



Independent Environmental Audit 2020

Port Kembla Coal Terminal

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Independent Environmental Audit 2020

Port Kembla Coal Terminal



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EXECUTIVE SUMMARY

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Port Kembla Coal Terminal ('PKCT') on behalf of Port Kembla Coal Terminal Limited. The primary purpose of the audit was to satisfy the Department of Planning, Industry and Environment (DPIE) Ministers' Conditions of Approval (CoA) Project Approval number PA 08_0009, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 11 April 2017 through 5 August 2020 (the date the site visit was completed as part of the audit). It is noted that DPIE approved an extension to the submission date of the audit as a result of the Covid-19 pandemic (Appendix B).

The audit included a review of:

- DPIE, Ministers Conditions of Approval PA 08_0009 including the Driver's Code of Conduct (DCC);
- Environment Protection Licence (EPL) 1625; and
- Implementation of Management Plans developed as part of the Ministers' Conditions of Approval.

PKCT has established the control systems generally required for the stage of development i.e. operational. All staff interviewed demonstrated a high level of understanding of requirements and a commitment to the application of the requisite management systems and plans.

A qualitative risk assessment was also completed on the findings, consistent with AS/NZS 4360:2004 Risk management and HB 436:2004 Risk Management Guidelines Companion to AS/NZS 4360:2004 and as described in the Department of Planning & Environment publication "Post Approval Requirements – Independent Audit" issued May 2020. The number of non-conformances with the statutory conditions and implementation of the management plans is summarised in *Table E1* below.

Table E.1 Summary of Audit Findings

Review	Non-compliances (NC)	Observations (Obs NC)	Observations (Obs C)
Statutory Instruments	7	-	6 (1 duplicate)
Implementation of Plans	-	-	-

An action table addressing all findings of the audit has been developed by PKCT and will be issued separately to this report.

1. INTRODUCTION

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned to perform an Independent Environmental Audit (IEA) of the Port Kembla Coal Terminal (PKCT), on behalf of Port Kembla Coal Terminal Limited. The Site is located on the north side of Port Kembla Inner Harbour, south of Wollongong, New South Wales (NSW). The primary purpose of the audit was to satisfy the Department of Planning, Industry and Environment (DPIE)¹ Ministers' Conditions of Approval (CoA) Project Approval number PA 08_0009, which requires completion of an independent audit every three years from the date of the approval. The audit period assessed in this IEA is 11 April 2017 through to 5 August 2020 (the date the site visit was completed as part of the audit).

In accordance with the Conditions of Approval, the audit must:

- be conducted by suitably qualified, experienced and independent team of experts whose appointment has been endorsed by the Secretary;
- include consultation with the relevant agencies;
- assess the environmental performance of the project and assess whether it is complying with the relevant requirements of this approval and any relevant mining lease or EPL (including any strategy, plan or program required under these approvals);
- review the adequacy of strategies, plans or programs required under these approvals; and, if appropriate; and
- recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.

The Proponent shall submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report.

1.1 Overview of Operations and Approvals

PKCT receives, stockpiles and loads coal from coalfields located in southern and western NSW for transport to internal and domestic markets. The Site is the major coal intermodal facility in southern NSW for the transfer of coal from road and rail to ship.

PKCT comprises two bulk handling facilities:

- Berth 101 – a bulk products berth that loads and unloads a range of bulk products; and
- Berth 102 – high capacity coal berth.

PKCT is leased from NSW Ports on a 20 year lease agreement, with a 20 year option. The lease commenced in 1990 and is due to expire in 2030. Six equal shareholders, namely Illawarra Services Proprietary Limited (South 32), Oakbridge Proprietary Limited (Glencore), Centennial Coal Company Limited, Simec Mining, Metropolitan Collieries Proprietary Limited (Peabody) and Wollongong Coal Limited (formerly Gujarat NRE), form the Board of PKCT. South 32, reporting to the PKCT Board, manages PKCT under a management contract.

The Site holds Environment Protection Licence (EPL) 1625 which was last varied during the audit period on 2 August 2019.

¹ Formerly the Department of Planning and Environment (DP&E).

1.1.1 Activities undertaken during the audit period

Projects undertaken during the audit period include the following:

1.1.1.1 Coal transport

The quantity of coal received by PKCT during the audit period was:

- FY17 – 8.06 MT
- FY18 – 4.64 MT
- FY19 – 7.42 MT
- FY20 – 6.82 MT

The CoA limits the quantity of coal and bulk products received by public road at the site to not more than 7.5 million tonnes in any calendar year without the written approval of the Secretary.

The quantity of coal received by road during the financial years covered by the audit period were as follows:

- FY17 – 2.8 MT
- FY18 – 0.7 MT
- FY19 – 2.0 MT
- FY20 – 2.3 MT

1.1.1.2 Maintenance activities

Routine maintenance of the stackers, reclaimer and ship loaders is conducted on-site by external contractors. The workshops located on-site are primarily used for storage of parts and equipment and for minor maintenance activities. The workshop contains oil, fuel and waste material in small quantities, stored in bunded IBCs.

1.1.1.3 Waste management

Wastes generated at the Site include:

- General waste;
- Waste oil;
- Septic waste;
- Cardboard;
- Oil filters;
- Controlled waste residues; and
- Metals.

All wastes are collected by Veolia for off-site disposal. During the audit, waste was noted to be well segregated.

1.1.1.4 Water management

Water management at PKCT is undertaken in accordance with the Water Management Plan. The main components of water-related infrastructure include:

- Perimeter road with kerb and drains to capture runoff;
- Satellite storage ponds capturing runoff from site sub catchments; and

- Settlement lagoon which removes solids before reuse on-site for dust suppression or discharge to Inner Harbour via licensed discharge point LDP16.

1.1.1.5 Air quality management

Air quality is managed in accordance with the Air Quality Management Plan. Sources of emissions to air include coal stockpiles, coal receipt and ship loading, roads and unsealed areas. The main air quality controls include:

- Stockpile spray system installed around the stockyards, comprising manual and automatic spray systems;
- Road cleaning;
- Paving of roadways and around transfer points;
- Enclosed rail receipt with water spray if required;
- Enclosed receipt conveyors;
- Coal berth stockyard conveyors and machines with wind guards;
- All transfer points are enclosed;
- Conveyor belt washing station;
- Truck washers;
- Shiploader chutes discharge within ship's hatch;
- Variable height stackers minimise drop height to stockpile;
- Conveyor sprays at various locations on receipt and ship loading flow paths;
- Weather forecast monitoring;
- Continuous air quality monitoring and dust monitoring network; and
- Truck driver rules and Code of Conduct.

1.2 Audit Objectives

The primary objectives of the audit included:

- assess the environmental performance of the project and whether it is complying with the requirements in the CoA, EPL or DCC (including any assessment, plan or program required under these approvals);
- review the adequacy of any approved strategy, plan, or program required under the abovementioned consents/approvals; and
- recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

1.3 Audit Scope

The scope of works in order to complete the audit included the following:

- the audit was carried out in accordance with DP&E's Guidelines for Independent Audits and AS/NZS ISO 19011:2018: Guidelines for auditing management systems;
- review of compliance against the documentation identified in CoA (as it relates to the current activities at the PKCT) which included;
 - document review of compliance against the CoA, statement of commitments, and any other relevant consents/approvals;

- a site inspection to assess compliance against field implementation of the active CoA;
- review of supporting plans developed as part of the CoA and assessment of their adequacy towards effective environmental performance;
- review of monitoring results and trends with comparison of monitoring results against regulatory limits and CoA limits (where applicable);
- confirmation of any additional monitoring required for identified trends;
- reviewing community complaints and assessing any trends and identifying the source of an established trend;
- review of any regulatory actions including any letters, penalty notices and prosecutions;
- review of previous IEA report to verify close-out of actions;
- consultation with the relevant agencies such as Department of Planning, Industry and Environment (DPIE) (various divisions: planning and post approvals, compliance, water, resources, biodiversity and conservation), Environment Protection Authority (EPA) and PKCT Community Consultative Committee (CCC);
- draft report with results of compliance assessment to be issued for comment to PKCT; and
- final report to be issued for submission to the DPIE.

The audit covers the period 11 April 2017 to 5 August 2020 and is limited to assessing the activities completed during the audit period.

1.4 Audit Criteria

The audit covered the following specifications and standards, with a particular focus on activities associated with the current stages of operation. The documents relevant to this audit included:

- Conditions of Approval PA 08_0009, including Driver's Code of Conduct;
- EPL 1625; and
- Implementation of approved Management Plans:
 - Air Quality Management Plan
 - Water Management Plan
 - Environmental Management Strategy
 - Greenhouse Gas and Energy Efficiency Management Plan
 - Landscape Management Plan
 - Green and Gold Bell Frog Management Plan
 - Waste Management Plan
 - Pollution Incident Response Management Plan
 - Noise Management Plan

1.5 Limitations of this Report

This disclaimer, together with any limitations specified in the report, applies to this report and its use.

This report was prepared in accordance with the contracted scope of services for the specific purpose stated and subject to the applicable cost, time and other constraints. In preparing this report, ERM relied on:

- a) client/third party information which was not verified by ERM except to the extent required by the scope of services, and ERM do not accept responsibility for omissions or inaccuracies in the client/third party information; and
- b) information taken at or under the particular times and conditions specified, and ERM do not accept responsibility for any subsequent changes.

This report has been prepared solely for use by, and is confidential to, the client and ERM accepts no responsibility for its use by other persons. This report is subject to copyright protection and the copyright owner reserves its rights. This report does not constitute legal or financial advice.

2. AUDIT METHODOLOGY

2.1 Methodology and Process

The audit comprised a site inspection during the dates 4 to 5 August 2020, interviews with key personnel, and review of records and other related documentation.

The audit process included the following primary components:

- development of a Terms of Reference, which included:
 - audit scope and objectives;
 - date and location of audit;
 - members of audit team;
 - list of people to be audited; and
 - list of reference documents and audit criteria;
- a project inception meeting was held on 23 June 2020 to confirm details of the Terms of Reference, site inspection logistics and request for documentation required prior to the site inspection component of the audit;
- an opening meeting was held on 4 August 2020 at site to confirm the audit objectives and scope for the site inspection. Attendees included:
 - Heather McKay (ERM Lead Auditor)
 - Dean Kerr (ERM Support Auditor)
 - Luke Pascot (Site Environment Specialist)
 - Michael Curley (Site HSER Superintendent)
 - Rebecca Nasta (Human Resources Manager)
 - Vanessa Harvey (Business Services Manager)
 - Bruce Chapple (Asset Manager)
- Site inspections were undertaken between 4 and 5 August 2020;
- A debrief/closeout meeting was held at the site on 5 August 2020 to discuss initial findings and recommendations. Attendees were:
 - Heather McKay (ERM Lead Auditor)
 - Dean Kerr (ERM Support Auditor)
 - Luke Pascot (Site Environment Specialist)
 - Michael Curley (Site HSER Superintendent)
 - Bruce Chapple (Asset Manager)
 - David Richards (General Manager)
- Preparation of the draft audit report (this report).

2.2 Agency and Community Consultation

ERM consulted with the agencies and stakeholders as required including Department of Planning, Industry and Environment (DPIE) (including its various departments such as Compliance, Post approvals), CCC, New South Wales Environment Protection Authority (NSW EPA). Emails were issued on 30 June 2020, with a follow up email submitted on 3 August 2020 to those that had not yet replied. Responses are outlined in *Table 2.1*.

Table 2.1 Agency and Stakeholder Consultation Summary

Agency/Stakeholder	Method	Consultation summary	Response	Location Addressed in Report
Department of Planning, Industry and Environment (DPIE) – Compliance	Email on 30 June 2020	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	<ul style="list-style-type: none"> Air quality 	CoA and Section 3.4.2
New South Wales Environment Protection Authority (NSW EPA)	Email on 30 June 2020	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	<p>EPA advised it had no major areas of concern but requested focus on the following areas:</p> <ul style="list-style-type: none"> Air quality impacts, management and monitoring of dust Adequacy of site surface water controls and discharge Non-compliances identified in the annual return 	CoA and Sections 3.4.2, 3.4.3 and 3.6
Community Consultation Committee (CCC)	Email on 30 June 2020 and follow up on 3 August 2020	Provision of Audit Terms of Reference, introduction to team, outline date of audit and provide opportunity to comment.	The CCC advised it has no outstanding concerns with the Site.	N/A

In each case, an email was sent to representatives of each agency requesting feedback on those issues considered most relevant by their Department at the time of the audit. The consultation outlining the terms of reference was provided prior to the site inspection to obtain feedback and draw attention to any key issues, within the agreed scope of the audit. The Departmental correspondence is provided in Appendix B.

Responses received required the audit to focus on compliance against CoA as well as environmental monitoring relating to air quality, water management and bushfire management. These areas are captured in the audit findings.

2.3 Classification of Audit Findings

Findings resulting from an assessment of audit evidence were divided into six categories as follows:

- **Compliant (C):** the intent and all elements of the audit criteria requirements have been complied with within the scope of the audit.
- **Non-compliant (NC):** Failure to meet the audit requirements, failure to achieve the field performance outcomes identified in documentation, or ineffective environmental management of the activity.
- **Not Triggered (NT):** A regulatory approval requirement has an activation or timing trigger that had not been met at the time of the audit inspection, and therefore a determination of compliance could not be made.
- **Note:** A statement or fact, where no assessment of compliance is required.
- **Obs:** Observations are recorded where the audit identified issues of concern which do not strictly relate to the scope of the audit or assessment of compliance.

A qualitative risk assessment was also completed on the findings, consistent with AS/NZS 4360:2004 Risk management and HB 436:2004 Risk Management Guidelines Companion to AS/NZS 4360:2004 and as described in the DPIE publication "Post Approval Requirements – Independent Audit" issued May 2020.

