

# Environment Protection Licence

Licence - 4651

## Licence Details

Number:	4651
Anniversary Date:	01-July

## Licensee

MURRUMBIDGEE IRRIGATION LIMITED

LOCKED BAG 6010

GRIFFITH NSW 2680

## Premises

MURRUMBIDGEE IRRIGATION AREA &amp; DISTRICTS

HANWOOD NSW 2680

## Scheduled Activity

Irrigated agriculture

## Fee Based Activity

Irrigated agriculture

## Scale

&gt; 100000 ha of the total existing area of operations

## Region

South West

Suites 7-8, Level 1 Griffith City Plaza, 130-140 Banna Avenue

GRIFFITH NSW 2680

Phone: (02) 6969 0700

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PO Box 397

GRIFFITH NSW 2680

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## Information about this licence

### Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

### Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

### Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

### Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

### Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

### Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

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The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

## Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

## Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

## This licence is issued to:

<b>MURRUMBIDGEE IRRIGATION LIMITED</b>
<b>LOCKED BAG 6010</b>
<b>GRIFFITH NSW 2680</b>

subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Irrigated agriculture	Irrigated agriculture	> 100000 ha of the total existing area of operations

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

A2.1 The licence applies to the following premises:

Premises Details
MURRUMBIDGEE IRRIGATION AREA & DISTRICTS
HANWOOD
NSW 2680

### A3 Other activities

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

Ancillary Activity
Application of herbicides to alligator weed (Alantheras Philoxeroides) at: Barren Box Swamp and downstream in Lower Mirrool Creek and Wah Wah irrigation channels

### 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:

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

## 2 Discharges to Air and Water and Applications to Land

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

P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

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

#### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
4	Discharge to waters Environmental monitoring Volume monitoring	Discharge to waters Environmental monitoring Volume monitoring	Lagoon Drain from Gogelderie Main Southern labelled 'LAG' on map titled "Key Infrastructure & Water Quality Sites of the MIA" dated 18 January 2013 and on EPA file LIC07/2304-03.
5	Discharge to waters Environmental monitoring Volume monitoring	Discharge to waters Environmental monitoring Volume monitoring	Gogeldrie Main Southern Drain at River Road labelled 'GMSRR' on map titled "Key Infrastructure & Water Quality Sites of the MIA" dated 18 January 2013 and on EPA file LIC07/2304-03.
6	Discharge to waters Environmental monitoring Volume monitoring	Discharge to waters Environmental monitoring Volume monitoring	Yanco Main Southern Drain labelled 'YMS' on map titled "Key Infrastructure & Water Quality Sites of the MIA" dated 18 January 2013 and on EPA file LIC07/2304-03.
7	Discharge to waters Environmental monitoring Volume monitoring	Discharge to waters Environmental monitoring Volume monitoring	Cudgel Creek downstream of Roaches Escape labelled 'ROCUDG' on map titled "Key Infrastructure & Water Quality Sites of the MIA" dated 18 January 2013 and on EPA file LIC07/2304-03.

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15	Discharge to waters Environmental monitoring Volume monitoring	Discharge to waters Environmental monitoring Volume monitoring	Mirrool Creek Floodway labelled 'MIRFLD' on map titled "Key Infrastructure & Water Quality Sites of the MIA" dated 18 January 2013 and on EPA file LIC07/2304-03.
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## 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 Potentially offensive odour

L2.1 No condition in this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.

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

## 4 Operating Conditions

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

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

This includes:

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

### O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

### O3 Processes and management



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## **Licensee to maintain a chemical contingency plan**

O3.1 The licensee must maintain a chemical contingency plan.

The chemical contingency plan must include the following information:

- a) reproduce Schedule 1 to this licence, which lists certain chemicals (the “Scheduled Chemicals”) and stipulates the notification and action levels in relation to each Scheduled Chemical;
- b) describes in detail, in relation to each Scheduled Chemical what actions the licensee will take in the event that the relevant notification level is exceeded in samples of irrigation waste water;
- c) describes in detail, in relation to each Scheduled Chemical what actions the licensee will take in the event that the relevant action level is exceeded in samples of irrigation waste water;
- d) describes in details, procedures and action, consistent with the State Emergency Management Plan (EMPLAN) requirements, that the licensee will implement to deal with a chemical spill or similar incident.

