



Licence

Environmental Protection Act 1986, Part V

Licensee: The Griffin Coal Mining Company Pty Limited

Licence: L6363/1995/14

Registered office: 677 Murray Street
WEST PERTH WA 6005

ACN: 008 667 285

Premises address: Griffin Coal – Ewington I & II Open Cut Mines
Coalfields Highway
COLLIE WA 6225
As depicted in Schedule 1.

Issue date: Friday, 12 September 2014

Commencement date: Monday, 15 September 2014

Expiry date: Thursday, 14 September 2019

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
9	Coal mining: premises on which – (a) water is extracted and discharged into the environment to allow coal mining; or coal mining or processing occurs and tailings are discharged.	5 000 tonnes or more per year	5.40 million tonnes per annual period
53	Flyash disposal: premises on which flyash is disposed of.	1 000 tonnes or more per year	364 000 tonnes per annual period

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 19 October 2015

.....
Danielle Eyre

Officer delegated under section 20
of the *Environmental Protection Act 1986*



Contents

Introduction	2
Licence conditions	5
1 General	5
2 Emissions	7
3 Monitoring	9
4 Improvements	10
5 Information	11
Schedule 1: Maps	14
Schedule 2: Reporting & notification forms	15

Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER works with business owners, community, consultants, industry and other representatives to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Griffin Coal operates Ewington I and II open cut coal mines located on the Coalfields Highway, east of the town of Collie, which is approximately 220 km south east of Perth. The Ewington I open pit is closest to the Collie townsite with the nearest residence being approximately 1 km west of the operational boundary. The area surrounding the operation supports a variety of land uses including coal mining (defined as the principal land use), agriculture, forestry, apiculture, power production, tourism, quarrying and recreation.

The Ewington Operations comprise two open cut coal mines, Ewington I and II, a coal processing plant, a coal washing plant and dewatering activities. Mining and coal processing is conducted on a continuous basis, 24 hours per day, 7 days per week. Coal is mined from the two open pits and trucked to the Coal Processing Plant ROM (Run of Mine stockpile) on the eastern boundary of the Ewington II operation. Overburden from the mining operation is trucked to overburden dumps or is backfilled within sections of the open pit. In the processing plant the coal undergoes a two phase crushing process to reduce the coal to an appropriate size. The crushed coal is screened to separate different sizes for specific markets/uses. Sized coal is then either transferred directly via a conveyor to the Bluewaters Power Station or stockpiled and blended to market requirements. Coal is sometimes washed to remove stone particles to meet individual market specifications.

Dewatering is undertaken to ensure operations are kept dry. The water generated is reused where possible and any remaining water is discharged through licensed discharge points into tributaries of the Collie River.

The main emissions from the operation are dust, noise, contaminated stormwater and dewater. Noise is managed under the Ministerial Approval Statement 380 for the project. In accordance with this approval, Griffin Coal maintain and implement a series of environmental management plans which document management strategies for significant aspects to minimise environmental impact. Disposal of dewater to the Collie River is managed by Department of Water (DoW) under GWL 168071 (1).

A new Licence was re-issued to Griffin Coal on the 12 September 2014 and incorporated conversion of the previous Licence into the new licence format. Members of the public lodged appeals in objection to the conditions applied by DER to Licence L6363/1995/14.

The Minister for the Environment determined the appeal on 1 July 2015 and allowed the appeal in part. This licence amendment is to give effect to the Minister's determination, and reflects the requirements in the Minister's Appeal Determination number 153-155 of 2014. Section 105 of the EP Act limits the lodgement of appeals in respect of this amendment.



The licences and works approvals issued for the Premises since 2003 are:

Instrument log		
Instrument	Issued	Description
L6363/1995/08	15/12/2003	Licence re-issue
L6363/1995/09	15/10/2004	Licence re-issue.
L6363/1995/09	09/08/2005	DER initiated amendment to define legal entity and legal land description.
L6363/1995/10	24/08/2006	Licence re-issue. New attachment of premises included.
L6363/1995/11	13/09/2007	Licence re-issue
L6363/1995/12	12/09/2008	Licence re-issue. Global changes made and nominal rated throughput increased.
L6363/1995/12	12/03/2009	Proponent initiated amendment to include Flyash Disposal.
L6363/1995/13	08/09/2011	Licence re-issue. Global changes and changes resulting from compliance inspections and pollution incident management response made.
L6363/1995/14	15/09/2014	Licence re-issue containing proponent initiated amendment to increase throughput to 5.4 million tonnes per annum. Licence converted to current format as part of renewal.
L6363/1995/14	15/10/2015	Licence amendment to include changes resulting from the Minister for Environment's determination of Appeals 153 -155 of 2014.

