

# Licence Variation



Licence - 1272

VISY ALBURY PTY LTD  
ABN 91 151 816 465 ACN 151 816 465  
LEVEL 11 2 SOUTHBANK BLVD  
SOUTHBANK VIC 3006

Attention: Matthew O'Donovan

Notice Number 1594725  
File Number EF20/21381  
Date 29-May-2020

## NOTICE OF VARIATION OF LICENCE NO. 1272

### BACKGROUND

- A. VISY ALBURY PTY LTD ("the licensee") is the holder of Environment Protection Licence No. 1272 ("the licence") issued under the *Protection of the Environment Operations Act 1997* ("the Act"). The licence authorises the carrying out of activities at MARYVALE AND ROSEDALE, ETTAMOGAH, NSW, 2640 ("the premises").
- B. On 20 March 2020 the licence was transferred to Visy Albury Pty Ltd.
- C. The licensee has advised that the mill will continue in a non production state for an initial period and wants to retain the licence until the future of the site has been determined.
- D. On this basis the some of the monitoring and reporting conditions will not be applicable during this idle period.
- E. It has been agreed by the licensee and the EPA to vary the licence to remove the relevant monitoring and reporting conditions to reflect the activities occurring at the premises.
- F. The licensee will be required to notify the EPA at least 60 days prior to re-commencing production activities at the site.

### VARIATION OF LICENCE NO. 1272

- 1. By this notice the EPA varies licence No. 1272. The attached licence document contains all variations that are made to the licence by this notice.
- 2. The following variations have been made to the licence:

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- Addition of Special Condition E5 - Notifying the EPA Prior to recommencing production
  - "The Licensee must advise the EPA in writing of the intention to recommence production at the premises as least 60 days prior to production recommencing"
  
- Removal of Monitoring Requirements for Monitoring Point 1 - Effluent Quality
  - Nitrogen ammonia (Weekly)
  - Phosphorus (Weekly)
  - Biological Oxygen Demand (Weekly)
  - Chemical Oxygen Demand (Weekly)
  - Oil & Grease (Weekly)
  - pH (Weekly)
  - Colour (Weekly)
  - Total Dissolved Solids (Weekly)
  - Total Suspended Solids (Weekly)
  - Copper (Quarterly)
  - Total Nitrogen (weekly)
  - Zinc (Weekly)
  
- Removal of monitoring requirements for Monitoring Point 2 - Cooling Water Quality
  - Conductivity (Weekly)
  - Biological Oxygen Demand (Monthly)
  - Total Suspended Solids (Monthly)
  - Zinc (Monthly)
  - pH (Weekly)
  - Total Nitrogen (Monthly)
  - Oil & Grease (Monthly)
  - Phosphorus (Monthly)
  - Total Dissolved Solids (Monthly)
  
- Removal of Monitoring Requirements for Monitoring Point 11 - Air Emissions
  - Nitrogen Oxides (Twice a year)
  - Fine Particulates (Twice a year)
  - Coarse Particulates (Twice a year)

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- Removal of Condition M7 - Requirement to Monitor Volume or Mass
  - Monitoring Point 1
  - Monitoring Point 2
  - Monitoring Point 11
- Reduction of the scale of the fee-based activity of Pulp and Paper Production to 0-30,000T, which has removed the requirement of having Load Based Licensing included in the licence.
- Removal of Condition O1.2 - All effluent discharged to spill pond from plant operations must be reclaimed to the Waste Water Treatment Plant within 48 hours
- Removal of Condition O4.2 - A minimum of four hundred and fifty hectares of irrigation must be maintained and available for the application of effluent
- Removal of Condition R4 - Other reporting Conditions
  - Condition R4.1 - The Licensee must complete and submit to the EPA an Annual Waste Summary Report each financial year
  - Condition R4.2 - The Annual Waste Summary Report must be submitted via the online Waste and Recovery Reporting Portal (WARRP) within 60 days of the end of the financial year

A handwritten signature in blue ink, appearing to read 'C. Bretherton', written over a dotted line.