O3.2 Without limiting the generality of condition O3.1, the chemical contingency plan must include the following information:

- (a) details of the enhanced level of investigation to be undertaken upon exceedance of the notification level for any Scheduled Chemical;
- (b) details of the process by which the EPA will be notified of any exceedance of the notification level for any Scheduled Chemical;
- (c) details of the proposed public notification process to increase irrigator awareness of the existence of any exceedance of a notification and/ or action level;
- (d) details of the proposed emergency measures to be used to immediately bring about a reduction in the level of any Scheduled Chemical in irrigation waste water whenever an exceedance of a notification and/ or action level occurs; and
- (e) details of the mechanisms proposed to be used to restrict the discharge or irrigation of waste water should such direction be received from the EPA.

O3.3 The licensee must update and submit the updated chemical contingency plan to the EPA for approval if any significant changes are made to the plan by the licensee.

O3.4 The licensee must comply with the terms of the updated chemical contingency plan once it has been approved by the EPA.

## **Licensee to maintain a chemical control plan**

O3.5 The licensee must maintain a chemical control plan.

The chemical control plan must include the following:

- (a) details of all proposed chemical applications within the premises, including location, date, types and volumes of chemicals to be used, method of application and target species;
- (b) details of training undertaken by the employees involved in chemical application;
- (c) details of those mechanisms proposed to notify any occupier or user of treated land and waters of such treatment;
- (d) details of the manner in which used chemical containers are to be disposed of such that no pollution of waters occurs;
- (e) details of those measures to be employed to ensure that no pollution of waters occurs as a result of

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the washdown, service or repair of spray vehicles and equipment;  
(f) details of facilities used to store chemicals, including measures designed to contain spillages;  
(g) an assessment of alternative methods of chemical control for target species and justification for partial or total reliance upon chemical control.

O3.6 Weed infestations may be treated only in accordance with best management practices as specified in Guidelines for the Use of Herbicides in or Near Water (Australian Government Printing Service, 1985) and any supplementary best management practices approved by the EPA.

O3.7 The licensee must update and submit the updated chemical control plan to the EPA for approval if significant changes are made to the plan by the licensee.

O3.8 The licensee must comply with the terms of the updated chemical control plan once it has been approved by the EPA.

## Storage of chemicals

O3.9 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in place.

## Notification of intention to apply herbicides in or near water

O3.10 When applying herbicide(s) in or near water in a manner that is likely to cause those waters to become a risk to human health or of harm to the environment, the licensee must take all reasonable steps to warn users of waters in the vicinity of the herbicide(s) application about any such risks. The licensee must erect a sign adjacent to affected waters that at a minimum:

- (a) is not removed until the water is safe for use;
- (b) is maintained to ensure it remains in place and is visible to the public until the water is safe for use;
- and
- (c) states at a minimum, in legible English, and in any other language as may be considered reasonably necessary:

### **WARNING**

**Water may contain dangerous chemicals**

**The public is advised not to use, drink or swim until further notice.**

**For further information contact Murrumbidgee Irrigation Limited on 02 6962 0200**

O3.11 In addition, the licensee must at least 7 days prior to the application of the herbicide(s) giving rise to the situation described at condition O3.10, give notification to any occupier of the waters or any occupier of land adjacent to the waters to be effected by the herbicide(s) application, of the licensee's intention to apply herbicide(s), which includes at a minimum the following details:

- a) what herbicide(s) is to be applied,
- b) when the herbicide(s) is to be applied,
- c) a warning not to use, drink or swim in the water until further notice,
- d) that further information can be obtained from the Licensee, and
- e) the licensee's name and contact phone number.