The overall level of risk was estimated by combining the likelihood of harm occurring with the estimated level of harm associated with each finding. Risk levels have been assigned as follows:

- **High:** Non-compliance with potential for significant environmental consequences, regardless of the likelihood of occurrence;
- **Medium:** Non-compliance with:
 - potential for serious environmental consequences, but is unlikely to occur; or
 - potential for moderate environmental consequences, but is likely to occur;
- **Low:** Non-compliance with:
 - potential for moderate environmental consequences, but is unlikely to occur; or
 - potential for low environmental consequences, but is likely to occur.

3. AUDIT FINDINGS

3.1 Previous Audit Follow Up

The last audit was conducted by AECOM for the period 28 March 2014 to 10 April 2017. A summary of the 2017 audit findings and their status is summarised below in *Table 3.1*.

Table 3.1 Summary of 2017 Audit Findings

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
<i>Minister's Conditions of Approval PA 08_0009</i>					
2.13	<p>Operation of Plant and Equipment</p> <p>The Proponent shall ensure that all plant and equipment used on site is:</p> <p>a) maintained in a proper and efficient condition; and</p> <p>b) operated in a proper and efficient manner.</p>	<p>The following non-compliances with the requirement of EPL 1625 relating to the maintenance and operation of plant and equipment were reported in the 2014 / 2015 and 2015 / 2016 Annual Returns:</p> <ul style="list-style-type: none"> 1 April 2014 to 31 March 2015 - A sump pump failed to start automatically that resulted in an overflow to Port Kembla harbour during a storm event. The pump was reported to have been started manually and operated without further problems. PKCT installed a new switch and implemented corrective actions. 1 April 2015 to 31 March 2016 - A transfer pump at Tower 3 Pond failed to operate resulting in surface water overflow to Port Kembla harbour. A portable pump was installed and the fault was reported to have been addressed. PLC upgrades at time contributed to software problem. PLC system upgraded. 	NC	<p>Finding accepted.</p> <p>PKCT accepts that the items of non-compliance associated with this finding occurred as a result of specific events that occurred early in the reporting period. For each of the events, PKCT has implemented remedial measures to limit the potential of future occurrences. PKCT continues to operate in alignment with its approved Policies, Procedures and Management Plans.</p> <p>PKCT continues to maintain accreditation to ISO14001 and ISO9001.</p> <p>The events and associated actions have been closed off by the EPA. PKCT does not propose any further actions associated with this non-compliance.</p>	Deemed as Compliant during this audit
3.12	<p>Except as may be expressly provided in an EPL for the project, the Proponent shall comply with Section 120 of the Protection of the Environment Operations Act 1997.</p>	<p>A number of non-compliances with the EPL were reported during the audit period and therefore this condition has been assessed as non-compliant.</p>	NC	<p>Finding accepted. PKCT accepts that the items of non-compliance associated with this finding occurred as a result of specific events that occurred early in the reporting period. For each of the events, PKCT has implemented remedial measures to limit the potential of future occurrences. Specifically in response to early non compliances with water quality at the Terminal, PKCT has implemented the following during the audit period;</p> <ul style="list-style-type: none"> Completion of a \$3.04 million upgrade to the Central Pond Completion of a dredging program in the Settlement Lagoon Testing and installation of a coagulant dosing facility at the Central Pond to assist with water clarification of highly turbid water if/when it occurs on site. Installation of a belt washing station on Berth 102 Conveyor 14 which has significantly reduced coal spillage <p>The above improvements along with other initiatives have helped PKCT to improve and maintain discharge compliance from the Settlement Lagoon (LDP16) for 1144 days (as of end of June 2018). PKCT considers that these</p>	Deemed as Non-compliant during this audit due to reported non-compliances with the EPL. Refer to Appendix A2 – EPL Compliance Table

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
				improvements have been effective at improving compliance with Condition S3.C12. The events and associated actions have been closed off by the EPA. PKCT does not propose any further actions associated with this non-compliance.	
4.2	Within 24 hours of detecting the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the incident.	<p>PKCT reported four incidents to the EPA Environment Line during the audit period relating to discharges of washdown water containing coal fines into Port Kembla harbour. The incidents were not considered to have caused material harm by PKCT. In response, the EPA issued two Formal Warnings and noted that whilst the incidents did not cause measureable environmental harm they had the potential to cause measureable environmental harm to the waters of Port Kembla.</p> <p>These incidents were not reported to the DP&E and other relevant agencies (other than the EPA) within 24 hours. The only reporting of these incidents to the DP&E was through the AEMR.</p>	NC	<p>Finding accepted</p> <p>PKCT has a Pollution Incident Response Management Plan (PIRMP) in place that outlines the requirements of reporting any event that causes, or may cause, Material Harm to the environment to the relevant agencies.</p> <p>PKCT will ensure that any future incidents are assessed as per the requirements of the PIRMP and reported as required to the relevant agencies. A communication email will be sent to relevant personnel reminding them of this requirement.</p> <p>Action by: PKCT Environmental Specialist Completion Date: email to be sent by 30/06/2017.</p>	Deemed a Not Triggered during this audit.
4.8	<p>Within 3 months of the approval of any strategy/plan/program required under this approval (or any subsequent revision of these strategies/plans/programs), or the completion of the audits or AEMR, required under this approval, the Proponent shall:</p> <p>(a) provide a copy of the relevant document/s to the relevant agencies;</p> <p>(b) place a copy of the document/s on its website; and</p> <p>(c) remove superseded copies of strategies/plans/programs from its website.</p>	<p>a) Previous IEA's assessed that the originally approved management plans were provided to the relevant agencies. Management Plans were being reviewed annually (as per previous IEA recommendation) however as the changes were not considered significant by PKCT they were not re-submitted for approval and the revised plans were not provided to the relevant agencies.</p> <p>PKCT received email confirmation from the DP&E that relevant agencies include the EPA and Wollongong Council.</p> <p>The 2013 / 2014 AEMR was provided to the DP&E by email dated 30.07.14 and the EPA, Wollongong City Council and NSW Department of Trade and Investment by emails dated 15.08.14.</p> <p>The 2014 / 2015 AEMR was provided to the DP&E by email dated 28.07.15</p> <p>The 2015 / 2016 AEMR was provided to the DP&E on the 28.07.16</p> <p>The 2014/2015 and 2015/2016 AEMRs were provided to the EPA and Wollongong City Council by emails dated 15.03.17.</p> <p>The 2014 IEA was provided to the DPE by email dated 9.05.14. Evidence that it was provided to the other relevant agencies was not available.</p>	NC	<p>Findings accepted.</p> <p>PKCT will review all Management Plans and Strategies available on PKCT's website to ensure that they are the most recent versions of documents. Action by: PKCT Environmental Specialist Completion Date: 30/06/2017</p> <p>PKCT will update the website to include the completed IEAs. Action by: PKCT Environmental Specialist Completion Date: 30/06/2017</p> <p>PKCT will review the layout of the existing website with their IT consultants and investigate an alternate layout for the Website to improve ease of navigation for the public. Action by: PKCT Environmental Specialist Completion Date: Review and upgrade completed by 31/12/2017</p>	Deemed as Non-compliant during this audit due to submission of management plans occurring outside of 3 months from completion of the previous IEA. Refer Appendix A1.

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
		<p>b) PKCT's website has a dedicated 'Environment and Community' page. This page contains links to the Environment Policy, Pollution Incident Response Management Plan and EPL. The Environmental Strategy and other environmental management plans were available on the website however where not easy to locate as they were listed under the 'News' page under the year 2010 (the year they were originally approved).</p> <p>The 'News' page also contained links to the EPL Monthly Reports and the AEMRs (2015 / 2016, 2014 / 2015 and 2013 / 2014). The 2011 IEA was available on the website (under 'News' '2011') however the 2014 IEA was not.</p> <p>The website was not considered easy to navigate and it was difficult to locate the relevant documents. A member of the public wanting to access the management plans and IEAs would need to know the year that the plans were approved and the year the IEAs were conducted. The website would be greatly improved by a more intuitive website layout where all of the environmental information is located under the Community and Environment page with appropriate sub-headings for monitoring reports, AEMRs, independent audits etc.</p> <p>On the basis that not all of the required information was provided to all the relevant agencies and available on the PKCT website, this condition has been assessed as non-compliant.</p>			
EPL 1625					
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.	<p>PKCT reported the following pollution incidents to the EPA during the audit period.</p> <ul style="list-style-type: none"> 25-27 March & 4-6 April 2014: Turbid water discharges following a severe storm event. 5 June 2014: Pit sump 'Pump 9 Sump' overflowed to port Kembla Harbour during a storm event. 18 March 2015. During routine cleaning of Shiploader 1 over Coal Berth 102, a blocked launder pipe caused a backup of washwater to fall onto the maintenance bay below and then spill from the Shiploader into Port Kembla harbour. On 28 July 2015 a volume of wash-down water containing coal fines flowed into Port Kembla Harbour. PKCT did not 	NC	<p>Finding accepted.</p> <p>PKCT accepts that the items of non-compliance associated with this finding occurred as a result of specific events that occurred early in the reporting period. For each of the events, PKCT has liaised with the EPA and implemented remedial measures to limit the potential of future occurrences. Specifically in response to early non compliances with water quality at the Terminal, PKCT has implemented the following during the audit period;</p> <ul style="list-style-type: none"> Completion of a \$3.04 million upgrade to the Central Pond Testing and installation of a coagulant dosing facility at the Central Pond to assist with water clarification of highly turbid water if/when it occurs on site. 	Deemed a Non-compliant during this audit due to reported pollution incidents during the audit period. Refer Appendix A2

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
		<p>consider the incident to cause 'material harm' but was reported to the EPA Environment Line on the same day (Event Number: C10033-2015). PKCT developed an Action Plan and provided this to the EPA in an email on 28 July 2015. On 4 August 2015 PKCT received an email from the EPA indicating the EPA would be taking no further action concerning the incident.</p> <ul style="list-style-type: none"> - On 28 August 2015 water from Shiploader 1 flowed off the conveyor belt due to one of the ship's plugs not being in place resulting in water/slurry entering Port Kembla Harbour. <p>PKCT was issued with a Formal Warning Letter by the EPA dated 25.07.14 for breaching its concentration limits as a result of the discharges in March / April 2014.</p> <p>The incident on the 5 June 2014 was deemed by the EPA to constitute a breach of this Condition and PKCT was issued with an Official Caution dated 10.09.14. In response, PKCT engaged an external consultant to review the pump arrangement and to identify practical modifications and or upgrades to the system. Upon completion of the review PKCT implemented the following upgrades:</p> <ul style="list-style-type: none"> ▪ Blocking the RCP stockpile drain to prevent contaminated water inflow ▪ Repairing the western containment wall of the stockpile where required to prevent seepage ▪ Diverting the flow from No.1 Berth South Position Pump 17 towards T3 Pond ▪ Installing new power supply cable, communication cable and ultrasonic level detector, in the pump 09 sump with communications including alarms and monitoring to the Main Control Room <p>The incident on the 18 March 2015 was deemed by the EPA to constitute a breach of this Condition and PKCT was issued with a Formal Warning dated 3.09.15. In response PKCT reviewed the Shiploader Launder design and implemented modifications. The new arrangement is considered by PKCT to be less prone to blockages and includes a water supply connection which can be used to clear accumulated material.</p>		<ul style="list-style-type: none"> ▪ Installation of a belt washing station on Berth 102 Conveyor 14 which has significantly reduced coal spillage on the Berth ▪ Upgrading of a launder system on Shiploader 1 to decrease blockages <p>The above improvements along with other initiatives have helped PKCT to improve and maintain discharge compliance from the Settlement Lagoon (LDP16) for 749 days (as of end of May 2017) and other areas across the Terminal.</p> <p>PKCT considers that these improvements have been effective at improving compliance with Condition EPL L1.1. The events and associated actions have been closed off by the EPA. PKCT does not propose any further actions associated with this non-compliance.</p>	

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status									
		<p>PKCT was also issued with a Formal Warning (dated 19.07.16) in relation to a breach of L1.1 for the two shiploader incidents in July and August 2015.</p> <p>In addition, PKCT identified a number of exceedances of its TSS and pH criteria at Licenced Discharge Point (LDP) 16. These are discussed further under Condition L2.1.</p> <p>On the basis of the above incidents and exceedances, this condition has been assessed as non-compliant. It is noted that PKCT has since implemented a number of improvements to its surface water management system (discussed further under L1.2 below) and that no incidents causing or threatening material harm to the environment were reported in 2016.</p>												
L2.1 and 2.4	<p>For each monitoring/discharge point or utilisation area specified in the table\ below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.</p> <p>Water and/or Land Concentration Limits:</p> <p>Point 16</p> <table><tr><th>Pollutant</th><th>Unit of Measure</th><th>100 Percentile Concentration Limit</th></tr><tr><td>Oil & Grease</td><td>Visible</td><td>Not Visible</td></tr><tr><td>Total Suspended Solids</td><td>Milligrams per litre</td><td>50</td></tr></table>	Pollutant	Unit of Measure	100 Percentile Concentration Limit	Oil & Grease	Visible	Not Visible	Total Suspended Solids	Milligrams per litre	50	<p>The following non-compliances were noted concerning concentration limits for the audit period:</p> <p>2014:</p> <ul style="list-style-type: none">Five TSS limit non-compliances were recorded at LDP 16 on the following dates:4 April 2014 = 110 mg/L, 6 April 2014 = 96 mg/L, 14 August 2014 = 77 mg/L, 18 November 2014 = 69 mg/L and 20 November 2014 = 52 mg/L. <p>2015:</p> <ul style="list-style-type: none">Four TSS limit non-compliances were recorded at LDP 16 on the following dates:1 May 2015 = 60 mg/L, 10 May 2015 = 57 mg/L, 12 May 2015 = 110 mg/L and 13 May 2015 = 54 mg/L. <p>There were no exceedances recorded in 2016 and up until the 10 April 2017. Additionally there were no exceedances of the oil and grease criteria during the audit period.</p> <p>Improvements to the water management system have been conducted under PRP 12 – Implement Upgrades to Stormwater Pollution Control System. Completion of the Central Pond upgrade works was completed in January 2016. EPL 1625 was varied by notice 1548264 issued on 16 January 2017 with removal of PRP 12 'Implement Upgrades to Stormwater Pollution Control System'. The EPA received the effectiveness review from PKCT titled PKCT Central Pond Upgrade, Pollution Reduction Program 12, Stage 1(e) Review of Environmental Performance of the</p>	NC	<p>Finding accepted</p> <p>Refer to finding EPL 1625, L1.1 for response.</p>	Deemed as Non-compliant during this audit due to reported exceedances during the audit period.
Pollutant	Unit of Measure	100 Percentile Concentration Limit												
Oil & Grease	Visible	Not Visible												
Total Suspended Solids	Milligrams per litre	50												