**Craig Bretherton**  
**Manager**  
**Riverina Far West**  
(by Delegation)

## INFORMATION ABOUT THIS NOTICE

- This notice is issued under section 58(5) of the Act.
- Details provided in this notice, along with an updated version of the licence, will be available on the EPA's Public Register (<http://www.epa.nsw.gov.au/prpoeo/index.htm>) in accordance with section 308 of the Act.

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## **Appeals against this decision**

- You can appeal to the Land and Environment Court against this decision. The deadline for lodging the appeal is 21 days after you were given notice of this decision.

## **When this notice begins to operate**

- The variations to the licence specified in this notice begin to operate immediately from the date of this notice, unless another date is specified in this notice.
- If an appeal is made against this decision to vary the licence and the Land and Environment Court directs that the decision is stayed the decision does not operate until the stay ceases to have effect or the Land and Environment Court confirms the decision or the appeal is withdrawn (whichever occurs first).



# Environment Protection Licence

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## Licence Details

Number:	1272
Anniversary Date:	01-July

## Licensee

VISY ALBURY PTY LTD  
 LEVEL 11 2 SOUTHBANK BLVD  
 SOUTHBANK VIC 3006

## Premises

EFFLUENT REUSE SCHEME  
 MARYVALE AND ROSEDALE  
 ETTAMOGAH NSW 2640  
 VISY ALBURY  
 117 R W HENRY DRIVE  
 ETTAMOGAH NSW 2640

## Scheduled Activity

Chemical production  
 Paper or pulp production

## Fee Based Activity

### Scale

Dangerous goods production	0-10000 T annual production capacity
Paper or pulp production	0-30000 T annual production capacity

## Region

Riverina Far West  
 Suites 7-8, Level 1 Griffith City Plaza, 130-140 Banna Avenue  
 GRIFFITH NSW 2680  
 Phone: (02) 6969 0700  
 Fax: (02) 6969 0710  
 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:

VISY ALBURY PTY LTD
LEVEL 11 2 SOUTHBANK BLVD
SOUTHBANK VIC 3006

subject to the conditions which follow.

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## 1 Administrative Conditions

### A1 What the licence authorises and regulates

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

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

Scheduled Activity	Fee Based Activity	Scale
Chemical production	Dangerous goods production	0 - 10000 T annual production capacity
Paper or pulp production	Paper or pulp production	0 - 30000 T annual production capacity

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

- A2.1 The licence applies to the following premises:

Premises Details
EFFLUENT REUSE SCHEME
MARYVALE AND ROSEDALE
ETTAMOGAH
NSW 2640
LOT 2 DP 10665, LOT 7 DP 10665, LOT 8 DP 10665, LOT 6 DP 264463, LOT 8 DP 264463, LOT 9 DP 264463, LOT 10 DP 264463, LOT 21 DP 604181, LOT 15 DP 813569, LOT 100 DP 1000761, LOT 102 DP 1000761, LOT 103 DP 1000761, LOT 12 DP 1031998, LOT 50 DP 1061520, LOT 51 DP 1061520, LOT 52 DP 1061520, LOT 2 DP 1083506, LOT 2 DP 1126922, LOT 1 DP 1157984
VISY ALBURY
117 R W HENRY DRIVE
ETTAMOGAH
NSW 2640
LOT 3 DP 258810, LOT 8 DP 264463, LOT 9 DP 264463, LOT 10 DP 264463, LOT 21 DP 604181, LOT 2 DP 1126922, LOT 3 DP 1126922

- A2.2 In relation to A2.1 the premises also includes the pipeline from the Norske Skog Mill to the effluent reuse areas.



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## 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.

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

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

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

#### *Air*

EPA identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
11	Discharge to air, air emissions monitoring	Discharge to air, air emissions monitoring	Common stack serving the 2 boilers.

- P1.2 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.