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 July until 30 June in the following year;

'AS 3580.1.1' means the Australian Standard AS 3580.1.1 *Methods for sampling and analysis of ambient air – Guide to siting air monitoring equipment*;

'AS 3580.9.6' means the Australian Standard AS 3580.9.6 *Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM₁₀ high volume sampler with size - selective inlet – Gravimetric method*;

'AS 3580.9.8' means the Australian Standard AS 3580.9.8 *Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM₁₀ continuous direct mass method using tapered element oscillating microbalance analyser*;

'AS/NZS 5667.1' means the Australian Standard AS/NZS 5667.1 *Water Quality – Sampling – Guidance of the Design of sampling programs, sampling techniques and the preservation and handling of samples*;

'AS/NZS 5667.4' means the Australian Standard AS/NZS 5667.4 *Water Quality – Sampling – Guidance on sampling from lakes, natural and man-made*;

'AS/NZS 5667.6' means the Australian Standard AS/NZS 5667.6 *Water Quality – Sampling – Guidance on sampling from rivers and streams*;

'AS/NZS 5667.9' means the Australian Standard AS/NZS 5667.9 *Water Quality – Sampling – Guidance on sampling from marine waters*;

'AS/NZS 5667.10' means the Australian Standard AS/NZS 5667.10 *Water Quality – Sampling – Guidance on sampling of waste waters*;

'averaging period' means the time over which a limit or target is measured or a monitoring result is obtained;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au;

'controlled waste' has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;



'freeboard' means the distance between the maximum water surface elevations and the top of retaining banks or structures at their lowest point;

'Licence' means this Licence numbered L6363/1995/14 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'NATA' means the National Association of Testing Authorities, Australia;

'NATA accredited' means in relation to the analysis of a sample that the laboratory is NATA accredited for the specified analysis at the time of the analysis;

'PM' means total particulate matter including both solid fragments of material and miniscule droplets of liquid;

'PM₁₀' means particles with an aerodynamic diameter of less or equal to 10 µm;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'quarterly' means the 4 inclusive periods from 1 July to 30 September, 1 October to 31 December and in the following year, 1 January to 31 March and 1 April to 30 June;

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

'spot sample' means a discrete sample representative at the time and place at which the sample is taken;

'TSP' means total suspended particles each having an equivalent aerodynamic diameter of less than 50 micrometres; and

'usual working day' means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia.

1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the the standard in force from time to time during the term of this Licence.

1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.

1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:

- (a) pollution;
- (b) unreasonable emission;
- (c) discharge of waste in circumstances likely to cause pollution; or
- (d) being contrary to any written law.

1.2 General conditions

1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.2.2 The Licensee shall immediately recover, or remove and dispose of spills of environmentally hazardous materials outside an engineered containment system.



- 1.2.3 The Licensee shall:
- (a) implement all practical measures to prevent stormwater run-off becoming contaminated by the activities on the Premises; and
 - (b) treat contaminated or potentially contaminated stormwater as necessary prior to being discharged from the Premises.¹

Note1: *The Environmental Protection (Unauthorised Discharges) Regulations 2004* make it an offence to discharge certain materials into the environment.

1.3 Premises operation

- 1.3.1 The licensee shall manage operation to ensure that throughput at the premises does not exceed the limits in Table 1.3.1.

