoid the loss of lives, property and/or to prevent environmental harm; or
 - d) as approved through the process outlined in “Variation of construction hours” of the licence.

Variation of construction hours

- L5.3 The hours of construction activities specified under “Exceptions to construction hours” in licence condition L5.2 may be varied with the prior written approval. Any request to alter the hours of construction shall be:
- a) considered on a case-by-case or activity-specific basis;
 - b) accompanied by details of the nature and justification for activities to be conducted during the varied construction hours;
 - c) accompanied by written evidence that appropriate consultation with potentially affected sensitive receivers and notification of relevant Council(s) (and other relevant agencies) has been and will be undertaken;
 - d) all feasible and reasonable noise mitigation measures have been put in place; and
 - e) accompanied by a noise impact assessment consistent with the requirements of the *Interim Construction Noise Guideline* (DECCW, 2009).

L6 Potentially offensive odour

L6.1 No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

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

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L7 Other limit conditions

Fuel requirements and limitations on hours of operation

- L7.1 Fuel burning equipment must not be operated for the purpose of generating electrical power at the premises for more than 1100 cumulative hours per calendar year.
- L7.2 Fuel burning equipment must not be fired on diesel for the purpose of generating electrical power at the premises for more than 175 cumulative hours per calendar year.
- L7.3 Any application to modify the approved operating hours in licence conditions L7.1 and L7.2 must be accompanied by a revised air quality impact assessment; demonstrating the project is using best available air pollution control technology and a commitment for project operations post modification to be nitrogen oxides (NOx) emission neutral.
- L7.4 Distillate fuel used in the power station must comply with the Australian Government's *Fuel Quality Standards (Automotive Diesel) Determination 2019* made under the *Fuel Quality Standards Act 2000*.
- L7.5 The licensee may exceed the maximum hours specified in licence conditions L7.1 and L7.2 in the event that operation, or continued operation, is required if:
- the Australian Electricity Market Operator (AEMO), or a person authorised by AEMO, directs the proponent, under the National Electricity Law and the National Electricity Rules, to take relevant actions to maintain or restore the security or reliability of the electricity network; and
 - the relevant AEMO direction referred to above remains in force; and
 - the licensee takes all practical measures to prevent or minimise air pollution.
- L7.6 The licensee must notify the EPA of any and all limit exceedances due to the activation of licence condition L7.5 within 24 hours of an exceedance.

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:
- the processing, handling, movement and storage of materials and substances used to carry out the activity; and
 - 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:
- must be maintained in a proper and efficient condition; and
 - must be operated in a proper and efficient manner.

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O3 Dust

- O3.1 The premises must be maintained in a condition which prevents the emission of dust from the premises.
- O3.2 All operations and activities occurring at the premises must be carried out in a manner that will minimise the emission of dust from the premises.
- O3.3 Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading.

O4 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises in accordance with Part 5.7A of the Protection of the Environment Operations Act 1997 and Part 4 of the Protection of the Environment Operations (General) Regulation 2021.

O5 Waste 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 EPA's 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.

O6 Other operating conditions

Chemical storage

- O6.1 The licensee must store and handle all liquid chemicals and hazardous materials used at the premises within bunded areas that are constructed and maintained in accordance with the following:
- any relevant Australian Standards for the liquids being stored;
 - within a bunded area with a minimum bund capacity of 110% of the volume of the largest single stored vessel within the bund;
 - the Storing and Handling Liquids: Environmental Protection Participant's Manual (DECC, 2007); and where any conflict exists between these requirements, the most stringent requirements apply.
- O6.2 For the purpose of condition O7.12 above, any tanks or other storage vessels that are interconnected and may distribute their contents either by gravity or automated pumps must be considered a single vessel.

Sulfur content in diesel

- O6.3 The sulfur content in the diesel fuel used for firing the power station must comply with the Australian Government's *Fuel Quality Standards (Automotive Diesel) Determination 2019* made under the *Fuel Quality Standards Act 2000*.

Erosion and sediment control

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- O6.4 Prior to the commencement of any construction or other surface disturbance the applicant must install and maintain suitable sediment and erosion controls onsite, in accordance with the relevant requirements of the *Managing Urban Stormwater: Soils and Construction – Volume 2A Installation of Services* (DECC 2008).

