

Licence - 10861

Licence Details	
Number:	10861
Anniversary Date:	01-November

### **Licensee**

NAMOI COTTON LIMITED

PO BOX 1333

**TOOWOOMBA QLD 4350** 

### **Premises**

MERAH NORTH COTTON GIN

MIDDLE ROUTE

MERAH NORTH NSW 2388

### **Scheduled Activity**

Agricultural processing

Fee Based Activity	<u>Scale</u>
General agricultural processing	> 30000-100000 T annual
	processing capacity

### Region

Regional West - Armidale

Ground Floor, NSW Govt Offices, 85 Faulkner Street

**ARMIDALE NSW 2350** 

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**ARMIDALE NSW 2350** 



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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:

NAMOI COTTON LIMITED
PO BOX 1333
TOOWOOMBA QLD 4350

subject to the conditions which follow.



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### 1 Administrative Conditions

### A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

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

Scheduled Activity	Fee Based Activity	Scale
Agricultural processing	General agricultural processing	> 30000 - 100000 T annual processing capacity

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

A2.1 The licence applies to the following premises:

Premises Details
MERAH NORTH COTTON GIN
MIDDLE ROUTE
MERAH NORTH
NSW 2388
LOT 131 DP 626176, LOT 151 DP 753963, LOT 162 DP 753963, LOT 163 DP 753963, LOT 164 DP 753963, LOT 165 DP 753963, LOT 166 DP 753963, LOT 167 DP 753963
PARISH OF WEETA WAA, COUNTY OF JAMISON

### A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

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

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



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# 2 Discharges to Air and Water and Applications to Land

### P1 Location of monitoring/discharge points and areas

P1.1 The following points referred to in the table below are identified in this licence for the purposes of monitoring and/or the setting of limits for the emission of pollutants to the air from the point.

Air

EPA identi-	Type of Monitoring	Type of Discharge	Location Description
fication no.	Point	Point	
1		Discharge to air	Gin cyclone rack - No. 1 cyclone (elevator fan). Northern side of gin.
2		Discharge to air	Gin cyclone rack - No. 2 cyclone (elevator fan). Northern side of gin.
3		Discharge to air	Gin cyclone rack - No. 3 cyclone (No. 1 Incline). Northern side of gin.
4		Discharge to air	Gin cyclone rack - No. 4 cyclone (No. 1 Incline). Northern side of gin.
5		Discharge to air	Gin cyclone rack - No. 5 cyclone (trash fan). Northern side of gin.
6		Discharge to air	Gin cyclone rack - No. 6 cyclone (trash fan). Northern side of gin.
7		Discharge to air	Gine cyclone rack - No. 7 cyclone (No. 3 Incline). Northern side of gin.
8		Discharge to air	Cyclone gin rack - No. 8 cyclone (No. 3 Incline). Northern side of gin.
9		Discharge to air	Gin cyclone rack - No. 9 cyclone (No. 4 Incline). Northern side of gin.
10		Discharge to air	Gine cyclone rack - No. 10 cyclone (No. 4 Incline) Northern side of gin.
11		Discharge to air	Dust house - No. 1 drum (ballast fan). Northern side of gin.
12		Discharge to air	Dust house - No. 2 drum (ballast fan. Northern side of gin.
13		Discharge to air	Trash bin cyclone. Northern side of gin.
14		Discharge to air	No. 1 seed bin cyclone. Northern side of gin.
15		Discharge to air	No. 2 Seed bin cyclone. Northern side of gin.
17		Discharge to air	Battery condenser exhaust. Northern side of gin.
20		Discharge to air	Number 2 Incline - Cyclone 1
21		Discharge to air	Number 2 Incline - Cyclone 2
22		Discharge to air	Mote Bypass Cyclone - Primary
23		Discharge to air	Mote Bypass Cyclone - Secondary

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land



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EPA Identi- fication no.	Type of Monitoring Point	Type of Discharge Point	Location Description
18	Discharge quality and monitoring	Discharge quality and monitoring	Regulator allowing surface water runoff from gin and module yard. Regulator located on northeastern corner of levee bank around gin and module yard.
19	Discharge quality and monitoring	Discharge quality and monitoring	Regulator allowing surface water runoff from gin and module yard. Regulator located on southwestern corner of levee bank around gin and module yard

### 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 Waste

- L2.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.
- L2.2 This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.