Table 1.3.1: Throughput Limits	
Process	Production limit (per annual period)
Coal Mining	5 400 000 wet tonnes (ore)
Fly Ash disposal	364 000 tonnes

- 1.3.2 The licensee shall manage fly ash disposal in accordance with the following provisions:
- (a) The licensee shall only accept fly ash from the Bluewaters I and II premises (L8326) for disposal; and
 - (b) Flyash disposal shall be undertaken in accordance with the '*Bluewaters Power Station Operations Environmental Management Programme and Ewington Mine Operations Environmental Management Programme Ash Management Plan*' hereafter referred to as the 'Ash Management Plan'.

2 Emissions

2.1 General

- 2.1.1 The Licensee shall record and investigate the exceedance of any descriptive or numerical limit or target specified in any part of section 2 of this Licence.

2.2 Point source emissions to surface water

- 2.2.1 The Licensee shall ensure that where waste is emitted to surface water from the emission points in Table 2.2.1 and identified on the premises map in Schedule 1 it is done so in accordance with the conditions of this licence.

Table 2.2.1: Emission points to surface water			
Emission point reference	Emission point reference on Premises Map	Description	Source including abatement
W1	EW1	Discharge south-west of Ewington II open pit to Ewington Creek via a gauging station at flume of Ewington Creek pumping station	Combination of mine dewater and stormwater; passing through two sedimentation ponds, including lime treatment prior to discharge
W2	EW1 North DP	Discharge to Snake Gully, north-east of Ewington 1 open pit	Stormwater; passing through a sedimentation basin with capacity for a 1:100 year 72 hour rainfall event prior to discharge



2.2.2 The Licensee shall not cause or allow point source emissions to surface water that do not meet the limits listed in Table 2.2.2.

Table 2.2.2: Point source emission limits to surface water			
Emission point reference	Parameter	Limit (including units)	Averaging period
W2	pH	5.0 - 9.0	Spot sample
	Total dissolved solids	<1 000 mg/L	
	Total suspended solids	<80 mg/L	
	Dissolved oxygen	>5.0 mg/L	
	Total Recoverable Hydrocarbons	<10 mg/L	

2.2.3 The Licensee shall target point source emissions to surface water at or below the levels specified in Table 2.2.3.

Table 2.2.3: Point source emission targets to surface water			
Emission point reference	Parameter	Target (including units)	Averaging period
W1	pH	5.0 - 9.0	Spot sample
	Total dissolved solids	<550 mg/L	
	Total suspended solids	<80 mg/L	
	Dissolved oxygen	>5.0 mg/L	
	Total Recoverable Hydrocarbons	<10 mg/L	

2.2.4 The licensee is exempt from compliance with condition 2.2.2 if in the case of an event in Table 2.2.4 the corresponding management action is taken.

2.2.5 The licensee shall take the specified management action in the case of an event in Table 2.2.4.

Table 2.2.4: Management Actions			
Emission point reference	Event/action reference	Event	Management action
W2	EA1	1:100 year 72 hour ARI rainfall event recorded at Bureau of Meteorology Collie East Weather Station (ID 009994)	The Licensee shall take all practical measures to divert uncontaminated stormwater from entering the sedimentation basin
	EA2		The Licensee shall notify the CEO within 24 hours of becoming aware of the event
	EA3		The Licensee shall undertake the monitoring required by Table 3.6.1 on a daily basis until point source emissions comply with the limits listed in Table 2.2.2

2.3 Fugitive emissions

2.3.1 The Licensee shall use all reasonable and practical measures to prevent and where that is not practicable to minimise dust emissions from the Premises.

2.3.2 The Licensee shall ensure that no visible dust generated by the activities on the Premises crosses the boundary of the Premises.



3 Monitoring

3.1 General monitoring

- 3.1.1 The licensee shall ensure that:
- (a) all water samples are collected and preserved in accordance with AS/NZS 5667.1;
 - (b) all wastewater sampling is conducted in accordance with AS/NZS 5667.10;
 - (c) all surface water sampling is conducted in accordance with AS/NZS 5667.4, AS/NZS 5667.6 or AS/NZS 5667.9 as relevant; and
 - (d) all laboratory samples are submitted to and tested by a laboratory with current NATA accreditation for the parameters being measured.
- 3.1.2 The Licensee shall ensure that:
- (a) monthly monitoring is undertaken at least 15 days apart;
 - (b) quarterly monitoring is undertaken at least 60 days apart; and
- 3.1.3 The Licensee shall ensure that all monitoring equipment used on the Premises to comply with the conditions of this Licence is calibrated in accordance with the manufacturer's specifications, and any relevant Australian standard.
- 3.1.4 The Licensee shall, where the requirements for calibration cannot be practicably met, or a discrepancy exists in the interpretation of the requirements, bring these issues to the attention of the CEO accompanied with a report comprising details of any modifications to the methods.