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
		<p>Upgrade Works. The EPA reported in a Notice of Variation dated 16 January 2017 (Ref: EF13/3447) that “The works have allowed isolation of chambers and inflows to the pond, giving PKCT the ability to effectively manage sediment levels in the pond. This has been reflected in the water quality of the Central Pond, as well as the downstream Settlement Lagoon”. The EPA considered that Stage 1(e) had been completed. The recent upgrades to the Central Pond were observed during the Site inspection. The PKCT Upgrade Report (p.5) reported that “measured monthly TSS average pre-upgrade [in the Central Pond] was 202 mg/L and as of June 2016 79 mg/L post upgrade”. EPL 1625 discharge criteria is 50 mg/L.</p> <p>Other activities and improvements noted to the stormwater system during the reporting period included:</p> <ul style="list-style-type: none"> Installation of a coagulant dosing system at the Central Pond in August 2015. The system uses a coagulant injected into the Central Pond which mixes with the water as it is transferred through to the Settlement Lagoon. Once in the Settlement Lagoon, the mixture assists with removal of ultrafine particles that are not removed by the existing polymer dosing system at the Settlement Lagoon. A dredging program was undertaken in August 2015 and September 2015 in the Settlement Lagoon. The program utilised a suction cutter dredge feeding a wet-slurry into a network of geotextile bags. The bags allowed water to escape while trapping and storing sediment for later removal. Ongoing monitoring is required; however, Site management reported an improvement in water clarity as well as a reduction in the TSS levels of discharge water since dredging was completed. Site management also reported that use of the geotextile bags allows scheduled cleaning of the Settlement Lagoon regardless of the weather conditions. An unsealed area near the Central Pond Pump was sealed in February 2016. Isolation of inflows into ponds allows for drying of slurry. 			

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
		<ul style="list-style-type: none"> Sealing of entry/exit ramps into ponds minimises sediment 'drag' out of the ponds and onto internal roadways. <p>It is acknowledged that PKCT has made improvements to the stormwater system that have facilitated recent compliance with EPL 1625 criteria; however, given the above exceedances during the audit period this condition was found to be non-compliant.</p>			
O1.1	<p>Licensed activities must be carried out in a competent manner. This includes:</p> <p>a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and</p> <p>b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.</p>	<p>PKCT has established processes for managing the processing, handling, movement and storage of coal including:</p> <ul style="list-style-type: none"> 24 /7 site operational control via the Main Control Room which includes monitoring of site conditions and weather forecasts and operating sprays and other controls as required, Under wagon monitoring to detect poorly loaded trains. Spillage recovery systems and processes to recover as much product coal as possible Event Management System for the investigation and corrective action of incidents and complaints <p>The EPA undertook a compliance audit of PKCT's rail unloading facility on the 30.05.14. The audit identified a non-compliance related to coal particles on wagon surfaces and coarse coal particles and lumps of coal on wagon bodies. This was considered a breach of this Condition by the EPA and was subsequently included as a non-compliance with O1.1 in PKCT's 2014-15 Annual Return. PKCT developed an Action Plan which was submitted it to the EPA and included as Attachment B of the 2014-15 Annual Return. The EPA undertook a follow up inspection on the 28.08.15 to assess the implementation status of corrective actions from the first audit. PKCT provided the EPA with an update of the status of the action plan by email dated 4.09.15. The EPA provided PKCT with comments on its assessment of the status of corrective actions by letter dated 29.09.15. In its letter the EPA acknowledged the actions taken by PKCT represent significant steps towards constituting reasonable and practical measures to minimise or prevent fine coal deposition on the exterior of wagons. However the EPA was still concerned with parasitic coal on the exterior of wagons being unloaded. An</p>	NC	<p>Findings accepted</p> <p>PKCT accepts that the item of non-compliance associated with this finding occurred as a result of a rail audit that occurred early in the reporting period. PKCT has worked with the EPA and put processes in place, including an ongoing Environmental Improvement Program (EIP), to minimise the likelihood of further non-compliances at the rail unloading facility.</p> <p>Action by: PKCT Environmental Specialist</p> <p>Completion date: EIP ongoing</p> <p>PKCT will request from the current waste provider information relating to the destination of all waste taken off site. PKCT will update the current monthly waste report to include this information.</p> <p>Action by: PKCT Environmental Specialist</p> <p>Completion Date: 31/09/2017</p> <p>PKCT will update the Waste Management Plan to reference part b) of this Condition and include further discussion of how PKCT meet these requirements. Action by: PKCT Environmental Specialist Completion Date: 31/09/2017</p>	Deemed as Compliant during this audit.

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
		<p>Environmental Improvement Program (EIP) for Wagon Monitoring and Reporting was included in PKCT's EPL. This was completed by PKCT by the 30.09.16 and removed from its EPL. An EIP for Train Condition Exception Reporting was included in the EPL (refer U3.1).</p> <p>Given the non-compliance with this condition identified during the audit period by the EPA, this condition has been assessed as non-compliant. However it is noted that since this time, PKCT has implemented a number of improvement measures relating to coal storage, handling and movement, in particular monitoring of wagons and therefore the risk level is considered low.</p> <p>PKCT has developed a Waste Management Plan which outlines how PKCT manage the waste generated by its activities. The Waste Management Plan (p.8) notes that waste shall be kept separate, shall be contained and disposed of in accordance with legal requirements and that waste generated on-site shall be managed to reuse on site in the first instance, followed by offsite recycling or reuse and as a last resort sent off site for disposal.</p> <p>General site waste was managed by waste contractor Veolia during the audit period. Veolia provide PKCT with a 'Waste Contract Monthly Report' that summarises the volume / mass and type of waste removed from site for either disposal, reprocessing or recycling. The reports do not include details of the destinations of the waste taken offsite (either for recycling or disposal). However Transport Certificates for trackable waste (J120 waste oil / hydrocarbons mixtures / emulsions in water) which is taken to Veolia's Camelia facility are provided to PKCT. PKCT also has dockets of the scrap metal recycling (taken to T&D Metals and Demolitions, Unanderra). Veolia holds an EPL for waste transporter activities and has numerous premises licensed to accept waste.</p> <p>Evidence of waste segregation was observed during the audit site inspection. Separate bins for scrap metal recycling and cardboard recycling were observed. A battery recycling facility was installed in 2015 (sighted).</p> <p>Waste oils were reportedly transported back to the Workshop and deposited into dedicated waste oil intermediate bulk containers (IBCs) (sighted during audit site inspection).</p>			

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
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.	Refer to DA 08_0009 S2.C13	NC	Finding accepted Refer to comments under DA 08_0009 S2.C13	Deemed as Compliant during this audit.
O4.2	The ponds must be maintained to ensure that sedimentation does not reduce their capacity by more than 20% of the design capacity.	<p>A Pond Settlement Level Monitoring Procedure, PR.HS.922, Doc ID 922 was available for review. A Pond Capacity spread sheet was available that showed sediment volumes for the Settlement lagoon, Southern Pond, Northern Pond, TS1 Pond, Tower 3 Pond, Workshop Pond and Central Pond and the percentage design capacity based on inputted data. The ponds were last surveyed in June 2016 with the exception of the Central Pond which was surveyed in October 2016.</p> <p>It was not clear how the Pond Capacity Tables spread sheet related to the Pond Settlement Level Monitoring Procedure, PR.HS.922, Doc ID 922 given no reference was made of the spread sheet in the procedure.</p> <p>The following is noted:</p> <ul style="list-style-type: none"> On 22 April 2015 it was reported that the sediment level in the Central Pond (LDP 23) was at approximately 30%. Site management reported that repeated wet weather events prevented cleanout operations. Site management reported that sediment levels were cleaned out to less than 5% on 28 May 2015 when weather permitted. The non-compliance was reported in the Annual Return for the 2015 / 2016 period. The Central Pond Upgrade project was completed in February 2016. A dredging program was undertaken in August 2015 and September 2015 in the Settlement Lagoon. The program utilised a suction cutter dredge feeding a wet-slurry into a network of geotextile bags. The bags allowed water to escape while trapping and storing sediment for later removal. Ongoing monitoring is required; however, Site management reported an improvement in water clarity as well as a reduction in the TSS levels of discharge water since dredging was completed. Site management also reported that use of the geotextile bags allows scheduled cleaning of the Settlement Lagoon regardless of the weather conditions. 	NC	<p>Finding accepted</p> <p>During the reporting period, PKCT implemented a Pond Sediment Level monitoring process and associated Procedure. Due to the temporal nature of the sediment levels within the Ponds across the site, the process will take a number of years to fully “calibrate” and understand the rates of infill for each pond. PKCT will continue to utilise its Pond Sediment Level Monitoring Procedure to manage sediment levels in the ponds and ensure compliance with Condition 04.2 of EPL1625</p> <p>PKCT will Update the Pond Sediment Level Monitoring Procedure, PR.HS.922, Doc ID 922 to include reference to the Pond Capacity spread sheet.</p> <p>Action by: PKCT Environmental Specialist</p> <p>Completion Date: 30/09/2017</p>	Deemed as Compliant during this audit.

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status																		
		<ul style="list-style-type: none">The northern pond was surveyed on the 1 June 2015 and found sediment to be at 21% of design capacity. The pond was desilted and then re-surveyed on the 10 June 2016 which confirmed sediment volume at 1% of design capacity. <p>Given the reported Annual Return non-compliance for the period 2015 / 2016 this condition was found to be non-compliant.</p>																					
M2.1 and M2.2	<p>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 below. The licensee must use the sampling method, units of measure, and sample at the frequency specified.</p> <p>Point 1,2,3,4,5,6,7,8,9,12,15,17,18,19</p> <table><tr><th>Pollutant</th><th>Unit of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>Particulates – Deposited Matter</td><td>Grams per square metre per month</td><td>Monthly</td><td>AM-19</td></tr></table> <p>Point 20, 21</p> <table><tr><th>Pollutant</th><th>Unit of Measure</th><th>Frequency</th><th>Sampling Method</th></tr><tr><td>PM10</td><td rowspan="3">Micrograms per cubic metre</td><td rowspan="3">Continuous</td><td rowspan="3">Continuously</td></tr><tr><td>PM2.5</td></tr><tr><td>Total Solid Particles</td></tr></table>	Pollutant	Unit of Measure	Frequency	Sampling Method	Particulates – Deposited Matter	Grams per square metre per month	Monthly	AM-19	Pollutant	Unit of Measure	Frequency	Sampling Method	PM10	Micrograms per cubic metre	Continuous	Continuously	PM2.5	Total Solid Particles	<p>Particulates – deposited matter was using dust deposition gauges at the specified locations (Pointe 1-9, 12, 15, 17, 18, 19). TSP, PM10 and PM2.5 monitoring was conducted using OSIRIS instruments located north and south of the coal terminal (Points 20 and 21)</p> <p>There were a number of periods in the 2015/2016 annual return period where non-compliances were noted in the DDG network and in the real-time monitoring network. Reasons provided for the non-compliances were:</p> <ul style="list-style-type: none">Bottle breakages due to glass fatigue, vandalism or bottles broken in transit to the laboratory. Procedures have been modified to deal with the breakages. Broken bottles still appear to be a problem after this point with broken bottle attributed to cracks in old bottles reported in May and August 2016.Access restrictions due to Point 9 (Sydney Water RWTP). Access requirements changed during the licence period resulting in 3 samples not being collected between August and December 2015. Procedures have been clarified between PKCT contractors and appropriate inductions provided to staff entering the SW site rectifying problem.Minor maintenance issues related to ongoing operation of the OSIRIS monitor reduced the data capture over the licence period. Overall the data capture was still at a high level and although a technical non-compliance, the reaction to the outages appears reasonable. <p>Due to the non-compliances with this requirement reported in the Annual Returns, this condition has been assessed as non-compliant.</p>	NC	<p>Finding accepted.</p> <p>PKCT has reported the non-compliances associated with this finding to the EPA through the Annual Return Reporting process. Actions have been implemented to minimise the likelihood of further non compliances.</p> <p>The events and associated actions have been closed off by the EPA. PKCT does not propose any further actions associated with this non-compliance.</p>	Deemed as Non-compliant during this audit due to reported missed dust monitoring results. Refer Appendix A2.
Pollutant	Unit of Measure	Frequency	Sampling Method																				
Particulates – Deposited Matter	Grams per square metre per month	Monthly	AM-19																				
Pollutant	Unit of Measure	Frequency	Sampling Method																				
PM10	Micrograms per cubic metre	Continuous	Continuously																				
PM2.5																							
Total Solid Particles																							

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
R2.1	<p>Notifications must be made by telephoning the Environment Line service on 131 555.</p> <p>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.</p>	<p>The following notifications were made to the Environment Line during the audit period:</p> <ul style="list-style-type: none"> 18 March 2015: washdown water containing coal fines was discharged into Port Kembla harbour during routine cleaning of Shiploader 1 over Coal Berth 102. 28 July 2015: washdown water containing coal fines was discharged into Port Kembla harbour during a routine washdown of Shiploader 2 over Coal Berth 102. 28 August 2015: washdown water containing coal fines was discharged into Port Kembla harbour during loading of the 'C' Atlas which was berthed at the premises. <p>In addition the following were reported to PKCT's local EPA officer:</p> <ul style="list-style-type: none"> Turbid water discharges on the 25-27th March and 4th and 6th April 2014 following a storm event. Verbally communicated to EPA on the 9 April 2014 and by email dated 10.04.14. The EPA requested PKCT submit an incident report under R3.1 (refer R3.1). Following investigation, PKCT were issued with a Formal Warning dated 21.07.14. An incident on the 5 June 2014 where a pit sump 'Pump 9 Sump' overflowed to port Kembla Harbour during a storm event was not considered material and was not immediately reported to the Environment Line but reported to the EPA via email on the 6.06.14. Following investigation (refer R3.1 below), the EPA issued PKCT with an Official Caution for the incident dated 10.09.14. The Official Caution also noted that PKCT may have breached Section 152 of the Protection of the Environment Operations (POEO) Act 1997 which relates to the duty to immediately notify pollution incidents. In response PKCT has revised its incident report within EMS to include a category under 'Notification Type' for events which are 'Not Material- EPA notification may be required, contact manager'. <p>On the basis of the stormwater discharge events in March/April 2014 and the incident on the 5 June 2014 not being notified immediately to the EPA via the Environment Line, this condition has been assessed as non-compliant. However given improvements to reporting since this time it has been assessed as low risk.</p>	NC	<p>Finding accepted</p> <p>PKCT will Revise the Incident Reporting and Investigation Procedure PR.HS.124 to include further guidance on determining material harm to the environment (as per Section 147 of the POEO Act).</p> <p>Action by: PKCT Environmental Specialist</p> <p>Completion Date: 30/09/2017</p>	Deemed as Compliant during this audit.