O3.12 It is for the licensee to determine what other reasonable steps it may need to take to warn other water users of any risks to human health or of harm to the environment which may result from the application of

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herbicide(s) in or near waters and to prevent such injury or harm from occurring.

## O4 Other operating conditions

### Discharges to surface waters and ground waters

- O4.1 The licensee is permitted to discharge irrigation drainage water:
- (a) to surface waters within the premises; and
  - (b) at the authorised discharge points to surface waters outside of the premises.
- O4.2 The licensee is permitted to discharge irrigation drainage water from the premises to ground waters in or outside of the premises.
- O4.3 The licensee is permitted to discharge stormwater runoff to surface waters outside the premises.
- O4.4 Nothing in this licence authorises the pollution of waters unless the pollution occurs:
- (a) despite the exercise of due diligence by the licensee; and
  - (b) despite compliance with this licence.

## 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 in Column 1. The licensee must use the sampling method, units of measure, and sample at the

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frequency, specified opposite in the other columns:

## M2.2 Water and/ or Land Monitoring Requirements

### POINT 4,5,6,7,15

Pollutant	Units of measure	Frequency	Sampling Method
Atrazine	micrograms per litre	Special Frequency 1	Representative sample
Chlorpyrifos	micrograms per litre	Special Frequency 1	Representative sample
Conductivity	microsiemens per centimetre	Special Frequency 1	Representative sample
Diazinon	micrograms per litre	Special Frequency 1	Representative sample
Diuron	micrograms per litre	Special Frequency 1	Representative sample
Flow	megalitres per day	Special Frequency 1	Representative sample
Malathion	micrograms per litre	Special Frequency 1	Representative sample
Metolachlor	micrograms per litre	Special Frequency 1	Representative sample
Molinate	micrograms per litre	Special Frequency 1	Representative sample
Nitrogen (total)	milligrams per litre	Special Frequency 1	Representative sample
Phosphorus (total)	milligrams per litre	Special Frequency 1	Representative sample
Simazine	micrograms per litre	Special Frequency 1	Representative sample
Thiobencarb	micrograms per litre	Special Frequency 1	Representative sample
Trifluralin	micrograms per litre	Special Frequency 1	Representative sample
Turbidity	nephelometric turbidity units	Special Frequency 1	Representative sample

### POINT 15

Pollutant	Units of measure	Frequency	Sampling Method
Aluminium	milligrams per litre	Special Frequency 1	Representative sample
Boron	milligrams per litre	Special Frequency 1	Representative sample
Cadmium	milligrams per litre	Special Frequency 1	Representative sample
Copper	milligrams per litre	Special Frequency 1	Representative sample
Dissolved Oxygen	milligrams per litre	Special Frequency 1	Representative sample
Iron	milligrams per litre	Special Frequency 1	Representative sample
Lead	milligrams per litre	Special Frequency 1	Representative sample
Mercury	milligrams per litre	Special Frequency 1	Representative sample
Nickel	milligrams per litre	Special Frequency 1	Representative sample
pH	-	Special Frequency 1	Representative sample
Sulfur	milligrams per litre	Special Frequency 1	Representative sample
Zinc	milligrams per litre	Special Frequency 1	Representative sample

M2.3 For the purposes of the table(s) above Special Frequency 1 means the collection of samples as soon as practicable during discharge, if indicated by a risk assessment.

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## **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.

## **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.

## **M6 Requirement to monitor volume or mass**

M6.1 For each discharge point or utilisation area specified below, the licensee must monitor:

- a) the volume of liquids discharged to water or applied to the area;
- b) the mass of solids applied to the area;
- c) the mass of pollutants emitted to the air;

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at the frequency and using the method and units of measure, specified below.