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:
- in a legible form, or in a form that can readily be reduced to a legible form;
 - kept for at least 4 years after the monitoring or event to which they relate took place; and
 - 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:
- the date(s) on which the sample was taken;
 - the time(s) at which the sample was collected;
 - the point at which the sample was taken; and
 - 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 1,2

Pollutant	Units of measure	Frequency	Sampling Method
Carbon monoxide	milligrams per cubic metre	Continuous	CEM-4 and US EPA Procedure 1
Moisture	percent	Continuous	Special Method 1
Nitrogen Oxides	milligrams per cubic metre	Continuous	CEM-2 and US EPA Procedure 1
Oxygen (O ₂)	percent	Continuous	CEM-3 and US EPA Procedure 1
Temperature	degrees Celsius	Continuous	TM-2 and US EPA Procedure 1

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Velocity	metres per second	Continuous	CEM-6 and US EPA Procedure 1
Volumetric flowrate	cubic metres per second	Continuous	CEM-6 and US EPA Procedure 1

M2.3 For the purposes of the table(s) above Special Method 1 means any moisture monitoring method approved in writing by the EPA, and USEPA Procedure 1.

M2.4 For the purposes of the table(s) above, Nitrogen Oxides means: nitrogen dioxide (NO₂) or nitrogen oxide (NO) or both, as NO₂ equivalent.

M2.5 Water and/ or Land Monitoring Requirements

POINT 3

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	milligrams per litre	Monthly during discharge	Grab sample
pH	pH	Monthly during discharge	Grab sample
Total solids	milligrams per litre	Monthly during discharge	Grab sample
Total suspended solids	milligrams per litre	Monthly during discharge	Grab sample
Turbidity	nephelometric turbidity units	Monthly during discharge	Grab sample

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:

- any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or
- 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
- 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.

Note: The *Protection of the Environment Operations (Clean Air) Regulation 2021* 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".

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

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Publication unless another method has been approved by the EPA in writing before any tests are conducted.

M4 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.

M5 Weather monitoring

M5.1 At the point(s) identified below, the licensee must monitor (by sampling and obtaining results by analysis) the parameters specified in Column 1 of the table below, using the corresponding sampling method, units of measure, averaging period and sampling frequency, specified opposite in the Columns 2, 3, 4 and 5 respectively.

POINT 4

Parameter	Sampling method	Units of measure	Averaging period	Frequency
Siting	AM-1	-	-	Continuous
Temperature at 2 metres	AM-4	degrees Celsius	1 hour	Continuous
Wind Direction at 10 metres	AM-2 & AM-4	Degrees	15 minutes	Continuous
Wind Speed at 10 metres	AM-2 & AM-4	metres per second	15 minutes	Continuous
Sigma Theta	AM-2 & AM-4	Degrees	15 minutes	Continuous
Rainfall	AM-4	millimetres	15 minutes	Continuous
Relative humidity	AM-4	percent humidity	1 hour	Continuous

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:

- the date and time of the complaint;
- the method by which the complaint was made;
- any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- the nature of the complaint;
- the action taken by the licensee in relation to the complaint, including any follow-up contact with the

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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 one month the date of the issue of this licence.

M8 Noise monitoring

M8.1 Attended noise monitoring must be undertaken in accordance with licence condition L4.5 and must:

- a) occur at each location specified in Condition L4.1;
- b) occur annually in a reporting period;
- c) occur during each day, evening and night period as defined in the *Noise Policy for Industry* for a minimum of:
 - 1.5 hours during the day;
 - 30 minutes during the evening; and
 - 1 hour during the night.
- d) occur for three consecutive operating days.

Note: The above requirements do not come into effect until the facility commences to be commissioned.

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.

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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
- 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

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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 satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R4 Other reporting conditions

Noise monitoring report

R4.1 A noise compliance assessment report must be submitted to the EPA within 30 days of the completion of the annual monitoring. The assessment must be prepared by a competent person and include:

- a) an assessment of compliance with noise limits presented in licence conditions L4.1 and L4.3; and
- b) an outline of any management actions taken within the monitoring period to address any exceedences of the limits contained in licence conditions L4.1 and L4.3.