Item No	Assessment Requirement	2017 Comment	2017 Audit Classification	PKCT Response/Action	2020 Status
<i>PKCT Driver's Code of Conduct</i>					
016	All haulage trucks travelling to and from PKCT will do so by using major arterial roads as outlined in the PKCT Driver's Code of Conduct.	<p>The PKCT Task Coach and Observation Sheet includes a specific statement and assessment criteria in relation to this condition. Task Coach and Observation Sheet sighted (CT)-01501 05/05/2016, CTO-01479 26/04/2016) shows compliance with major arterial roads.</p> <p>The use of the major arterial roads by haulage trucks is not specifically outlined in the DCC Monthly Report and Internal Audit Worksheet. An example of the Bulktrans observation sheet (Southern Bulk Haulage: Behavioural Observations) was sighted and noted to include a check that trucks are travelling on the correct routes outlined in driver inductions.</p> <p>One complaint was received by PKCT in December 2014 (EV-0506) in relation to haulage trucks deviating from the major arterial roads. It was reported that trucks were observed to be parking near the takeaway premises at the intersection of Princes Highway and Mt Ousley Road. The enquiry and subsequent follow-up, and investigation by PKCT was sighted by the audit team. It was found that Bulktrans had not informed their drivers to drive only on their route to and from the Mine site and Port. Bulktrans committed to directing their workforce to use only major arterial roads. On the basis of this incident, this requirement has been assessed as non-compliant.</p> <p>No other complaints or incidents have been recorded by PKCT during the audit period relating to trucks using the designated routes.</p>	NC	<p>Finding accepted</p> <p>PKCT will review the format of the DCC Monthly Report to request more specific information from the transport companies where applicable. Action by: PKCT Environmental Specialist Completion Date: DCC Monthly Report updated and distributed to transport companies by 31/09/2017.</p>	Deemed as Compliant during this audit.

3.2 Complaints Summary

Complaints registers for the auditing period were available online and on-site for review. Complaints over the reporting period include:

- One complaint received in 2018 relating to an anonymous complaint of 'coal' odour made to the EPA; and
- Two complaints received by PKCT in 2019; one related to dust on furniture following strong southerly winds and one regarding cigarette butts being dumped on Seawall Road.

Evidence was provided that all complaints were investigated and actioned to the satisfaction of the EPA and the complainant.

3.3 Incident Summary

A review of the incidents was undertaken through a review the PKCT Incident register. A total of 470 environmental incidents were recorded in the register during the audit period. The majority of these related to hydraulic oil releases from trucks or spills of coal or other products on the berth. There were no reportable incidents of material harm during the audit period.

One pollution incident was reported to EPA on 13 March 2018 regarding an oil-like substance on the water surface adjacent to the vessel Iron Chieftain which was alongside Berth 102. The incident was confirmed to be caused due to the deck scuppers not being in place and hydraulic oil being released to water. PKCT personnel instructed the ship crew to cease the activity. No action was taken by the EPA.

3.4 Environmental Monitoring Performance

3.4.1 Noise

Condition M7.2 of the EPL provides for circumstances where noise monitoring may be ceased by PKCT. The noise monitoring program must be routinely reviewed and provided no exceedances of the stipulated criteria have occurred for 6 years and the EPA is satisfied with the program review, noise monitoring is not required to continue.

PKCT wrote to the NSW Department of Planning & Environment requesting permission to cease noise monitoring and received a response on 16 March 2017, confirming that noise monitoring is no longer required to be undertaken by PKCT given that noise levels were below the criteria in all noise surveys conducted since 2009.

According to an email received from NSW EPA by PKCT on 15th August 2017, the cessation of noise monitoring was acknowledged by the EPA and no formal change to the EPL was considered necessary.

While the noise limits are still applicable to the site, the requirement to monitor is no longer applicable. Given operations have not changed significantly at the site since the previous audit and no noise complaints have been reported during the audit period, ERM has deemed that PKCT is compliant with the requirements of this condition. Noise monitoring obligations were removed by DPIE on 16 March 2017.

3.4.2 Air quality

PKCT currently has a network of fourteen (14) dust deposition gauges, nine (9) located on site, two (2) at off-site residential properties, three (3) at off-site industrial properties and two (2) continuous dust monitors.

PKCT has not reported any exceedance of air quality criteria during the audit period, however the following self-reports have been made to the EPA:

- 2018 – dust observed coming off stockpile on 23 November 2018; and
- 2020 – dust observed coming off stockpiles on 2 March 2020.

The EPA responded to the 2018 incident proposing no further action be undertaken. At the time of writing, no response has been provided by the EPA in relation to the 2020 incident.

The auditors sighted the weather station located onsite, which provides real time meteorological data to the Main Control Room. Meteorological data from the onsite weather station was observed in real time in the Main Control Room and extracted data was provided as evidence to confirm compliance with related conditions as part of the audit.

3.4.3 Water management

3.4.3.1 Surface water

Surface water management comprises a series of satellite water storage ponds used to collect stormwater runoff before being pumped to a settlement lagoon for discharge to the Inner Harbour. Flocculent is added to the settlement pond to enhance settlement of solids. Water discharges to the harbour via an overflow weir as authorised in the EPL. Water is also available for on-site reuse for dust suppression.

Four incidents related to surface water releases were reported during the audit period

- 17 January 2020 – TSS recorded at 62 mg/L. EPA confirmed no further action would be taken on 25 February 2020.
- 30 August 2019 – TSS recorded at 96 mg/L. No action taken.
- 5 June 2019 – TSS recorded at 97 mg/L. No action taken.
- 15 March 2019 – TSS recorded at 84 mg/L (permitted level 50 mg/L). EPA issued a Formal Warning on 12 April 2019. No further actions were taken by PKCT or required by the EPA.

3.5 Management Plan Adequacy

The Management Plans for the site were reviewed and the adequacy in meeting the relevant approval requirements was assessed in view of current operations at the site. It was noted that management plans have been reviewed and updated in accordance with the Project Approval. Revised plans were submitted to DPIE following the last IEA in 2017 and no formal approval was received from DPIE. The Driver's Code of Conduct was revised and submitted to DPIE on 12 August 2019. No formal approval was received from DPIE. It was noted that PKCT have implemented updated management plans that have yet to be approved by DPIE.

In general, Management Plans were considered to be appropriate for the site's operations at the time of the site visit. The findings of the Management Plan review are outlined in *Table 3.2* and *Appendix A*.

3.6 Environmental Protection Licence

The site operates under Environment Protection Licence (EPL) 1625 issued to Port Kembla Coal Terminal Ltd. The EPL has been varied five times during the audit period, the last being in August 2019.

The site submitted Annual Returns to the EPA, as required for the audit period. The following non-compliances were noted:

2018:

- EPL M2.2 – Northern Ambient Air Monitor P2 went off-line due to an electrical connector failure. Data was not captured. No further action.

2019:

- EPL L2.4 – Point LDP16 – TSS recorded at 84 mg/L on 15 March 2019. Formal Warning received.
- EPL M2.2 – Point C1 – intermittent data loss for the period December 2018 to March 2019. No action taken.
- EPL M2.2 – Dust gauge P6-40m west coal berth stockyard found on ground with broken bottle. No action taken.

2020:

- EPL L2.4 – Point LDP16 – TSS recorded at 62 mg/L on 17 January 2020. No action taken.
- EPL L2.4 – Point LDP16 – TSS recorded at 96 mg/L on 30 August 2019. No action taken.
- EPL L2.4 – Point LDP16 – TSS recorded at 97 mg/L on 5 June 2019. No action taken.
- EPL M2.2 – dust gauge P11- Entry Gate BlueScope found on ground with broken sample bottle on 4 February 2020. No action taken.
- EPL M2.2 – intermittent data loss during the reporting period. No action taken.

Findings identified against the site's EPL are outlined in *Table 3.2* and *Appendix A*.

3.7 Driver's Code of Conduct

Traffic management at the Site is managed through the implementation of the Driver's Code of Conduct (DCC). The DCC was developed to ensure compliance with the Project Approval. The primary objectives of the DCC are:

- Minimise impacts on the community from road haulage activities;
- Encourage an environment for safe operations associated with PKCT road delivery operations; and
- Maximise public safety by adhering to Australian road rules and ensure all potential road safety issues are reported.

The DCC required coal transport drivers to follow designated road routes and specific requirements related to permitted times for receipt of coal at PKCT. Haulage companies are required to sign up to the DCC and implement the requirements.

Compliance with the DCC is subject to regular audits by PKCT, shippers and road transport providers. PKCT operates a '3-Strikes Policy' for non-compliance with the DCC.

DCC conditions and the summary of audit findings are provided in *Table 3.2* and *Appendix A*.

3.8 Compliance with Regulatory Instruments

A compliance check of the CoA and EPL conditions as well as management plan review has been completed and is provided in Appendix A. Non-compliances and observations for each component are summarised in *Table 3.2*.

As discussed in *Section 2.3*, a qualitative risk assessment was also completed on the findings as follows:

- non-compliance assessed as 'high' have been colour coded red;
- non-compliance assessed as 'moderate' have been colour coded orange;
- non-compliance assessed as 'low' have been colour coded yellow; and
- administrative non-compliance have been colour coded blue.

Table 3.2 Summary of 2020 Audit Findings

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action																							
Minister's Conditions of Approval PA 08_0009																											
2.9	With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	Evidence was sighted that management plans are routinely reviewed, updated and submitted to the Department for approval, however the Department has not responded to the submitted management plans or provided approval for the updates. PKCT has been operating under the updated management plans despite the plans not receiving approval from the Department.	NC	Confirm the status of previously submitted management plans with DPIE.																							
3.3	The Proponent shall: (a) continue to implement all reasonable and feasible best practice noise mitigation measures; (b) continue to investigate ways to reduce the noise generated by the project, including maximum noise levels which may result in sleep disturbance; and (c) report on these investigations and the implementation and effectiveness of these measures in the AEMR to the satisfaction of the Director-General.	In 2017, PKCT committed to investigating the hanging metal tubes in the northern truck-wash to assess whether noise levels may be problematic and adding checks for operating vehicles to the internal audit worksheet to minimise noise. The outcome of this investigation and confirmation of the changes to the audit worksheet were not included in subsequent AEMRs. Site management reported that the hanging metal tubes were not investigated during the audit period due to alternative monitoring systems being considered which would include removal of the hanging metal tubes. An alternative monitoring mechanism was not in place at the time of the audit.	NC	PKCT to report on the outcome of the hanging metal tubes investigation and internal worksheet updates in the AEMRs.																							
3.7	<p>The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the criteria listed in Tables 3 to 5 at any residence.</p> <p>Table 3: Long term impact assessment criteria for particulate matter</p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^d Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^a 90 µg/m3</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>Annual</td><td>^a 30 µg/m3</td></tr></table> <p>Table 4: Short term impact assessment criteria for particulate matter</p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^d Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 hour</td><td>^a 50 µg/m3</td></tr></table> <p>Table 5: Long term impact assessment criteria for deposited dust</p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>Deposited dust</td><td>Annual</td><td>^b 2g/m²/month</td><td>^a 4g/m²/month</td></tr></table>	Pollutant	Averaging period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m3	Particulate matter < 10 µm (PM10)	Annual	^a 30 µg/m3	Pollutant	Averaging period	^d Criterion	Particulate matter < 10 µm (PM10)	24 hour	^a 50 µg/m3	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	^b 2g/m ² /month	^a 4g/m ² /month	<p>PKCT monitors residential dust at three locations, with 11 additional monitoring points throughout the site to assist with dust management practices. According to the AEMRs, there were no instances of exceedances of the criteria at any of the residential locations.</p> <p>The AEMRs for the audit period reported one month where the criteria were exceeded at one of the 11 industrial gauges, in March 2017. However, there was no associated exceedance reported at any of the residential gauges.</p> <p>Exceedances of the short term criteria were reported on 115 occasions during the audit period (43 in 2016/2017, 44 in 2017/2018 and 28 in 2018/2019). Of these exceedances, PKCT was assessed as having made either no, minimal or minor contributions to the results (i.e. <30%) for 107 events. Of the remaining 8 events, PKCT was assessed as having contributed a moderate amount (30% to 70%) on four occasions and the remaining four were unable to be assessed. PKCT was not assessed as being a major contributor (70% - 100%) to the results for any exceedance event. On average, PKCT was estimated to have contributed between 2% and 10% on days where exceedances were reported.</p>	C(Obs)	The Air Quality Management Plan and Monitoring Program is currently version 3 (according to the version history table) dated 20 th July 2020 while the document header states the version as 12.0 and the footer states the document authorisation date as 9 th October 2017. The document requires updating to correctly state the current version.
Pollutant	Averaging period	^d Criterion																									
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m3																									
Particulate matter < 10 µm (PM10)	Annual	^a 30 µg/m3																									
Pollutant	Averaging period	^d Criterion																									
Particulate matter < 10 µm (PM10)	24 hour	^a 50 µg/m3																									
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level																								
Deposited dust	Annual	^b 2g/m ² /month	^a 4g/m ² /month																								