### 4 Operating Conditions

### O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

### O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
  - a) must be maintained in a proper and efficient condition; and
  - b) must be operated in a proper and efficient manner.



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#### O3 Dust

O3.1 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.

### O4 Waste management

O4.1 There must be no incineration or burning of any waste at the premises.

### O5 Other operating conditions

- O5.1 All above ground storage facilities containing flammable and combustible liquids must be bunded in accordance with the specifications of the relevant Australian Standard and legislative requirements.
- O5.2 All Chemicals must be stored in accordance with the requirements of the Code of Practice for the Safe Use and Storage of Chemicals (Including Pesticides and Herbicides) in Agriculture (Worksafe NSW 2006).
- O5.3 The licensee must undertake maintenance to desilt all sediment ponds and drains in order to maintain their design storage capacities.

### 5 Monitoring and Recording Conditions

### M1 Monitoring records

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

### 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



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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 Water and/ or Land Monitoring Requirements

#### **POINT 18.19**

Pollutant	Units of measure	Frequency	Sampling Method
Electrical conductivity	millisiemens per centimetre	Special Frequency 1	Representative sample
Nitrogen (total)	milligrams per litre	Special Frequency 1	Representative sample
Oil and Grease	milligrams per litre	Special Frequency 1	Representative sample
рН	рН	Special Frequency 1	Representative sample
Phosphorus (total)	milligrams per litre	Special Frequency 1	Representative sample
Total suspended solids	milligrams per litre	Special Frequency 1	Representative sample

Note: Special Frequency 1 means that for each discharge event monitoring is to be undertaken within the first hour of discharge, and then daily during the discharge.

### M3 Testing methods - concentration limits

M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

### M4 Recording of pollution complaints

- M4.1 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.
- M4.2 The record must include details of the following:
  - a) the date and time of the complaint;
  - b) the method by which the complaint was made;
  - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
  - d) the nature of the complaint;
  - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
  - f) if no action was taken by the licensee, the reasons why no action was taken.
- M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.



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### M5 Telephone complaints line

- M5.1 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.
- M5.2 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.
- M5.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

### 6 Reporting Conditions

#### R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
  - 1. a Statement of Compliance,
  - 2. a Monitoring and Complaints Summary,
  - 3. a Statement of Compliance Licence Conditions,
  - 4. a Statement of Compliance Load based Fee,
  - 5. a Statement of Compliance Requirement to Prepare Pollution Incident Response Management Plan,
  - 6. a Statement of Compliance Requirement to Publish Pollution Monitoring Data; and
  - 7. a Statement of Compliance Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
  - a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
  - a) in relation to the surrender of a licence the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a



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transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

- R1.6 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.
- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
  - a) the licence holder; or
  - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.
- Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

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

#### R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.
- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.
- Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

### R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
  - a) where this licence applies to premises, an event has occurred at the premises; or
  - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,
  - and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
  - a) the cause, time and duration of the event;
  - b) the type, volume and concentration of every pollutant discharged as a result of the event;
  - c) the name, address and business hours telephone number of employees or agents of the licensee, or a 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:

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- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

### 7 General Conditions

### G1 Copy of licence kept at the premises or plant

- G1.1 A copy of this licence must be kept at the premises to which the licence applies.
- G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.
- G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

### G2 Signage

G2.1 Each monitoring and discharge point must be clearly marked by a sign that indicates the EPA point identification number.



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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

Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.

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 Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales.

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 Environmen t Operations Act

199

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

Means the premises described in condition A2.1

public authority

premises

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

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 *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.



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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 David Dutaillis

**Environment Protection Authority** 

(By Delegation)

Date of this edition: 13-March-2002

### **End Notes**

- 1 Licence varied by notice 1019876, issued on 15-Aug-2002, which came into effect on 09-Sep-2002.
- 2 Licence fee period changed by notice 1060149 on 09-May-2006.
- 3 Licence varied by notice 1079257, issued on 18-Oct-2007, which came into effect on 18-Oct-2007.
- 4 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 5 Licence varied by notice 1514084 issued on 04-Jun-2013
- 6 Licence varied by notice 1527174 issued on 04-Oct-2019
- 7 Licence varied by notice 1586628 issued on 10-Oct-2019
- 8 Licence varied by notice 1594695 issued on 07-May-2020
- 9 Licence varied by notice 1606730 issued on 12-Mar-2021