- P1.3 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

#### *Water and land*

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Discharge to waters, Effluent quality and volume monitoring.	Discharge to waters, Effluent quality and volume monitoring.	Effluent discharged under the Green Offset Scheme or the "winter release" contingency provision: Pump house beneath sand filters (composite samples) or final outfall flume (grab samples)
2	Discharge to waters; Cooling water volume and quality monitoring.	Discharge to waters; Cooling water volume and quality monitoring.	Cooling Water Discharge: Inlet structure for return water pipeline that discharges to the Murray River



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3		Discharge to utilisation area	Maryvale Effluent Reuse Area
6	Effluent quality monitoring		Maryvale effluent storage dam
7	Volume monitoring		Maryvale effluent reuse system: Flow meter downstream of irrigation pump station.
9	Groundwater quality monitoring		Maryvale monitoring bore network, and the monitoring bores in the expanded irrigation area.
10	Soil monitoring		Maryvale: Various soil monitoring sites in the pine plantation, and the expanded irrigation area; and Centre pivot irrigation area on lot 6 DP264463.
12	Discharge to utilisation area; effluent volume monitoring.	Discharge to utilisation area; effluent volume monitoring.	Various locations along the Return Water Pipeline
13	Effluent quality monitoring		4 Day pond outlet
14	Groundwater quality monitoring		Deep monitoring Bore D3, Ettamogah Forest
15	Groundwater quality monitoring		Deep monitoring Bore D4, Ettamogah Forest
16	Groundwater quality monitoring		Deep monitoring Bore D5, Ettamogah Forest
17	Groundwater quality monitoring		Deep monitoring Bore D6, Ettamogah Forest
18	Groundwater quality monitoring		Shallow monitoring Bore S7, Ettamogah Forest
19	Groundwater quality monitoring		Shallow monitoring Bore S8, Ettamogah Forest
20	Groundwater quality monitoring		Shallow monitoring Bore S11, Ettamogah Forest
21	Groundwater quality monitoring		Shallow monitoring Bore S17, Rosevale Pasture Irrigation
22	Groundwater quality monitoring		Shallow monitoring Bore S20, Davey 1 Pasture Irrigation
23	Groundwater quality monitoring		Shallow monitoring Bore S21, Davey 2 Pasture Irrigation

## 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 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number),

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the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

- L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.
- L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the table\.
- L2.4 Water and/or Land Concentration Limits

## POINT 1

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Biochemical oxygen demand	milligrams per litre	14	18		20
Copper	milligrams per litre				0.05
Nitrogen (ammonia)	milligrams per litre		2		3
Nitrogen (total)	milligrams per litre	4	7		15
Oil and Grease	milligrams per litre				10
pH	pH				6.5 - 8.5
Phosphorus (total)	milligrams per litre		0.3		0.5
Total dissolved solids	milligrams per litre	1650			2000
Total suspended solids	milligrams per litre				20
Zinc	milligrams per litre				0.4



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## POINT 2

Pollutant	Units of Measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	milligrams per litre				5
pH	pH				6.5 - 8.5
Total dissolved solids	milligrams per litre				200

### L3 Waste

- L3.1 The licensee must assess, classify and manage any waste generated at the premises in accordance with the Waste Guidelines prior to dispatching the waste off site.

## 4 Operating Conditions

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

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

This includes:

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

### O2 Maintenance of plant and equipment

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

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

### O3 Dust

- O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.



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## O4 Effluent application to land

- O4.1 The quantity of effluent applied to the utilisation area(s) must not exceed the capacity of the utilisation area(s) to effectively utilise the effluent.

For the purpose of this condition, "effectively utilise" includes the ability of the soil to absorb the nutrient, salt and hydraulic loads and the applied organic material without causing harm to the environment.

Note: For the purpose of this condition "irrigation area" includes areas that are being rested, areas prepared for re-planting, and areas where the irrigation infrastructure is being reconfigured or modified, and the actions are in accordance with a documented effluent application management plan.

- O4.2 Adequate notices, warning the public not to drink or otherwise use the treated effluent, must be erected on the site. These notices must be legible English and in any other languages as may be necessary, and must indicate at least that the water in use is "Reclaimed Water - Unfit for Drinking".

## O5 Processes and management

- O5.1 The obscuration meter installed on the boiler chimney must be set to give an alarm whenever the shade of smoke exceeds 20% capacity.

## 5 Monitoring and Recording Conditions

### M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.

- M1.2 All records required to be kept by this licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
  - kept for at least 4 years after the monitoring or event to which they relate took place; and
  - produced in a legible form to any authorised officer of the EPA who asks to see them.

- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
  - the time(s) at which the sample was collected;
  - the point at which the sample was taken; and
  - the name of the person who collected the sample.