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
	<p><i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</i></p> <p>However, if the Proponent has a written negotiated air quality agreement with any landowner to exceed the air quality limits in Table 3, 4 and/or 5, and a copy of this agreement has been forwarded to the Department and DECC, then the Proponent may exceed the air limits in Table 3, 4 and/or 5 in accordance with the negotiated air quality agreement.</p>	Given that the only reported exceedances occurred on days where PKCT contributed only a minor proportion of the dust measured, ERM considers PKCT to be compliant with this condition.		
3.12	Except as may be expressly provided in an EPL for the project, the Proponent shall comply with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> .	PKCT has been operating generally in compliance with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> with the exception of events identified within this audit, including reported water quality exceedances during discharge events. ERM have therefore assessed PKCT as non-compliant with this condition. Specific instances of non-compliance are addressed throughout this report.	NC	Refer to specific conditions.
3.15	<p>The Proponent shall:</p> <p>(a) ensure no external lights shine above the horizontal;</p> <p>(b) ensure that all external lighting associated with the project complies with Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting, or its latest version, and</p> <p>(c) take all reasonable and feasible measures to mitigate off-site lighting impacts from the project to the satisfaction of the Director-General.</p>	<p>Previous IEAs have reported that an external consultant reviewed site lighting in 2011 and reported that PKCT was compliant with AS 4282. The 2018 - 2019 AEMR reported that a major restoration project had been completed including ensuring all new lighting complies with AS 4282 and using LED lighting and ensure lighting emissions are either local to access and stairway areas or elevated and directed towards the ground or stockpiles.</p> <p>ERM reviewed an audit report titled Port Kembla Coal Terminal External Lighting Audit, AS/NZS 4282 Control of the Obtrusive Effects of Outdoor Lighting dated 16th March 2020. The audit concluded any report detailing that lighting is in accordance with AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting with the exception of the Bulk Products Area, which should be upgraded as part of the next scheduled maintenance for those lights.</p> <p>ERM reviewed the community complaints register which confirmed that there were no complaints related to lighting during the audit period.</p>	NC	Upgrade the lighting in the Bulk Products Area to Type C or D as recommended by the 2020 External Lighting Audit.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
4.1	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General.</p> <p>This strategy must:</p> <ul style="list-style-type: none"> (a) be submitted to the Director-General for approval within 12 months of this project approval or otherwise agreed by the Director-General; (b) provide for the strategic context for the environmental management of the project; (c) identify the statutory requirements that apply to the project; (d) describe the procedures that would be implemented to: <ul style="list-style-type: none"> ▪ keep the local community and relevant agencies informed about the operation and environmental performance of the project; ▪ receive, handle, respond to, and record complaints; ▪ resolve any disputes that may arise during the course of the project; ▪ respond to any non-compliance; ▪ manage cumulative impacts; and ▪ respond to emergencies; (e) include an environmental monitoring program for the project that includes all the monitoring requirements of this approval; (f) describe how the various incident and approval reporting requirements of the project would be integrated into a single reporting system; and (g) describe the role, responsibility, authority and accountability of all the key personnel involved in the environmental management of the project. 	<p>PKCT operates under the PKCT Environmental Management Strategy (EMS), Version 13.0, last updated on 10th July 2020.</p> <ul style="list-style-type: none"> a) The development application was approved in 2009 and the EMS is now in Version 13.0. It is unclear whether the EMS was first submitted within 12 months of approval, however given the 12 month submittal period falls outside the audit period it has not been raised as a finding. b) The strategic context is presented in Section 5.0 c) Statutory requirements are presented in Section 6.0 d) Systems to keep the local community and relevant agencies informed are presented in Section 11. Procedures to respond to non-compliance and manage cumulative impacts are presented in Section 7.0 and emergency response procedures are presented in Section 8.1. e) The environmental monitoring program includes monitoring requirements from this approval (traffic, received quantities, noise, dust, meteorology, surface water, biodiversity, greenhouse gas emissions and waste) and is presented in Section 9.0. f) A comprehensive reporting framework is presented in Section 9.0. g) Key personnel roles and responsibilities are described in Section 4.0. <p>Implementation</p> <p>PKCT maintains regular correspondence with the local community via the community consultative committee and relevant agencies via routine reporting through AEMRs, Annual Returns and Management Plan submissions and on an as needed basis by self-reporting environmental incidents to the regulator. ERM received a response from one Community Consultative Committee member, Barry, who reported that he had no concerns at the time of writing and is happy with his interaction with PKCT. ERM reviewed correspondence between the regulator and PKCT following actual and potential environmental breaches of the PKCT EPL. In general, correspondence between PKCT and the EPA was positive and the pro-active steps taken by PKCT during these events was noted by EPA.</p> <p>ERM observed a daily pre-start meeting between site management which included a component focused on discussing potential environmental issues concerned with the day's activities.</p> <p>PKCT has received minimal community complaints during the audit period, with complaints recorded, tracked, investigated and closed out.</p>	C(Obs)	<p>Note: ERM recommends removing Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 from the Section 6.3 list of Acts and Regulations as there are no longer underground petroleum storage systems present at the site.</p> <p>Note: ERM recommends removing reference to EIP U3 as this program has been terminated.</p>

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
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Driver's Code of Conduct

No non-compliances have been identified.

Environmental Protection Licence 1625

L2.4	<p>Water and/or Land Concentration Limits</p> <p>Point 16</p> <table><tr><th>Pollutant</th><th>Unit of measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr><tr><td>Oil and grease</td><td>Visible</td><td>-</td><td>-</td><td>-</td><td>Not visible</td></tr><tr><td>Total suspended solids</td><td>Milligrams per litre</td><td>-</td><td>-</td><td>-</td><td>50</td></tr></table>	Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and grease	Visible	-	-	-	Not visible	Total suspended solids	Milligrams per litre	-	-	-	50	<p>All samples from the audit period were compliant with this condition with the exception of the following samples which exceeded the total suspended solids limit of 50 mg/L:</p> <ul style="list-style-type: none">15th March 2019 (84 mg/L);5th June 2019 (97 mg/L);30th August 2019 (96 mg/L); and17th January 2020 (62 mg/L). <p>The NSW EPA issued a formal warning in April 2019 due to the March TSS exceedance with no further formal action proposed.</p> <p>Following the June exceedance event, PKCT installed an additional coagulant dosing system, automated the existing system and further progressed capital projects to increase site capabilities to manage stormwater.</p> <p>The August exceedance was caused by a coding error that caused the polymer dosing system to under-dose when backup mode was initiated. The coding error was rectified, additional alarms and system checks implemented, water quality monitoring increased and a strategic review undertaken to prevent recurrence.</p> <p>Following the January exceedance, PKCT installed a new automated coagulant treatment plant at the Northern Pond to assist with clay removal following pond cleaning.</p> <p>Due to the TSS exceedances noted above, PKCT has breached this EPL requirement.</p> <p>Condition L2.5 provides for circumstances where the 50 mg/L limit can be exceeded during discharge. The circumstances are limited to a 5 day rainfall depth value of 90 mm over a consecutive 5 day period. For the four exceedance events noted from the audit period, rainfalls immediately preceding the exceedances were high intensity, short duration events, therefore condition L2.5 was not triggered.</p> <p>In the April 2019 formal warning letter, the EPA acknowledged that a high intensity, short duration rainfall contributed to the March exceedance and stated that there is merit in discussing the requirements of L2.5.</p>	NC	<p>Consider engaging with the EPA with a view to amending Condition L2.5 to include discharges resulting from high intensity, short duration rainfall events.</p>
Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																	
Oil and grease	Visible	-	-	-	Not visible																	
Total suspended solids	Milligrams per litre	-	-	-	50																	
O3.1	<p>The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.</p>	<p>PKCT utilises a water cart to wet down areas of the site which may potentially emit dust from the premises. Real-time weather monitoring is used to guide PKCT's planning</p>	C (Obs)	<p>The Air Quality Management Plan and Monitoring Program is currently version 3 (according to the version history table) dated 20th July 2020 while the document header</p>																		

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action																								
		<p>and site preparations to minimise dust emissions, such as applying additional water to coal stockpiles.</p> <p>A truck wash is present at the road receival exit and it is mandatory for all trucks to pass through the truck wash to minimise emissions of dust from road transport vehicles accessing PKCT.</p> <p>PKCT monitors residential dust at three locations, with 11 additional monitoring points throughout the site to assist with dust management practices. According to the AEMRs, there were no instances of exceedances of the criteria at any of the residential locations.</p> <p>The AEMRs for the audit period reported one month where the criteria were exceeded at one of the 11 industrial gauges, in March 2017. However, there was no associated exceedance reported at any of the residential gauges.</p>		states the version as 12.0 and the footer states the document authorisation date as 9 th October 2017. The document requires updating to correctly state the current version. (Duplicate observation – See CoA Sch 3 Cl 7)																								
M2.2	<p>Air monitoring requirements</p> <p>Point 1,2,3,4,5,6,7,8,9,12,15,17,18,19</p> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Particulates – deposited matter</td><td>Grams per square metre per month</td><td>Monthly</td><td>AM-19</td></tr></table> <p>Point 20,21</p> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>PM10</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr><tr><td>PM2.5</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr><tr><td>Total Solid Particle</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling method	Particulates – deposited matter	Grams per square metre per month	Monthly	AM-19	Pollutant	Units of measure	Frequency	Sampling method	PM10	Micrograms per cubic metre	Continuous	Continuously	PM2.5	Micrograms per cubic metre	Continuous	Continuously	Total Solid Particle	Micrograms per cubic metre	Continuous	Continuously	<p>The annual returns contained monthly results for Particulates – deposited matter - for all points listed in Condition M2.2 with the exception of P6, which did not have a result for November 2018 due to a broken sample bottle which had been blown over due to strong winds. The Contractor in charge of collecting PKCT dust gauges undertook a full review following this event and repaired any gauges likely to fail.</p> <p>ERM reviewed the real time continuous dust monitoring system and reviewed a spreadsheet containing continuous dust monitoring results from the locations identified in Condition M2.2.</p> <p>ERM did not observe the sampling of dust gauges and is unable to confirm the method complies with AM-19.</p>	NC	Historic NC. No further action.
Pollutant	Units of measure	Frequency	Sampling method																									
Particulates – deposited matter	Grams per square metre per month	Monthly	AM-19																									
Pollutant	Units of measure	Frequency	Sampling method																									
PM10	Micrograms per cubic metre	Continuous	Continuously																									
PM2.5	Micrograms per cubic metre	Continuous	Continuously																									
Total Solid Particle	Micrograms per cubic metre	Continuous	Continuously																									

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
R2.2	<p>The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.</p> <p>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.</p>	<p>ERM reviewed the following emails relating to notified incidents:</p> <ul style="list-style-type: none"> Notification of TSS exceedances during discharge on 30th August 2019, dated 6th September 2019; Notification of dust emanating from stockpiles on 2nd March 2020, dated 9th March 2020; Notification of Dirty Water Discharging from the Iron Chieftain from PKCT to Port Authority of NSW (forwarded to EPA on the same day) on 13th March 2018, dated 13th March 2018; Notification of dust emanating from stockpiles on 23rd November 2018, dated 30th November 2018; and Notification of TSS exceedances during discharge on 15th March 2019, dated 27th March 2019. ERM understands that PKCT notified the EPA of the exceedance on 27th March 2019 following receipt of laboratory analysis on 25th March 2019 confirming the exceedance. 	C(Obs)	PKCT should confirm laboratory turnaround times to ensure notification of exceedances are made as close to the incident date as possible.
R4.1	<p>The following must be submitted to the EPA with the Annual Return:</p> <p>A brief summary of the results for all Total Suspended Particulate (TSP) matter, Particulate Matter (PM10) and Particulate Matter (PM2.5) monitoring.</p> <p>Tabular presentation of all TSP, PM10 and PM2.5 levels for monitoring/discharge point 20 and 21. The average result for TSP and PM10 must be detailed within the table.</p> <p>Where the 24-hour concentration of TSP exceeds 90 µg/m3 at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:</p> <ul style="list-style-type: none"> weather data; a comparison of TSP levels at monitoring/discharge point 20 and 21; the proportion of TSP that is PM10, PM2.5 and PM1; the contribution of operating conditions; and other relevant factors. <p>Where the 24-hour concentration of PM10 exceeds 50 µg/m3 at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:</p> <ul style="list-style-type: none"> weather data; a comparison of PM10 levels at monitoring/discharge point 20 and 21; the proportion of PM10 that is PM2.5 and PM1; the contribution of operating conditions; and other relevant factors. <p>Ambient air quality information used to inform the licensee's Annual Environmental Monitoring Report for the financial year preceding 30 June in the reporting period and information used to inform the licensee's Interim Annual Environmental Monitoring Report for the six-month period from 1 July to 31 December in the reporting period may be used to satisfy Condition R4.1. Information collected from 1 January to 31 March in the reporting period may be submitted to the EPA with the next Annual Return.</p>	<p>ERM reviewed annual returns attachments and confirmed that:</p> <ul style="list-style-type: none"> A brief summary of the results for all TSP, PM10 and PM2.5 monitoring is presented in Section 2.0; Tabular presentation of all TSP, PM10 and PM2.5 levels for monitoring/discharge points 20 and 21 including the average result for TSP and PM10 is included in Attachment B in the 2017/2018 and 2018/2019 annual returns and Attachment C in the 2019/2020 annual return; PKCT has included excerpts from assessments for events where the 24-hour concentration of TSP exceeded 90 µg/m3 at point 21, however, this is only undertaken when analysis shows that PKCT is likely to have contributed more than 30% to the exceeding concentration of TSP, which is in accordance with the PKCT Dust Monitoring Program. According to the annual returns summary tables, exceedances of the 24-hour concentration of TSP at the point 21 occurred 17 times in 2017/2018 and 2018/2019 and 10 times in 2019/2020, however the annual returns attachments only included investigations for two events in 2017/2018, zero events in 2018/2019 and three events in 2019/2020. Therefore, there are instances where the reporting required by this condition has not been included in the annual returns and this condition has not been met; and PKCT has included excerpts from assessments for events where the 24-hour concentration of PM10 	NC	ERM recommends conducting assessments for all exceedances of TSP and PM10 thresholds at point 21 or engaging with the EPA to align this condition with the PKCT Dust Monitoring Program to require investigations only where PKCT is likely to have contributed more than 30% to the exceeding concentration.