3.2 Monitoring of point source emissions to surface water

- 3.2.1 The Licensee shall undertake the monitoring in Table 3.2.1 according to the specifications in that table.

Table 3.2.1: Monitoring of point source emissions to surface water			
Emission/ monitoring point reference	Parameter	Units	Frequency
W1 ¹ W2	Discharge volume	m ³	Monthly when discharging
W1 ¹ W2	pH	-	Monthly
W1 ¹ W2	Total dissolved solids, total suspended solids, total alkalinity, dissolved oxygen (in-situ), total recoverable hydrocarbons	mg/L	
W1 ¹ W2	Aluminium, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel, zinc	mg/L	Quarterly

Note 1: W1 samples are to be collected immediately upstream of the gauging station.

3.3 Monitoring of inputs and outputs

- 3.3.1 The Licensee shall undertake the monitoring in Table 3.3.1 according to the specifications in that table.



Table 3.3.1: Monitoring of inputs			
Emission/ monitoring point reference	Parameter	Units	Frequency
W3 ¹	pH	-	Monthly
W3 ¹	Total dissolved solids, total suspended solids, total alkalinity, dissolved oxygen (in-situ), total recoverable hydrocarbons	mg/L	
W3 ¹	Aluminium, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel, zinc	mg/L	Quarterly

Note 1: W3 samples are to be collected from EW2WestDP collection sump illustrated on the Premises Map in Schedule 1.

3.4 Ambient environmental quality monitoring

3.4.1 The Licensee shall undertake the monitoring specified in Table 3.4.1 according to the specifications in that table and record and investigate results that do not meet any target specified.

Table 3.4.1: Monitoring of ambient air quality						
Monitoring point reference & location	Parameter	Target	Units	Averaging period	Frequency	Method
AAQ1 (Palmer Road Dust Monitor)	Particulates as PM ₁₀	50	µg/m ³	24 hours	Continuous (Oct to May)	AS 3580.9.6 or AS 3580.9.8
	Particulates as TSP	90	µg/m ³	24 hours	Continuous (Oct to May)	AS 3580.9.8

3.4.2 The Licensee shall ensure that the siting of ambient air monitoring equipment is in accordance with AS 3580.1.1.

4 Improvements

4.1 Improvement program

4.1.1 The Licensee shall complete the improvements in Table 4.1.1 by the date of completion in Table 4.1.1.

Table 4.1.1: Improvement program		
Improvement reference	Improvement	Date of completion
IR1	Undertake the following additional ambient environmental quality monitoring at the Palmer Road Dust Monitor (AAQ1): <ul style="list-style-type: none"> Particulates as PM_{2.5}, using AS 3580.9.6 or AS 3580.9.8 methodology and averaging over a 24 hour period. The monitoring shall be for a continuous period between October to May and be presented in µg/m³ units. 	31/05/2016



5 Information

5.1 Records

- 5.1.1 All information and records required by the Licence shall:
- (a) be legible;
 - (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
 - (c) except for records listed in 5.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
 - (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.
- 5.1.2 The Licensee shall ensure that:
- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
 - (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.
- 5.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.
- 5.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.



5.2 Reporting

5.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 61 calendar days after the end of the annual period. The report shall contain the information listed in Table 5.2.1 in the format or form specified in that table.

Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
Table 1.3.1	Production summary of the quantity of coal and overburden mined from each pit.	Table of production data
1.3.2	Total quantity of fly ash accepted for disposal, the quantity of fly ash disposed in each disposal location and the flyash to overburden disposal ratio for each disposal location.	Table/s
1.3.2	Results of ground and surface water monitoring undertaken in accordance with the Ash Management Plan.	None specified
Tables 3.2.1 and 3.3.1	pH, total dissolved solids, total suspended solids, total alkalinity, dissolved oxygen (in-situ), total recoverable hydrocarbons, aluminium, arsenic, cadmium, chromium, copper, iron, lead, manganese, mercury, nickel and zinc monitoring results.	None specified
Table 3.2.1	Monthly discharge volume	Table and/or Graph
Table 3.4.1	Ambient Air Quality Monitoring Results for PM ₁₀ and TSP	Table and/or Graph
5.1.3	Compliance	Annual Audit Compliance Report (AACR)
5.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

5.2.2 The Licensee shall ensure that the Annual Environmental Report also contains:

- any relevant process, production or operational data recorded under Condition 3.1.3; and
- an assessment of the information contained within the report against previous monitoring results and Licence limits.



5.3 Notification

5.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
Table 1.3.1 Table 2.2.2 2.3.2	Exceedance of any descriptive or numerical limit.	Part A: As soon as practicable on becoming aware of the event but no later than 5pm of the next usual working day. Part B: As soon as practicable but no later than within 7 working days of submitting Part A.	N1
Table 2.2.4	Limit exceedance where management action taken	As soon as practicable but not later than 5pm of the next usual working day	None specified
Table 2.2.3 Table 3.4.1	Exceedance of any descriptive or numerical target which is attributed to or potentially attributed to operations at Ewington.	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable Within 7 working days of becoming aware of the exceedance.	ET1
3.1.4	Calibration report	As soon as practicable.	None specified

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

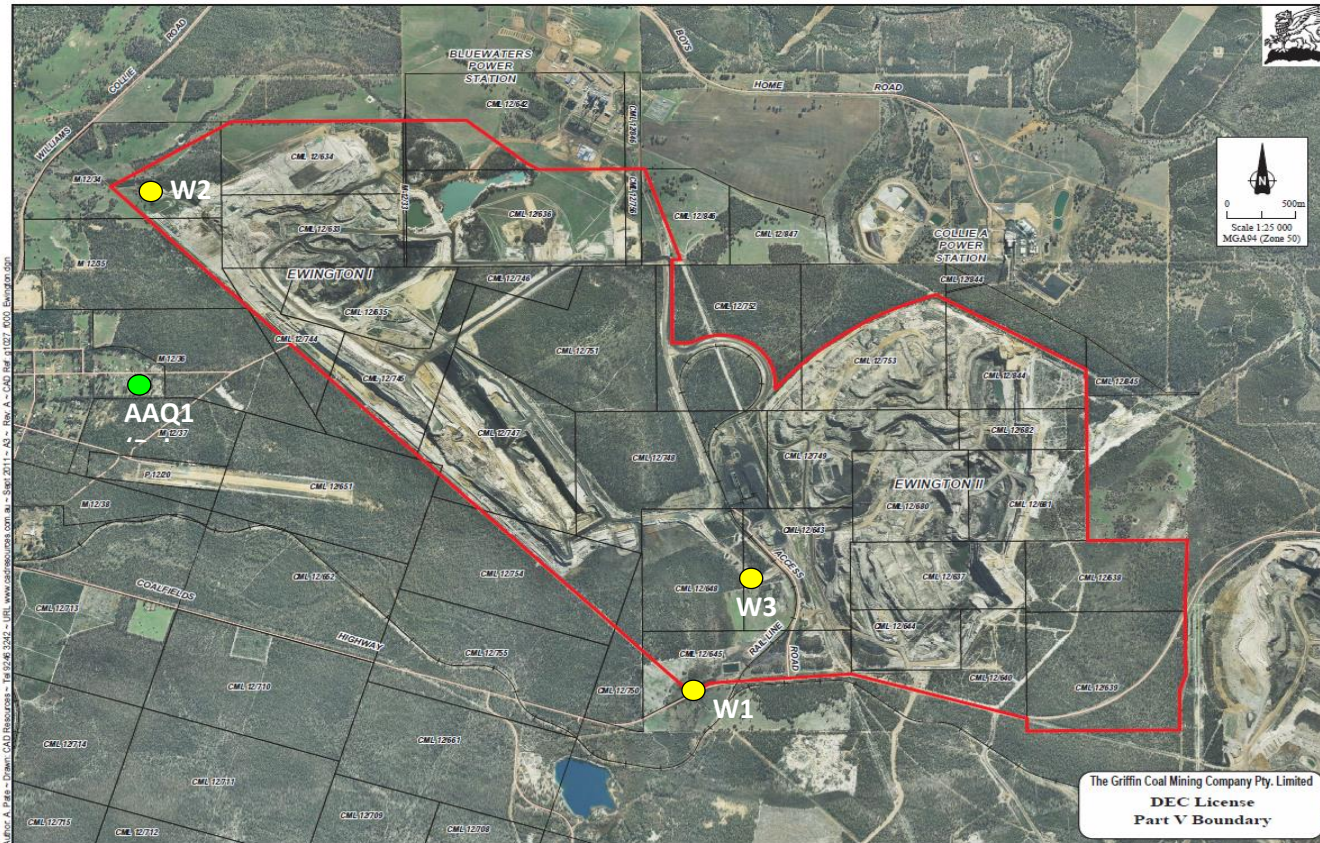
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the maps below. The red line depicts the Premises boundary. The locations of the emission points defined in Table 2.3.1, and monitoring points defined in Tables 3.3.1 and 3.8.1, are also shown.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name:	ABN:
Trading as:	
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L6363/1995/14
Form: ET1
Name: Target exceedances