POINT 4,5,6,7

Frequency	Unit of Measure	Sampling Method
Continuous	megalitres per day	In line instrumentation

## M7 Other monitoring and recording conditions

M7.1 The licensee must maintain a written register that records the following details in relation to each herbicide(s) application in or near waters:

- (a) location of where the herbicide(s) was applied and the area of water (if any) covered by the application;
- (b) date of the herbicide(s) application;
- (c) target species treated;
- (d) name of the herbicide(s) applied, method of application and formulation/ mixing details of the herbicide(s);
- (e) the volume of herbicide(s) used;
- (f) the wind speed (m/s) and direction at the time of the herbicide(s) application;
- (g) the air temperature (degrees Celsius) at the time of the herbicide(s) application;
- (h) name(s) of person(s) applying the herbicide(s) and their supervisor;
- (i) details of the manner in which used chemical containers have been disposed of;
- (j) details of mechanisms used, if any, to notify any occupier or user of treated land and waters of such treatment including as per condition O3.10;
- (k) the date and time of any query by any person in relation to the herbicide(s) application;
- (l) the method by which any such query was made;
- (m) the name and contact details of the person making any such query;
- (n) the nature of any such query; and
- (o) any action taken by the licensee in relation to any such query.

In addition:

- (a) details must be entered into the register within 3 working days of the application of the herbicide(s) or in the case of a query, within 3 working days of the query being received by the licensee;
- (b) details must be kept on the register for at least 4 years after the herbicide(s) application to which they relate was undertaken;
- (c) the register must be held at the principal office of the licensee (or such other office as is notified in writing to the EPA by the licensee) and be available for inspection by any authorised officer of the EPA who asks to see it.

## 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:

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1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.
- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
  - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.
- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:
- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
  - b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.
- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 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

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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;
- 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 Annual system performance report

R4.1 By 30 October each year, the licensee must submit to the EPA's Regional Manager South West an annual report in respect of the preceding financial year.

R4.2 The environmental management report must detail the environmental performance in accordance with this licence and the quality of water discharged from works and infrastructure owned and controlled by the



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licensee.

R4.3 The annual report must contain the following information in relation to the period to which it relates:

- (a) the volume of all inflows of water to the premises, the volume of all surface water discharges from the premises;
- (b) results of all monitoring required by this licence and an assessment of irrigation drainage water quality trends;
- (c) a summary of all events which have been reported under conditions within R2, R3 and R5; and
- (d) any changes the licensee suggests should be made to this licence or the chemical contingency plan and/ or the chemical control plan.

## R5 Other reporting conditions

### Reporting exceedance of chemical contingency plan levels

R5.1 If the licensee, or any of its employees, servants or agents becomes aware that any:

- (a) notification level; or
- (b) action level

set out in relation to a chemical contingency plan and/or Schedule 1 to this licence has been exceeded, the licensee must as soon as possible and, in any event, within 24 hours, notify the EPA by email to: [southwest.region@epa.nsw.gov.au](mailto:southwest.region@epa.nsw.gov.au)

## 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 Conditions of supply

E1.1 The licensee must not supply water to a customer unless the supply is conditional upon the following:  
(a) that the customer must comply with any reasonable direction of the licensee for the purpose of reducing the impact of pollutants on receiving waters;

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(b) that the customer will grant the licensee all reasonable access to the customer's premises and provide the licensee with all reasonable assistance for the purposes of the licensee determining whether the customer is complying with (a) above; and

(c) that if the customer fails to comply with the requirements set out in paragraphs (a) and (b) above, the licensee may deny the customer any services provided by the licensee.

E1.2 The licensee must monitor compliance by customers with the conditions of the supply of water to the customer by the licensee as required for the licensee to meet its obligations under this licence.

E1.3 The licensee must produce to the EPA a copy of any contract or details of any arrangement it enters into with a customer in relation to any supply of drainage services within 7 days of receipt of a written request from the EPA that it do so.

## E2 Discontinuation of the provision of services

E2.1 In the event that a customer fails to comply with any condition of the supply of water to a customer required by this licence that has caused, is causing or is likely to cause harm to the environment, whether on or off the premises, the licensee must take appropriate action within (7) days to prevent the continuance of the non compliance.