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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 Final design verification and manufacturer's guarantee assessment

- E1.1 Prior to construction, the licensee must provide a revised Air Quality Impact Assessment (Revised AQIA) that is based on the final design of the plant and includes emission specifications (emission rates and concentrations) based on manufacturer performance guarantees. Should the plant design and emissions characteristics differ from what was assessed previously in the document titled 'Hunter Power Project, Air Quality Impact Assessment' prepared by Jacobs, dated 30 July 2021, the Revised AQIA must include remodelling of emissions based on final design and reassessment of impacts.

The Revised AQIA must be provided to the EPA by email to info@epa.nsw.gov.au.

- E1.2 The final design, installation and operation of the plant must not preclude the ability for air pollution emissions controls to be retrofitted.

E2 Air quality verification

- E2.1 Within six months of commissioning the plant (or an alternate timeframe agreed to in consultation with the EPA) and during a period in which the project is operating under high design loads, the licensee must undertake a monitoring program to confirm the air emission performance of the power station (Monitoring Program).

The Monitoring Program must include, as a minimum:

- two rounds of post-commissioning monitoring of the pollutants and parameters in the table below for each discharge point;
- consideration of the dual-fuel and peaking operability of the power station in capturing representative air pollutant emission concentrations and normal operating parameters; and
- sampling methods as per the NSW EPA's *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.

For the purpose of the table below, Special Frequency 1 means two rounds of post commissioning monitoring.

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Pollutant	Units of measure	Frequency	Sampling method
Total solid particles	Milligrams per cubic metre	Special Frequency 1	TM-15
Oxides of nitrogen	Milligrams per cubic metre	Continuous	CEM-2 and USEPA Procedure 1
Sulfur dioxide	Milligrams per cubic metre	Special Frequency 1	TM-4
Volatile organic compounds (VOCs)	Milligrams per cubic metre	Special Frequency 1	TM-34
PAHs (as benzo[a]pyrene)	Milligrams per cubic metre	Special Frequency 1	California Air Resources Board Method 429
Oxygen	Percent	Continuous	CEM-3
Moisture content	Percent	Special Frequency 1	TM-22
Molecular weight of stack gases	Grams per gram mole	Special Frequency 1	TM-23
Temperature	Degrees Celsius	Special Frequency 1	TM-2
Velocity	Metres per second	Continuous	CEM-6
Dry gas density	Kilograms per cubic metre	Special Frequency 1	TM-23

- E2.2 Within six weeks of completing post-commissioning testing, the licensee must submit a Post Commissioning Verification Report (the Report) to the EPA. The Report must:
- Include all analytical results of post-commissioning monitoring required for all discharge points. Any external report must be reproduced in full.
 - Include all the information listed in section 4 of the *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.
 - Describe all the operational parameters during post-commissioning testing.
 - Compare analytical results from post commissioning monitoring against final design emission specifications and modelled emission parameters (emission rates and concentrations) in the AQIA required under condition E1.1 (Final Design Verification Assessment).
 - Should any comparison under paragraph (d) of this condition identify monitored discharge concentrations or emission rates above the emissions characteristics in the Revised AQIA or the Protection of the Environment Operations (Clean Air) Regulation 2021 standards of concentration, the licensee must:
 - Re-assess and evaluate both the emissions concentrations against the Protection of the Environment Operations (Clean Air) Regulation 2021 standards of concentration and the impacts against the relevant impact assessment criteria in the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW*; and/or
 - Identify actions and measures to be implemented to reduce emissions of air pollutants to no greater than those predicted in the Revised AQIA. Details of the actions and measures and a timetable for implementation shall be submitted to the EPA.

The Report must be provided to the EPA by email to info@epa.nsw.gov.au.

E3 Notification of commissioning

- E3.1 The licensee must provide written notification of its intention to commence fuel burning commissioning activities at the premises at least one month prior to these activities. The notification must be provided to the EPA via email to info@epa.nsw.gov.au.

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

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flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .



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

Mr Steven James

Environment Protection Authority

(By Delegation)

Date of this edition: 31-January-2022

End Notes