### M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the

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frequency, specified opposite in the other columns:

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

### POINT 13

Pollutant	Units of measure	Frequency	Sampling Method
Biochemical oxygen demand	milligrams per litre	Monthly	Representative sample
Nitrogen (total)	milligrams per litre	Monthly	Representative sample
pH	pH	Monthly	Representative sample
Phosphorus (total)	milligrams per litre	Monthly	Representative sample
Total dissolved solids	milligrams per litre	Monthly	Representative sample
Total suspended solids	milligrams per litre	Monthly	Representative sample
Zinc	milligrams per litre	Monthly	Representative sample

### POINT 14,15,16,17,18,19,20,21,22,23

Pollutant	Units of measure	Frequency	Sampling Method
Conductivity	microsiemens per centimetre	Quarterly	Representative sample
Nitrate	milligrams per litre	Yearly	Representative sample
Nitrogen (total)	milligrams per litre	Yearly	Representative sample
pH	milligrams per litre	Quarterly	Representative sample
Phosphorus (total)	milligrams per litre	Yearly	Representative sample
Standing Water Level	metres	Quarterly	No method specified

M2.3 The licensee must undertake the following soil monitoring, analysis and interpretation program:

a. Soil Monitoring sample depths:

Test Depths (cm):

- 0-10
- 20-30
- 50-60
- 80-90 (Tree lot areas only)

b. Test elements:

- i) Annual chemical tests, all depths
  - pH (H<sub>2</sub>O + CaCl<sub>2</sub>)
  - EC (1:5)
  - Extractable sulphate
  - Exchangeable cations (Ca, Mg, K, Na)



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- ESP

- ii) Physical test, once every 5 years, all depths
  - Emmerson aggregate stability

c. Test Locations - Establish and maintain representative soil test plots as follows:

- Tree plantation area: 4 irrigated area sample plots
- Ettamogah and Maryvale area: 9 irrigated area and 4 control area plots
- Rosevale area: 3 irrigated area and 1 control area plots
- Davey Road area: 3 irrigated area and 1 control area plots

d. Sustainability assessment:

The licensee must prepare and submit to the EPA no later than 60 days after the end of the reporting period an assessment of the sustainability of the effluent reuse area. This assessment must also document the basis of the claimed effluent reuse weighting in accordance with the relevant load calculation protocol.

## **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.

## M6 Requirement to monitor volume or mass

- M6.1 For each discharge point or utilisation area specified below, the licensee must monitor:
- the volume of liquids discharged to water or applied to the area;
  - the mass of solids applied to the area;
  - the mass of pollutants emitted to the air;
- at the frequency and using the method and units of measure, specified below.

POINT 2,7,12

Frequency	Unit of Measure	Sampling Method
Continuous	kilolitres per day	Flow meter and continuous logger

## 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:
- a Statement of Compliance,
  - a Monitoring and Complaints Summary,
  - a Statement of Compliance - Licence Conditions,
  - a Statement of Compliance - Load based Fee,
  - a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
  - a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
  - 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:
- the transferring licensee must prepare an Annual Return for the period commencing on the first day of

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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

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



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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.

## 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 Effluent Discharge Program

E1.1 The licensee may only discharge treated wastewater to the Murray River, other than as permitted under the Green Offset Scheme, in accordance with the following conditions:

- a) Provided the river disposal criterion of 1:600 dilution is met at the point of discharge in the Murray River:

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- i. On October 1 of each year, or as otherwise agreed in writing by the EPA, if the water level in the winter storage dam exceeds 213.0 m ADH (or 6.3 m depth) the treated wastewater from the mill shall be diverted by the return pipeline to the Murray River until the water level in the dam has receded to 212.8m AHD (or 6.1 m depth).
  - ii. On 1 March each year, or as otherwise agreed in writing by the EPA, if the water in the winter storage dam exceeds 211.1 m AHD (or 4.4 m depth) the treated wastewater from the mill shall be diverted by the return pipeline to the Murray River either until 30 April of that year, or until the water level in the dam has receded to 210.7 m AHD (or 4.0 m depth) whichever occurs first.
- b) If the river disposal criterion cannot be met, the winter storage dam water level must be allowed to reach the spillway level. At that stage, treated wastewater must be sent directly to the Murray River by the return pipeline regardless of whether the river disposal criterion can be met. The release of treated wastewater must be managed with the objective of preventing or minimising flow of water from the dam to Nine Mile Creek.
- c) The licensee must not discharge dissolved salts into the Murray River except in accordance with any licensing conditions imposed by the EPA.
- d) The licensee must not discharge diethylene triamine pentaacetic acid (DTPA) into the Murray River except in accordance with any licensing conditions of the EPA.