Item No	Assessment Requirement	Comment	Audit Classification	Response/Action
		exceeded 50 µg/m ³ at point 21, however, this is only undertaken when analysis shows that PKCT is likely to have contributed more than 30% to the exceeding concentration of PM ₁₀ , which is in accordance with the PKCT Dust Monitoring Program. According to the annual returns summary tables, exceedances of the 24-hour concentration of PM10 at point 21 occurred 41 times in 2017/2018, 31 times in 2018/2019 and 23 times in 2019/2020, however the annual returns attachments only included investigations for one event in 2017/2018, zero events in 2018/2019 and seven events in 2019/2020. Therefore, there are instances where the reporting required by this condition has not been included in the annual returns and this condition has not been met.		
R4.2	<p>The following must be submitted to the EPA with the Annual Return:</p> <p>Details of any overflow from Point 22, Point 23, Point 24, Point 25 and/or Point 26 specified by Conditions P1.2 and P1.3. The following information must be provided for each overflow:</p> <ul style="list-style-type: none"> a tabular presentation of the concentration of each pollutant specified in Condition M2.3; date and time of the commencement of each overflow; an estimate of the volume of each stormwater overflow and over what time period the overflow occurred; the weather conditions at the time of each overflow, specifying the amount of rainfall on a daily basis that had fallen a) on the day(s) of the overflow and b) for each day of the 7 day period prior to the overflow; an explanation as to why the overflow occurred 	ERM reviewed annual returns attachments and confirmed that details of any overflow from Point 22, 23, 24, 25 or 26 included the items required by this condition.	C (Obs)	P1.3 includes Point 27, however Point 27 is not referenced in this condition. ERM recommends clarifying with EPA if details of overflows from Point 27 require submitting with the annual returns.
G1.1	A copy of this licence must be kept at the premises to which the licence applies.	ERM confirmed the presence of a copy of the EPL at the premises. The PKCT website also links to a copy of the EPL, however when ERM tested this, the link connected to the incorrect version of the EPL on the EPA website.	C (Obs)	ERM recommends updating the PKCT website to link to the correct version of the EPL.

4. CONCLUSION

An audit of CoA and Environmental Protection Licence conditions has been completed as well as a check against commitments made in the management plans developed as part of CoA conditions for the site.

Overall, compliance was generally achieved with the audit documents that were reviewed. The number of non-compliances with the statutory conditions and implementation of the management plans is summarised in *Table 4.1* below.

Table 4.1 Summary of Audit Findings

Review	Non-compliances (NC)	Observations (Obs NC)	Observations (Obs C)
Statutory Instruments	7	-	6 (1 duplicate)
Implementation of Plans	-	-	-

An action response table has been developed by PKCT addressing all audit findings and will be submitted separately to this report.

**APPENDIX A CONDITIONS OF APPROVAL, ENVIRONMENTAL
PROTECTION LICENCE AND DRIVER'S CODE OF
CONDUCT TABLES**

Document details	
Document title	Appendix A1 – Project Approval
Document subtitle	Compliance with Project Approval 08_0009
Project No.	0546906
Date	14 September 2020
Version	1.1
Author	Dean Kerr, Heather McKay
Client Name	Port Kembla Coal Terminal Ltd

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
SCHEDULE 2 – ADMINISTRATIVE CONDITIONS					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
1.	The Proponent shall implement all practicable measures to prevent and/or minimise any harm to the environment that may result from the operation of the project.				
Terms of Approval					
2.	The Proponent shall carry out the project generally in accordance with the: (a) EA; (b) Response to Submissions; (c) Statement of Commitments (see Appendix 2); and (d) Conditions of this approval.	<ul style="list-style-type: none"> Note 	Compliance with this condition is as reported in the following report.	Note	N/A
3.	If there is any inconsistency between the above documents, the most recent document shall prevail to the extent of the inconsistency. However, the conditions of this approval shall prevail to the extent of any inconsistency.	N/A	This condition has been applied to this audit.	Note	N/A
4.	The Proponent shall prepare revisions of any strategies, plans or programs required under this consent if directed to do so by the Director-General. Such revisions shall be prepared to the satisfaction of, and within a timeframe approved by, the Director-General.	<ul style="list-style-type: none"> Management interviews 	Site management confirmed that no requests for revisions of any strategies, plans or programs have been received from the Department during the audit period.	C	N/A
5.	The Proponent shall comply with any reasonable requirement/s of the Director-General arising from the Department's assessment of: (a) any reports, plans, programs, strategies or correspondence that are submitted in accordance with this approval; and (b) the implementation of any actions or measures contained in these reports, plans, programs, strategies or correspondence.	<ul style="list-style-type: none"> Management interviews 	Site management confirmed that no requests have been received from the Department.	C	N/A
Limits On Approval					
6.	The Proponent shall not receive more than 7.5 million tonnes of coal and bulk products at the site by public road in any calendar year without the written approval of the Director-General. In seeking this approval, the Proponent shall submit a report to the Director-General that: (a) reviews the transport related impacts associated with the trucks being used to deliver coal and bulk products to the terminal; (b) demonstrates that these impacts are generally consistent with the predicted and/or approved impacts; and (c) examines whether there any other reasonable and feasible measures that could be implemented to minimise these impacts. Once this approval has been obtained, the Proponent shall not receive more than 10 million tonnes of coal and bulk products at the site by public road in any calendar year.	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 Spreadsheet detailing monthly quantities of coal received by road and rail and ship-loading quantities, (PKCT tonnes and throughput.xls) Monthly supplier delivery dockets 	In keeping with previous audits, ERM reviewed quantities of coal received for the following periods: July 2016 – June 2017, July 2017 – June 2018 and July 2018 to June 2019. According to the AEMRs, the following quantities were received by public road during the financial years covered by the audit period: <ul style="list-style-type: none"> July 2016 – June 2017: 2.8 Mt; July 2017 – June 2018: 0.7 Mt; and July 2018 – June 2019: 2.3 Mt. ERM reviewed a management spreadsheet documenting the quantities of coal received by financial year and confirmed the amounts recorded in the tracking spreadsheet were congruent with the AEMR reports.	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			ERM reviewed example monthly supplier delivery dockets and confirmed that the amounts of coal delivered to the site were included on the dockets. For all years reviewed, the total quantity of coal and bulk products received at the site by road did not exceed 7.5 Mt, therefore the requirement to apply for written approval from the Director-General was not triggered.		
7.	The Proponent shall only receive coal dispatched from NRE No 1 Colliery at Russell Vale if that coal has been dispatched between the hours of: (a) 7 am to 10 pm Monday to Friday; and (b) 8 am to 6 pm Saturday and Sunday or Public Holidays unless in accordance with a project approval granted to that Colliery under Part 3A of the EP&A Act.	▪ N/A	Management reported that no coal was received from No 1 Colliery at Russell Vale during the audit period.	NT	N/A
8.	Subject to conditions 6 and 7 of this schedule, coal and bulk products may be received by the Proponent at the site by road delivery twenty four hours per day, seven days per week.	▪ N/A	Notwithstanding the events detailed against Approval Items 6 and 7, above, coal and bulk products have been received at the site by road delivery 24 hours per day, seven days per week.	C	N/A

Management Plans/Monitoring Programs

9.	With the approval of the Director-General, the Proponent may submit any management plan or monitoring program required by this approval on a progressive basis.	<ul style="list-style-type: none"> ▪ AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal ▪ PKCT website, accessed 25th August, 2020. 	<p>Previous IEAs have assessed the submission of the management plans and monitoring programs as compliant.</p> <p>PKCT Management Plans include:</p> <ul style="list-style-type: none"> ▪ Water Management Plan, version 12.0, last updated in June 2020; ▪ Fire Management Plan, version 8.0, last updated in August 2019; ▪ Noise Management Plan and Monitoring Program, version 12.0, last updated in August 2019; ▪ Greenhouse Gas and Energy Efficiency Management Plan, version 12.0, last updated in August 2019; ▪ Environmental Management Strategy, version 12.0, last updated in July 2020; ▪ Landscape Management Plan, version 17.0, last updated in July 2020; ▪ Air Quality Management Plan, version 13.0, last updated in July 2020; ▪ Implementation Program for Driver's Code of Conduct, version 10.0, December 2019; ▪ Green and Golden Bell Frog Management Plan, version 13.0, last updated in June 2020; and ▪ Waste Management Plan, version 7.0, last updated in June 2020. 	NC	Confirm the status of previously submitted management plans with DPIE.
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>A Document Control System logs changes to management plans and strategies and maintains the most up to date versions.</p> <p>Evidence was sighted that management plans are routinely reviewed, updated and submitted to DPIE for approval, however DPIE has not responded to the submitted management plans or provided approval for the updates. PKCT has been operating under the updated management plans despite the plans not receiving approval from DPIE.</p>		
Surrender of Consents					
10.	Within 12 months of the date of this approval, the Proponent shall surrender all existing development consents and existing use rights associated with operations at the site in accordance with clause 97 of the EP&A Regulation.	<ul style="list-style-type: none"> AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal 	This requirement was addressed as part of a previous audit and is considered to be closed.	NT	N/A
Structural Adequacy					
11.	<p>The Proponent shall ensure that all new buildings and structures, and any alterations or additions to existing buildings and structures, are constructed in accordance with the relevant requirements of the BCA.</p> <p>Notes:</p> <ul style="list-style-type: none"> Under Part 4A of the EP&A Act, the Proponent is required to obtain construction and occupation certificates for the proposed building works. Part 8 of the EP&A Regulation sets out the requirements for the certification of the project. 	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 Site management interviews Historical aerial imagery review 	<p>No new buildings, structures, alterations or additions to existing buildings were reported in the AEMRs for the audit period. The AEMRs reported that all building maintenance is conducted in accordance with the Building Code of Australia.</p> <p>Site management confirmed that no new buildings have been constructed in the audit period. No new buildings were observed during site inspection or as part of review of historical aerial photography from the audit period.</p> <p>Given no new buildings have been erected during the audit period, the requirements of this item are not applicable.</p>	NT	N/A
Demolition					
12.	The Proponent shall ensure that all demolition work is carried out in accordance with Australian Standard AS 2601-2001: The Demolition of Structures, or its latest version.	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 	<p>According to the AEMRs for the audit period, the following demolition works have taken place during the audit period:</p> <ul style="list-style-type: none"> 2016/2017: demolition and removal of Reclaimer 2. On 29th June 2017, planned structural pre-weakening and explosive linear cutting were used to fell the structure; 2017/2018: Removal of the demolished Reclaimer 2 structure and demolition of Stacker 4; and 2018/2019: Demolition of Stacker 1, Stacker 2 and Reclaimer 1. <p>No evidence was available to confirm that demolition works were undertaken in accordance with in accordance with Australian Standard AS 2601-2001:</p>	Not Assessed	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			The Demolition of Structures, or its latest version and ERM is not qualified to assess whether the requirements of the relevant Australian Standard has been met, therefore compliance with this condition has not been assessed.		
Operation Of Plant And Equipment					
13.	The Proponent shall ensure that all plant and equipment used on site is: (a) maintained in a proper and efficient condition; and (b) operated in a proper and efficient manner.	<ul style="list-style-type: none"> Spreadsheet summarising work orders (Environ_PMs_0420) Example operator competency records Example Work Orders 2017/2018, 2018/2019, 2019/2020 Annual Returns Training records 	<p>Maintenance</p> <p>ERM reviewed a spreadsheet summarising the work orders for maintenance of plant and equipment. The work orders included the tertiary treated effluent system, sewage system, potable water system, contaminated water system, northern truck wash infrastructure.</p> <p>ERM reviewed a selection of example work orders and confirmed that in general, routine maintenance was being undertaken on plant and equipment.</p> <p>Operation</p> <p>ERM reviewed example operator competency records for a shift electrician and day worker, with both workers assessed as being competent in the proper and efficient method of operating plant and equipment.</p> <p>ERM reviewed the operator manual for the Main Control Room and an example Assessment Record Sheet for the Main Control Room Operator, Nathan Ballinger, which includes an assessment of the knowledge and skills required to conduct Main Control Room operations. ERM also reviewed the skills matrix for PKCT employees which includes active monitoring of expiry dates for competencies and regular training requirements.</p> <p>ERM reviewed the Annual Returns for the audit period and confirmed that plant and equipment were generally maintained and operated in a proper and efficient manner. The following equipment failures were noted in Annual Returns for the audit period:</p> <ul style="list-style-type: none"> 30th August 2019: The lagoon polymer dosing system was under-dosing when in backup mode. Corrective actions included rectifying coding issues, adding additional alarms and system checks, additional water quality monitoring and completion of a Strategic Review; 4th February 2020: A broken depositional dust gauge was identified at location P11 – Entry Gate Bluescope. The stand was re-installed and the collection bottle was replaced; 	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<ul style="list-style-type: none"> November 2019 – February 2020: Ambient air monitoring site C1 – Southern Monitor experienced intermittent data loss due to extreme weather conditions. PKCT replaced the monitor three times, increased contractor servicing from monthly to fortnightly across January and February. Data collection improved in March 2020 after weather conditions eased; December 2018 – March 2019: Ambient air monitoring site C1 – Southern Monitor experienced intermittent data loss. Two new pumps and a temporary hire machine were installed to rectify the issue; November 2018: Depositional dust gauge site P6 – 40 m West Coal Berth Stockyard overturned and the sample bottle broke. The contractor who collects and analyses dust reviewed and repaired any gauges likely to fail; and 18th – 21st August 2017 – Northern ambient air monitoring site P2 went off-line due to an electrical connector failure. The service contractors replaced all similar electrical connectors in both dust monitors during the subsequent monthly service and annual checking for corrosion of electronic components was added to the equipment service routine. <p>The incidents of improper operation of equipment reported during the audit period were adequately rectified and mechanisms put in place to prevent recurrences where possible, therefore these events are not considered to represent non-compliance with this condition.</p>		
Dispute Resolution					
14.	In the event that the Proponent and the Council or a Government agency, other than the Department, cannot agree on the specification or requirements of this approval, the matter may be referred by either party to the Director-General for resolution, whose determination of the disagreement shall be final and binding on the parties.	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 	<p>The AEMRs did not record any disputes requiring determination by the Secretary during the audit period.</p> <p>Site management reported that no disputes with council or government agency occurred during the audit period, therefore this condition is not applicable.</p>	NT	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
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SCHEDULE 3 – ENVIRONMENTAL CONDITIONS – MINING AREA