E2.2 In condition E2.1, "appropriate action" includes the licensee doing one or more of the following:

- (a) sending a letter to the relevant customer containing a warning that the licensee will discontinue the supply of water if the relevant non compliance with the condition of supply is not rectified by a specified date;
- (b) refusal to or discontinuance of the supply of water to a customer;
- (c) causing such works to be conducted such as to prevent the continuance of the non compliance by the customer;
- (d) notifying the customer in writing that the licensee no longer consents to the discharge of any substances into a work owned by the licensee.

Note: The purpose of conditions E2.1 and E2.2 is to ensure that the licensee requires customers to take such steps as are necessary to ensure that the licensee is able to meet its obligations under this licence.

## E3 Schedule 1 - Chemicals to be monitored and the environmental guideline, notification level and action level for each chemical.

E3.1 Environmental guideline values, notification levels and action levels.

Chemical	1. Environmental Guideline (ug/L)	2. Notification Level (ug/L)	Action Level (ug/L)
Atrazine	2	13	45
Chlorpyrifos	0.001	0.01	0.11
Diazinon	0.0006	0.01	0.2
Diuron	8	1*	5*

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Malathion	0.07	0.05	0.2
Metolachlor	8	0.02	0.1
Molinate	2.5	3.4	14
Simazine	10	3.2	11
Thiobencarb	1	2.8	4.6
Triflurafin	0.1	2.6	4.4

## Note:

\* Asterisks note those figures for which 99% protection levels are substituted for the 95% TV for “slightly-moderately disturbed” systems (99% figures listed) and 95% listed instead of the 90% figures – due to bioaccumulation or potential toxicity.

1. Environmental Guideline – The “Environmental Guideline” remains in Schedule 1 for reference purposes only and has no bearing on current notification and action levels. The original notification and action levels were based on the 1992 ANZECC Guidelines for the protection of aquatic ecosystems. For most chemicals the notification level was equal to the ANZECC (1992) guideline value and the action level was set at five times this level – molinate and endosulfan were exceptions.

2. Notification Level – This is equivalent to the 95% “trigger value” in Table 3.4.1 of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000). This value can be interpreted as the concentration at which 95% of all species will be protected – with 50% confidence. The 95% protection levels relate to laboratory NOEC (no-observed-effect concentration) data and hence do not mean that 95% level of protection results in loss of 5% of species.

3. Action Level – this is equivalent to the 90% “trigger value” in Table 3.4.1 of the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000). This value can be interpreted as the concentration at which 90% of all species will be protected – with 50% confidence. The 90% protection levels relate to laboratory NOEC (no-observed-effect concentration) data and hence do not mean that a 90% level of protection results in loss of 10% of species.

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## Dictionary

### General Dictionary

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

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

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

Mr Craig Bretherton

Environment Protection Authority

(By Delegation)

Date of this edition: 19-October-2000

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## End Notes

- 1 Licence varied by notice 1030202, issued on 19-Nov-2003, which came into effect on 14-Dec-2003.
- 2 Licence varied by notice 1036060, issued on 01-Jul-2004, which came into effect on 01-Jul-2004.
- 3 Licence varied by notice 1050134, issued on 24-Aug-2005, which came into effect on 18-Sep-2005.
- 4 Licence varied by notice 1071393, issued on 26-Mar-2007, which came into effect on 26-Mar-2007.
- 5 Licence varied by notice 1079907, issued on 26-Nov-2007, which came into effect on 26-Nov-2007.
- 6 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 7 Licence varied by notice 1095398, issued on 30-Jun-2010, which came into effect on 30-Jun-2010.
- 8 Licence varied by notice 1509750 issued on 24-Jan-2013
- 9 Licence varied by notice 1513360 issued on 02-Jul-2013
- 10 Licence varied by notice 1522534 issued on 12-Jun-2014
- 11 Licence varied by notice 1556031 issued on 03-Nov-2017