## E2 Expansion of Effluent Reuse Area

E2.1 The effluent reuse area shall be expanded if necessary in accordance with the following requirements:

- a) If the water use of the scheme for any rolling two year period after 1 January 1997, is less than that projected by the model used to generate the EIS estimates of water utilisation, the licensee must put in place measures to rectify this inadequacy in the water utilisation, within one month of the end of that two year period. These measures could involve expanding the irrigation plantation area and/or implementing alternative procedures as outlined in the EIS, such as reduction in water usage in the mill, to the requirements of the EPA.
- b) If after 1 January 1997, the monitoring program establishes that there are soil structural, nutrient or toxicity problems in the irrigated plantations, the licensee shall within one month of notification by NSW Agriculture, expand the irrigated plantation area and/or implement alternative procedures as outlined in the EIS, to the requirements of NSW Agriculture and the EPA.
- c) Should larger irrigated plantation areas be required within Maryvale as a result of Condition a) or b) above, then the larger areas shall be irrigated in accordance with the same principles set out in the EIS (pages 6-25; 6-26; 6-27) prepared by Gutteridge, Haskins & Davey Pty Ltd, dated May 1992.

## E3 Effluent reuse by others



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E3.1 Effluent may be supplied to a third party from the return water pipeline or from the Ettamogah Reuse Scheme for the purpose of effluent reuse subject of the following conditions:

- a) EPA must be advised in writing a minimum of seven (7) working days prior to the supply of effluent; and
- b) The third party has demonstrated that they have obtained all necessary approvals.

## E4 Green Offset Scheme

- E4.1 a) The licensee may establish and operate the Green Offset Scheme as detailed in the Statement of Environmental Effects titled "Norske Skog Albury Paper Mill, Revised Treated Process Water Management Strategies (October 2008).
- b) Through the implementation of a Green Offset Scheme, a maximum of 2738 ML of effluent per annum may be discharged to the Murray River.
- c) The Green Offset Scheme must ensure:
- i. the salinity impacts on the Murray River are offset by reducing the overall salt load at a ratio of 2:1 (2 parts removed to 1 part discharged); and
  - ii. the effluent is diluted at a ratio greater than or equal to 600:1 (600 parts river water to 1 part effluent) at the point of discharge in the Murray River.
- d) The licensee must implement the following monitoring program to assess the impacts to the receiving environment of discharges under a green offset.

### Discharge water monitoring

Monitoring requirement	Tests	Frequency
Ecotoxicological assays	48hr acute (immobilisation) test	Every six months for 2 years, annually thereafter
	72hr algal growth inhibition (cell yield) test	
	96hr fish imbalance test	
	7-day chronic (3-brood) reproductive impairment test	
	Microtox test	
Chemical analysis	Poly chlorinated dibenzo-p-dioxins and poly chlorinated dibenzofurans	Annually

Receiving environment monitoring must be conducted for sites at the following locations:

- i. control (upstream of discharge location) and

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## ii. impact (downstream of discharge location).

Monitoring requirement	Tests	Frequency
In river ecological analysis	Identification, bioassessment metrics and multivariate statistical analysis of aquatic macroinvertebrates collected using artificial substrate samplers	Every five years
River sediment chemical analysis	Cadmium, copper, iron, manganese zinc, total nitrogen, total phosphorus	Every five years