NOISE

Impact Assessment Criteria

1.	<p>The Proponent shall ensure that the noise generated by the project at any privately-owned residence does not exceed the criteria specified in Table 1 for the location nearest to that residence.</p> <p>Table 1: Noise impact assessment criteria dB(A) L_{Aeq} (15 min)</p> <table><tr><th>Location</th><th>Time period</th><th>Noise Criteria L_{Aeq} (15 min) (dBA)</th></tr><tr><td rowspan="3">Cnr of Swan/Kembla Sts</td><td>Day</td><td>51</td></tr><tr><td>Evening</td><td>50</td></tr><tr><td>Night</td><td>49</td></tr><tr><td rowspan="3">Cnr of Swan/Corrimal Sts</td><td>Day</td><td>51</td></tr><tr><td>Evening</td><td>50</td></tr><tr><td>Night</td><td>49</td></tr><tr><td rowspan="3">Cnr of Keira/Fox Sts</td><td>Day</td><td>55</td></tr><tr><td>Evening</td><td>49</td></tr><tr><td>Night</td><td>45</td></tr></table> <p>Notes: a) To determine compliance with the LA_{eq} (15 minute) noise level limits in the above table, noise from the project is to be measured at the most affected point within the residential boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable. b) The noise emission limits identified in the above table apply under meteorological conditions of: o wind speeds of up to 3 m/s at 10 metres above ground level; or o temperature inversion conditions of up to 3°C/100m, plus a 2 m/s source-to-receiver component drainage flow wind at 10 metres above ground level for those receivers where applicable in accordance with the NSW Industrial Noise Policy.</p> <p>However, if the Proponent has a written negotiated noise agreement with any landowner of the land listed in Table 1, and a copy of this agreement has been forwarded to the Department and DECC, then the Proponent may exceed the noise limits in Table 1 in accordance with the negotiated noise agreement.</p>	Location	Time period	Noise Criteria L_{Aeq} (15 min) (dBA)	Cnr of Swan/Kembla Sts	Day	51	Evening	50	Night	49	Cnr of Swan/Corrimal Sts	Day	51	Evening	50	Night	49	Cnr of Keira/Fox Sts	Day	55	Evening	49	Night	45	<ul style="list-style-type: none">Email communication between PKCT Environmental Specialist and NSW EPA: PKCT EPL Noise Monitoring RequirementsLetter from NSW Department of Planning & Environment to PKCT: Port Kembla Coal Terminal Project Approval 08-0009 – amendments to monitoring, surveying and reportingExtract from complaints register	<p>According to the letter from the NSW Department of Planning & Environment, dated 16th March 2017, noise monitoring is no longer required to be undertaken by PKCT given that noise levels were below the criteria in all noise surveys conducted since 2009.</p> <p>According to an email received from NSW EPA by PKCT on 15th August 2017, the cessation of noise monitoring was acknowledged by the EPA and no formal change to the EPL was considered necessary.</p> <p>While the noise limits are still applicable to the site, the requirement to monitor is no longer applicable. Given operations have not changed significantly at the site since the previous audit and no noise complaints have been reported during the audit period, ERM has deemed that PKCT is compliant with the requirements of this condition.</p>	C	N/A
Location	Time period	Noise Criteria L_{Aeq} (15 min) (dBA)																											
Cnr of Swan/Kembla Sts	Day	51																											
	Evening	50																											
	Night	49																											
Cnr of Swan/Corrimal Sts	Day	51																											
	Evening	50																											
	Night	49																											
Cnr of Keira/Fox Sts	Day	55																											
	Evening	49																											
	Night	45																											

Noise Monitoring Program

2.	<p>The Proponent shall prepare and implement a Noise Monitoring Program for the project to the satisfaction of the Director-General. This program must:</p> <p>(a) be developed in consultation with DECC;</p>	<ul style="list-style-type: none"> Noise Management Plan (version 13) Letter from NSW Department of Planning & Environment to PKCT: Port Kembla Coal Terminal Project 	<p>According to previous audits, the Noise Management Plan (NMP) was approved by the Secretary (formerly the Director-General) on 5th April 2012 and the requirements of the plan were met, including consultation requirements. The previous audit</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(b) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General; and</p> <p>(c) include a:</p> <ul style="list-style-type: none"> • combination of attended and unattended noise monitoring measures; • noise monitoring protocol for evaluating compliance with the noise impact assessment criteria in this approval; and • reasonable and feasible best practice noise mitigation measures to ensure project specific noise criteria are met. 	<p>Approval 08-0009 – amendments to monitoring, surveying and reporting</p> <ul style="list-style-type: none"> ▪ AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal ▪ Extract from complaints register 	<p>recommended that the NMP be updated to indicate that routine noise monitoring is no longer required as per the letter from NSW Department of Planning & Environment, dated 16th March 2017.</p> <p>ERM reviewed Version 13 of the NMP which included the updates recommended as part of the previous audit.</p> <p>According to the complaints register and interviews with site management, no community complaints related to noise during the audit period were reported.</p>		
Continuous Improvement					
3.	<p>The Proponent shall:</p> <p>(a) continue to implement all reasonable and feasible best practice noise mitigation measures; (b) continue to investigate ways to reduce the noise generated by the project, including maximum noise levels which may result in sleep disturbance; and</p> <p>(b) report on these investigations and the implementation and effectiveness of these measures in the AEMR to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> ▪ Noise Management Plan (version 9.1) ▪ AEMRs for 2016/2017, 2017/2018 and 2018/2019 ▪ Port Kembla Coal Terminal Restoration & Compliance Project, Performance and Design Requirements for Design, Supply and Construction of Stackers 	<p>According to the AEMRs, major capital works including the replacement of the Stackers and Reclaimers was undertaken with consideration of best practice noise mitigation options during the design and purchase of new equipment.</p> <p>The planning documents governing the major capital works included requirements related to noise, including limiting noise levels in accordance with all relevant standards and regulations, such as:</p> <ul style="list-style-type: none"> ▪ AS 1269 Occupational Noise Management; and ▪ New South Wales Work Health and Safety Regulation 2011 – Part 4.1 – Noise. <p>In 2017, PKCT committed to investigating the hanging metal tubes in the northern truck-wash to assess whether noise levels may be problematic and adding checks for operating vehicles to the internal audit worksheet to minimise noise. The outcome of this investigation and confirmation of the changes to the audit worksheet were not included in subsequent AEMRs.</p> <p>Site management reported that the hanging metal tubes were not investigated during the audit period due to alternative monitoring systems being considered which would include removal of the hanging metal tubes. An alternative monitoring mechanism was not in place at the time of the audit.</p>	NC	PKCT to report on the outcome of the hanging metal tubes investigation and internal worksheet updates in the AEMRs.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
TRANSPORT					
Monitoring of Coal Transport					
4.	The Proponent shall keep records of the amount of coal and bulk products received at the site each year, and include these records in the AEMR.	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 Spreadsheet detailing monthly quantities of coal received by road and rail and shiploading quantities, (PKCT tonnes and throughput.xls) Sample monthly supplier delivery dockets 	<p>According to the AEMRs, the following quantities were received by road and rail during the financial years covered by the audit period:</p> <ul style="list-style-type: none"> July 2016 – June 2017: 8.1 Mt; July 2017 – June 2018: 4.6 Mt; and July 2018 – June 2019: 7.4 Mt. <p>ERM reviewed a management spreadsheet documenting the quantities of coal received by financial year and confirmed the amounts recorded in the tracking spreadsheet were congruent with the AEMR reports.</p> <p>ERM reviewed example monthly supplier delivery dockets and confirmed that the amounts of coal delivered to the site were included on the dockets.</p>	C	N/A
Traffic Management					
5.	The Proponent shall ensure that vehicles waiting to deliver coal or bulk products to the site do not queue or park on public roads other than Port Kembla Road.	<ul style="list-style-type: none"> PKCT, Implementation Program for Driver's Code of Conduct, Version 6.0, 6th December 2016 Example PKCT, Truck Drivers Code of Conduct, Observation Sheets 	<p>ERM reviewed the Driver's Code of Conduct (DCC), which states that queuing is not permitted on Springhill Road.</p> <p>ERM reviewed four example truck drivers observation sheets which assess whether queuing on Springhill Road has occurred. No examples of queuing were reported in any of the observation sheets.</p> <p>The DCC and the truck driver observation sheets prohibit queuing on Springhill Road but do not prohibit or check for parking or queuing on all public roads. The DCC is therefore not fully compliant with the requirements of this approval. However, given that Springhill Road is the most likely road where queuing or parking could potentially occur and there are no examples of queuing or parking on other roads, this omission of other public roads is considered to be a minor non-compliance.</p>	C	N/A
Driver's Code of Conduct					
6.	<p>The Proponent shall, in consultation with affected mines and principal haulage operators, develop a program to implement the Driver's Code of Conduct (see Appendix 3) to the satisfaction of the Director-General. This program must:</p> <p>(a) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General;</p>	<ul style="list-style-type: none"> PKCT, Implementation Program for Driver's Code of Conduct, Version 6.0, 6th December 2016 AEMRs for 2016/2017, 2017/2018 and 2018/2019 	<p>(a) Previous IEAs assessed that the Driver's Code of Conduct (DCC) had been prepared and submitted in accordance with the approval and this has not been assessed as part of this IEA.</p> <p>(b) ERM reviewed the drivers induction program which included speed limits, compression braking,</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<p>(b) include a driver induction program to cover (but not be limited to) speed limits, compression braking, truck washing, load covering and queuing on local roads; and</p> <p>(c) include measures to ensure the Driver's Code of Conduct is enforced.</p>	<ul style="list-style-type: none"> ▪ Example PKCT, Truck Drivers Code of Conduct, Observation Sheets ▪ Training matrices for South32, Linfox and BulkTrans drivers ▪ Road Users Group meetings presentations ▪ Driver observations and audits ▪ Monthly compliance reports and complaints records ▪ Driver Induction Program 	<p>truck washing, load covering and queuing on local roads.</p> <p>(c) Routine audits of truck drivers are undertaken which include checking speed limits, compression braking, truck washing, load covering and queuing on local roads. ERM reviewed four example audits and no non-compliances were identified. Annual audits of trucking providers also includes checks to confirm the DCC is provided to drivers, drivers are familiar with the DCC and the DCC is up to date. According to the minutes of the road transport providers regularly meetings with PKCT, the enforcement of the DCC is regularly discussed with transport providers.</p> <p>The 2019 AEMR reported that in addition to routine task observations and audits, focussing on compliance against the Driver's Code of Conduct and PKCT's approval conditions, the following activities had been undertaken during the reporting period:</p> <ul style="list-style-type: none"> ▪ Upgrades to the Road Receival System including additional cameras to monitor truck movements in the road receival area. Upgraded washing process checks are also in place, including additional truck wash-down bays and waterproof television screens to allow drivers to monitor their cleaning progress. ▪ Improvements to the driver induction system to provide a 'one on one' Driver's Code of Conduct induction with every truck driver in addition to the existing Induction package. ▪ The new cameras at the truck wash are able to monitor truck speeds and truck washing which provides automated monitoring of every truck for some items. 		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations																							
AIR QUALITY																												
Impact Assessment Criteria																												
7.	<p>The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the criteria listed in Tables 3 to 5 at any residence.</p> <p><i>Table 3: Long term impact assessment criteria for particulate matter</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^d Criterion</th></tr><tr><td>Total suspended particulate (TSP) matter</td><td>Annual</td><td>^a 90 µg/m3</td></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>Annual</td><td>^a 30 µg/m3</td></tr></table> <p><i>Table 4: Short term impact assessment criteria for particulate matter</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>^d Criterion</th></tr><tr><td>Particulate matter < 10 µm (PM10)</td><td>24 hour</td><td>^a 50 µg/m3</td></tr></table> <p><i>Table 5: Long term impact assessment criteria for deposited dust</i></p> <table><tr><th>Pollutant</th><th>Averaging period</th><th>Maximum increase in deposited dust level</th><th>Maximum total deposited dust level</th></tr><tr><td>Deposited dust</td><td>Annual</td><td>^b 2g/m²/month</td><td>^a 4g/m²/month</td></tr></table> <p><i>Note: Deposited dust is assessed as insoluble solids as defined by Standards Australia, 1991, AS 3580.10.1-1991: Methods for Sampling and Analysis of Ambient Air - Determination of Particulates - Deposited Matter - Gravimetric Method.</i></p> <p>However, if the Proponent has a written negotiated air quality agreement with any landowner to exceed the air quality limits in Table 3, 4 and/or 5, and a copy of this agreement has been forwarded to the Department and DECC, then the Proponent may exceed the air limits in Table 3, 4 and/or 5 in accordance with the negotiated air quality agreement.</p>	Pollutant	Averaging period	^d Criterion	Total suspended particulate (TSP) matter	Annual	^a 90 µg/m3	Particulate matter < 10 µm (PM10)	Annual	^a 30 µg/m3	Pollutant	Averaging period	^d Criterion	Particulate matter < 10 µm (PM10)	24 hour	^a 50 µg/m3	Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level	Deposited dust	Annual	^b 2g/m ² /month	^a 4g/m ² /month	<ul style="list-style-type: none">PKCT, Air Quality Management Plan and Monitoring Program, Version 13.0, 20th July 2020AEMRs for 2016/2017, 2017/2018 and 2018/2019Observations of real time sampling and monitoring of dust and alert system	<p>PKCT monitors residential dust at three locations, with 11 additional monitoring points throughout the site to assist with dust management practices. According to the AEMRs, there were no instances of exceedances of the criteria at any of the residential locations.</p> <p>The AEMRs for the audit period reported one month where the criteria were exceeded at one of the 11 industrial gauges, in March 2017. However, there was no associated exceedance reported at any of the residential gauges.</p> <p>Exceedances of the short term criteria were reported on 115 occasions during the audit period (43 in 2016/2017, 44 in 2017/2018 and 28 in 2018/2019). Of these exceedances, PKCT was assessed as having made either no, minimal or minor contributions to the results (i.e. <30%) for 107 events. Of the remaining 8 events, PKCT was assessed as having contributed a moderate amount (30% to 70%) on four occasions and the remaining four were unable to be assessed. PKCT not assessed as being a major contributor (70% - 100%) to the results for any exceedance event. On average, PKCT was estimated to have contributed between 2% and 10% on days where exceedances were reported.</p> <p>Given that the only reported exceedances occurred on days where PKCT contributed only a minor proportion of the dust measured, ERM considers PKCT to be compliant with this condition.</p>	C (Obs)	The Air Quality Management Plan and Monitoring Program is currently version 3 (according to the version history table) dated 20 th July 2020 while the document header states the version as 12.0 and the footer states the document authorisation date as 9 th October 2017. The document requires updating to correctly state the current version.
Pollutant	Averaging period	^d Criterion																										
Total suspended particulate (TSP) matter	Annual	^a 90 µg/m3																										
Particulate matter < 10 µm (PM10)	Annual	^a 30 µg/m3																										
Pollutant	Averaging period	^d Criterion																										
Particulate matter < 10 µm (PM10)	24 hour	^a 50 µg/m3																										
Pollutant	Averaging period	Maximum increase in deposited dust level	Maximum total deposited dust level																									
Deposited dust	Annual	^b 2g/m ² /month	^a 4g/m ² /month																									
Operations																												
8.	<p>The Proponent shall:</p> <p>(a) ensure any visible air pollution generated by the project is both minimised and recorded, and that operations are modified as required to minimise any resultant air quality impacts on nearby residences;</p> <p>(b) ensure that the real-time air quality monitoring and meteorological monitoring data is assessed regularly; and</p>	<ul style="list-style-type: none">PKCT, Air Quality Management Plan and Monitoring Program, Version 13.0, 20th July 2020AEMRs for 2016/2017, 2017/2018 and 2018/2019	<p>(a) PKCT report dust minimisation improvements in the AEMRs. During the audit period, improvements included installing a belt scraper to minimise coal spillage, sealing an access road, modifying spray gun network, developing additional plans, sealing a portion of the bulk products storage area, installing new stackers with advanced dust control systems,</p>	C	N/A																							