Licensee: The Griffin Coal Mining Company Pty Limited
Period:

Form ET1: Target exceedances

Please provide an analysis of the target exceedances, including but not limited to:

- (a) the emission point
- (b) the root cause analysis for the exceedances;
- (c) any common or contributory factors including but not limited to fuel, mass emissions, gas flow rates, inlet & exit temperature, abatement status;
- (d) a description of remedial measures taken or planned to be taken, including those taken to prevent recurrence of the exceedances;
- (e) complaints received that may have been caused by this exceedance; and
- (f) for those exceedances that may have caused complaints, meteorological details: temperature, wind speed and wind direction, humidity.

Signed on behalf of The Griffin Coal Mining Company Pty Limited: Date:



Licence: L6363/1995/14
 Form: N1

Licensee: The Griffin Coal Mining Company Pty Limited
 Date of breach:

Notification of detection of the breach of a limit.

These pages outline the information that the operator must provide.
 Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of The Griffin Coal Mining Company Pty Limited	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Licensee: The Griffin Coal Mining Company Pty Limited

Licence: L6363/1995/14

Registered office: 677 Murray Street
WEST PERTH WA 6005

ACN: 008 667 285

Premises address: Griffin Coal – Ewington I & II Open Cut Mines
Coalfields Highway
COLLIE WA 6225

Issue date: Friday, 12 September 2014

Commencement date: Monday, 15 September 2014

Expiry date: Thursday, 14 September 2019

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue an amended Licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: Jamie Piotrowski
Licensing Officer

Decision Document authorised by: Danielle Eyre
Delegated Officer



Contents

1	Purpose of this Document	2
2	Administrative summary	2
3	Executive summary of proposal and assessment	3
4	Decision table	4
5	Advertisement and consultation table	5
6	Risk Assessment	6

1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	
	New Licence <input type="checkbox"/>	
	Licence Amendment <input checked="" type="checkbox"/>	
	Works Approval amendment <input type="checkbox"/>	
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	9	5.40 million tonnes per annual period
	53	364 000 tonnes per annual period
Application verified	Date: 26/6/2014	
Application fee paid	Date: 09/07/2014	
Works Approval has been complied with	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Compliance Certificate received	Yes <input type="checkbox"/>	No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input checked="" type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No:282 and 0380 EPA Report No: 612 and 764
Does the proposal involve a discharge of waste into a designated area (as defined in section 57	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Department of Water consulted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	



of the <i>Environmental Protection Act 1986</i>)?	
Is the Premises within an Environmental Protection Policy (EPP) Area	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

3 Executive summary of proposal and assessment

Griffin Coal operates Ewington I and II open cut coal mines located on the Coalfields Highway, east of the town of Collie, which is approximately 220 km south east of Perth. The Ewington I open pit is closest to the Collie townsite with the nearest residence being approximately 1 km west of the operational boundary. The area surrounding the operation supports a variety of land uses including coal mining (defined as the principal land use), agriculture, forestry, apiculture, power production, tourism, quarrying and recreation.