- E4.2 The licensee must review the frequency of testing required under Clause (d) (Receiving environment monitoring) if any results of the monitoring program required under Clause (d) (Discharge water monitoring) of this condition indicate the potential for adverse ecological impacts.
- E4.3 The monitoring samples for each monitoring requirement under this condition are to be collected within the specified frequency timeframes, with the timeframes commencing on the date effluent discharge commences under the green offset scheme.
- E4.4 The licensee shall prepare and implement a Green Offset Scheme Validation Program to be submitted to the EPA within 2 years of the commencement of the scheme and every 3 years thereafter. The program must:
- i. be conducted by a suitably qualified and experienced person;
  - ii. evaluate the Green Offset Scheme in accordance with the requirements of the Protection of the Environment Operations (General) Regulation 2009 Clause 104;
  - iii. assess the operation of the Green Offset Scheme;
  - iv. assess the water quality of the effluent discharged to the Murray River;
  - v. assess the total volume of effluent discharged;
  - vi. assess the monitoring results under the monitoring scheme referred to in Clause (d) above;
  - vii. assess the electrical conductivity (EC) achieved at Morgan;
  - viii. detail the contingencies that will be implemented should complaints or exceedances occur;
  - ix. demonstrate the ongoing effectiveness of the Green Offset Scheme (including that the offset ratio and the effluent discharge dilution ratio) referred to in Clause (c) above are being met.
- E4.5 The applicant must submit an audit of the Green Offset Scheme within three months of completion of the 5 year "proof of concept" period. The audit must describe any additional mitigation measures that will be implemented should the green offset scheme not meet its performance requirements.
- E4.6 The Green Offset Scheme detailed in Clause E4 is deemed to be a Green Offset under the provisions of the load calculation protocol. For the purposes of calculating the assessable load discharged from Point 1 under the provisions of the Green Offset in the Load Calculation Protocol, an offset ratio of 2:1 will apply.



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## **E5 Notifying the EPA prior to recommencing production**

E5.1 The Licensee must advise the EPA in writing of the intention to recommence production at the premises at least 60 days prior to production recommencing.

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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 Bernie Weir

Environment Protection Authority

(By Delegation)

Date of this edition: 03-April-2001



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## End Notes

- 1 Licence varied by notice 1016666, issued on 19-Feb-2003, which came into effect on 16-Mar-2003.
- 2 Licence varied by notice 1035196, issued on 22-Mar-2004, which came into effect on 16-Apr-2004.
- 3 Licence varied by change to LGA boundary, issued on 07-Mar-2005, which came into effect on 07-Mar-2005.
- 4 Licence fee period changed by notice 1046182 on 04-Apr-2005.
- 5 Licence varied by notice 1052361, issued on 30-Sep-2005, which came into effect on 30-Sep-2005.
- 6 Licence varied by notice 1052771, issued on 16-Nov-2005, which came into effect on 11-Dec-2005.
- 7 Licence varied by notice 1055880, issued on 10-Feb-2006, which came into effect on 07-Mar-2006.
- 8 Licence varied by notice 1060839, issued on 30-Jun-2006, which came into effect on 30-Jun-2006.
- 9 Licence varied by notice 1073858, issued on 20-Sep-2007, which came into effect on 20-Sep-2007.
- 10 Licence varied by notice 1085799, issued on 11-May-2008, which came into effect on 11-May-2008.
- 11 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 12 Licence varied by correction to table of contents, issued on 09-Jan-2009, which came into effect on 09-Jan-2009.
- 13 Licence varied by admin corrections to annual return, issued on 02-Jul-2009, which came into effect on 02-Jul-2009.
- 14 Licence varied by notice 1109251, issued on 02-Mar-2010, which came into effect on 02-Mar-2010.
- 15 Licence varied by notice 1124340, issued on 22-Feb-2011, which came into effect on 22-Feb-2011.
- 16 Licence varied by notice 1503482 issued on 15-Mar-2012
- 17 Licence varied by notice 1513705 issued on 28-Jun-2013
- 18 Licence varied by notice 1516155 issued on 16-Aug-2013
- 19 Licence varied by notice 1517114 issued on 19-Sep-2013

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|----|---|
| 20 | Licence varied by notice 1543092 issued on 19-Aug-2016  |
| 21 | Licence transferred through application 1580291 approved on 02-Jul-2019 , which came into effect on 02-Jul-2019 |
| 22 | Licence transferred through application 1594261 approved on 29-Apr-2020 , which came into effect on 20-Mar-2020 |