The Ewington Operations comprise two open cut coal mines, Ewington I and II, a coal processing plant, a coal washing plant and dewatering activities. Mining and coal processing is conducted on a continuous basis, 24 hours per day, 7 days per week. Coal is mined from the two open pits and trucked to the Coal Processing Plant ROM (Run of Mine stockpile) on the eastern boundary of the Ewington II operation. Overburden from the mining operation is trucked to overburden dumps or is backfilled within sections of the open pit. In the processing plant the coal undergoes a two phase crushing process to reduce the coal to an appropriate size. The crushed coal is screened to separate different sizes for specific markets/uses. Sized coal is then either transferred directly via a conveyor to the Bluewaters Power Station or stockpiled and blended to market requirements. Coal is sometimes washed to remove stone particles to meet individual market specifications.

Dewatering is undertaken to ensure operations are kept dry. The water generated is reused where possible and any remaining water is discharged through licensed discharge points into tributaries of the Collie River.

The main emissions from the operation are dust, noise, contaminated stormwater and dewater. Noise is managed under the Ministerial Approval Statement 380 for the project. In accordance with this approval, Griffin Coal maintain and implement a series of environmental management plans which document management strategies for significant aspects to minimise environmental impact. Disposal of dewater to the Collie River is managed by Department of Water (DoW) under GWL 168071 (1).

A new Licence was re-issued to Griffin Coal on 12 September 2014 and incorporated conversion of the previous Licence into the new licence format. Members of the public lodged appeals in objection to the conditions applied by DER to Licence L6363/1995/14.

The Minister for the Environment determined the appeal on 1 July 2015 and allowed the appeal in part. This licence amendment is to give effect to the Minister’s determination, and reflects the requirements in the Minister’s Appeal Determination number 153-155 of 2014.

Where conditions have been added or removed from the existing licence these are outlined in the Decision Table in Section 4.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Point source emissions to surface water	L2.2.2	As required by the Minister's determination, the text for this condition has been changed to remove the wording: <i>For at least 11 out of every 12 consecutive calendar months.</i>	Minister's Appeal Determination number 153-155 of 2014
	L2.2.4 – 2.2.5 Table 2.2.4	As required by the Minister's determination, licence conditions 2.2.4 and 2.2.5 and Table 2.2.4 have been added to the licence to allow for an exemption (with certain conditions) from licence condition 2.2.2 in the case of a 1:100 year 72 hour ARI rainfall event and to provide for the appropriate management actions to occur.	
	Table 2.2.2 and Table 2.2.3	As recommended by the Minister's determination, 'Total Petroleum Hydrocarbons' have been replaced with 'Total Recoverable Hydrocarbons'.	
Improvements	Table 4.1.1	A Site Water Management Plan was required to be submitted to DER outlining the management strategy for surface water onsite. This has been received and subsequently removed from Table 4.1.1	Lanco; <i>Surface Water Management Plan, 24/7/2015</i>
		As required by the Minister's determination, condition "IR1" has been added to Table 4.1.1. This requires the licensee to undertake a once-off monitoring and reporting program for PM2.5 at the monitoring location AAQ1.	Minister's Appeal Determination number 153-155 of 2014
Reporting	Table 5.2.1	As recommended by the Minister's determination, 'Total Petroleum Hydrocarbons' have been replaced with 'Total Recoverable Hydrocarbons'.	Minister's Appeal Determination number 153-155 of 2014
	L5.2.1	Condition 5.2.1 has been amended to require the licensee to submit their Annual Environmental Report (AER) to the CEO within 61 days of the end of the annual period. These changes have been made to allow the licensee to prepare one AER to be submitted to multiple authorities.	



DECISION TABLE			
Licence section	Condition number L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
	L5.2.2	Point (c) has been removed, no longer requiring the licensee to supply third party monitoring reports in the Annual Environmental Report.	

5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
16/09/2015	Draft Licence amendment sent to Licensee for comment.	No comment received	N/A



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High