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	(c) where dust is generated by the project, that operations are modified and/or stopped as required to ensure compliance with the relevant air quality criteria to the satisfaction of the Director-General.	<ul style="list-style-type: none"> Observations of real-time dust monitoring in the main control room Observations of the Event Management System (EMS) EMS Reports EV-02482 and EV-03504 Critical Task Observation CTO-02076 (site inspection for dust during hot weather) Example Task Observation Sheets – Berth Areas & Ship – Dust, Dirty Water Discharge and Spillage Control 	<p>return scraper upgrades, windshields audit, Ship-loader 2 launder and washdown improvements and additional hardstand re-sealing.</p> <p>(b) PKCT provides 24/7 site operational control via the Main Control Room (MCR). ERM observed the real-time monitoring system for air quality during the site inspection. If dust is observed, action is taken through the operation of sprays or other available controls. ERM reviewed example EMS reports from 25th September 2017 and 2nd March 2020 which included observations of dust being generated from stockpiles and controls being implemented to mitigate dust generation, including manual spray activation and increased dust suppression.</p> <p>(c) Dust events observed which emanate beyond the immediate source with a potential to have off site impacts are entered into PKCT's Event Management System, requiring investigation and corrective action. ERM reviewed an EMS report from 2nd March 2020 which identified dust emanating beyond the immediate source with the potential for off-site impacts. Spray cycles were manually increased and set to maximum to mitigate dust generation and the EPA was informed of the event.</p> <p>PKCT also has an auditing process in place which includes site observations of dust, dust associated with truck movements and the assessment of associated controls. ERM reviewed example task observations which included regular assessment of dust generating capacity of different site areas.</p> <p>Given the systems in place to monitor and manage air pollution, PKCT is considered to be compliant with the requirements of this condition.</p>		
9.	<p>During carrying out of the project, the Proponent shall ensure that:</p> <p>(a) all loaded trucks entering or leaving the site have their loads covered; and</p> <p>(b) trucks associated with the project pass through a truck wash before entering the public road network to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> PKCT, Driver's Code of Conduct, Version 6.0, 6th December 2016 AEMRs for 2016/2017, 2017/2018 and 2018/2019 Example driver observations and audits by PKCT and trucking companies Complaints register 	<p>The Driver's Code of Conduct includes requirements to have loads covered and pass through the truck wash prior to entering public roads.</p> <p>ERM reviewed the induction program and confirmed that covering trucks and truck wash practices are included in the induction material.</p> <p>Routine task observations and audits were completed throughout the audit period, focussing on compliance against the Driver's Code of Conduct and PKCT's approval conditions. ERM reviewed a sample of driver audits and observed that load covering and truck wash</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>practices are included in the audits. No examples of breaches were reported.</p> <p>Annual audits of the trucking providers by PKCT includes specific assessment on the induction requirements including load covering and truck wash practices.</p> <p>The AEMRs report EPL and regulatory breaches related to trucking based on Road Transport Provider observations, Trucksafe/NHVAS and other audits. There were no EPL or regulatory breaches reported during the audit period.</p> <p>The 2019 AEMR stated that the following activities had been undertaken during the reporting period:</p> <ul style="list-style-type: none"> Upgrades to the Road Receival System including additional cameras to monitor truck movements in the road receival area. Upgraded washing process checks are also in place, including additional truck wash-down bays and waterproof television screens to allow drivers to monitor their cleaning progress. Improvements to the driver induction system to provide a 'one on one' Driver's Code of Conduct induction with every truck driver in addition to the existing Induction package. <p>Site management confirmed that there were no incidents during the audit period.</p>		

Air Quality Monitoring Program

10.	<p>The Proponent shall prepare and implement an Air Quality Monitoring Program for the project to the satisfaction of the Director-General. This program must:</p> <p>(a) be developed in consultation with DECC;</p> <p>(b) be submitted to the Director-General for approval within 6 months from the date of this approval, or as otherwise agreed by the Director-General; and</p> <p>(c) include:</p> <ul style="list-style-type: none"> real-time sampling to monitor the dust emissions of the project; an air quality monitoring protocol for evaluating compliance with the air quality impact assessment criteria in this approval; and reasonable and feasible best practice emissions mitigation measures to ensure project specific assessment criteria are met. 	<ul style="list-style-type: none"> PKCT, Air Quality Management Plan and Monitoring Program, Version 13.0, 20th July 2020 AEMRs for 2016/2017, 2017/2018 and 2018/2019 Observations of real time sampling and monitoring of dust and alert system 	<p>PKCT operates under an Air Quality Management Plan and Monitoring Program (AQMPMP), Version 11.0, which was last updated on 26th April 2017. Previous IEAs assessed that the consultation and submission requirements had been met and given this occurred outside of this audit period, are not considered applicable to this audit.</p> <p>The AQMPMP includes requirements for continuous dust monitoring, real-time sampling and alarm system and evaluation against the relevant screening criteria. Management strategies to ensure compliance with the approval criteria included in Section 5. ERM observed that continuous monitoring of dust occurs and that a real-time alarm system is in place to alert staff to potential dust issues in real-time.</p> <p>The AEMRs for the audit period reported one month where the criteria were exceeded, in March 2017, however further analysis indicated that PKCT was not a primary contributor to the elevated reading. There were</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			no exceedances of the dust criteria during the audit period. As discussed against Approval Item 7, the only reported air quality exceedances occurred on days where PKCT contributed only a minor proportion of the dust measured and ERM considers PKCT to be implementing the AQMPMP appropriately.		
METEOROLOGICAL MONITORING					
10.	During the life of the project, the Proponent shall ensure that there is a suitable meteorological station on or in the vicinity of the site that generally complies with the requirements in the Approved Methods for Sampling of Air Pollutants in New South Wales guideline.	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 Site observations of active monitoring station and up to date monitoring records TBRG Calibration and Condition Report, Dated 1st May 2019 	<p>PKCT operates an on-site weather monitoring station. PKCT reports the weather monitoring results in the AEMRs, measuring wind speed and direction, rainfall, air pressure, temperature and humidity. PKCT reports the results of the monitoring against historical monitoring results in the AEMRs.</p> <p>ERM observed the active weather monitoring station and the up to date weather monitoring data in the Main Control Room as part of the site inspection, as well as a calibration record for the rain gauge from 2019 which identified the station to be operating within acceptable tolerances.</p>	C	N/A
SURFACE WATER					
Discharge Limits					
12.	Except as may be expressly provided in an EPL for the project, the Proponent shall comply with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> .		PKCT has been operating generally in compliance with Section 120 of the <i>Protection of the Environment Operations Act 1997</i> with the exception of events identified within this audit, including reported water quality exceedances during discharge events. ERM has therefore assessed PKCT as non-compliant with this condition. Specific instances of non-compliance are addressed on the EPL Compliance Table.	NC	Refer to Appendix A2 – EPL Compliance Table
Water Management Plan					
13.	<p>The Proponent shall prepare and implement a Water Management Plan to the satisfaction of the Director General.</p> <p>This Plan must:</p> <p>(a) be prepared in consultation with DECC;</p> <p>(b) be submitted to the Director-General for approval within 12 months of this approval or as otherwise agreed by the Director-General; and</p> <p>(c) include:</p> <ul style="list-style-type: none"> a site water balance, which includes details of sources of water supply, on-site water use and management and off-site water discharges and investigates and describes measures to minimise water use by the project; 	<ul style="list-style-type: none"> AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal Water Management Plan, Version 12, 1st June 2020 AEMRs for 2016/2017, 2017/2018 and 2018/2019 Annual Returns for 2016/2017, 2017/2018, 2018/2019 Surface water monitoring results 'Surface Water Sampling Data for LDP16.xls' 	The most recent update to the Water Management Plan (WMP), version 12, was prepared in June 2020. The WMP was submitted to the Secretary (formerly Director-General), however approval from the Secretary has not been received from PKCT, despite follow up correspondence from PKCT. Operating under management plans which are not approved by the Department has been identified as a non-compliance as part of Schedule 2, Condition 9 and therefore has not been raised as a non-compliance against this condition.	C	Note: The Water Management Plan version history table states the current version is 12 with a date of 1 st June 2020 while the document header states the version as 13.0. The document requires updating to state the current version.

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
	<ul style="list-style-type: none"> a sediment control plan for surface works on the site that is consistent with the requirements of the Managing Urban Stormwater: Soils and Construction Manual (Landcom 2004, or its latest version); a surface water monitoring program that includes: <ul style="list-style-type: none"> stormwater effluent discharge criteria; a monitoring protocol for evaluating compliance with the stormwater effluent discharge criteria; and reasonable and feasible mitigation measures to ensure the stormwater effluent discharge criteria are met. 		<p>The WMP includes a site water balance as Attachment A. The water balance calibration was conducted for the period 1st April 2009 to 10th February 2010. A review of the water balance was recommended as part of the previous IEA. Attachment A of the WMP includes an updated water balance model with a calibration review utilising data from 1st July 2016 to 30th June 2017. The review confirmed that the model was achieving similar statistical output to the recorded overflows.</p> <p>The WMP includes planning requirements to manage sediment during any construction activities at the site and references the Wollongong Development Control Plan 2009, which references the publication titled 'Managing Urban Stormwater: Soils and Construction' (Landcom 2004 or latest edition).</p> <p>The WMP describes the effluent discharge criteria, includes requirements to measure stormwater effluent during periods of discharge and outlines mitigation measures to ensure compliance with discharge criteria including system monitoring and automated alerts to site staff.</p>		

BIODIVERSITY

Green and Golden Bell Frog Management Plan

14.	<p>The Proponent shall prepare and implement a Green and Golden Bell Frog Management Plan for the project to the satisfaction of the Director-General. This program must:</p> <p>(a) be developed in consultation with DECC; and</p> <p>(b) be submitted to the Director-General for approval within 12 months from the date of this approval, or as otherwise agreed by the Director-General.</p>	<ul style="list-style-type: none"> AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal Green and Golden Bell Frog Management Plan, version 13. 30th June 2020 AEMRs for 2016/2017, 2017/2018 and 2018/2019 Green and Golden Bell Frog Survey Reports GGBF inductions slide and employee questions site communications relating to GGBF, including 18th October 2017 email instructing re-installation of the frog proof shade-cloth following repairs to a fence 	<p>The Green and Golden Bell Frog Management Plan (GGBFMP) was updated to Version 13 in June 2020. The GGBFMP was submitted to the Secretary (formerly Director-General), however approval from the Secretary has not been received from PKCT, despite follow up correspondence from PKCT. Operating under management plans which are not approved by the Department has been identified as a non-compliance as part of Schedule 2, Condition 9 and therefore has not been raised as a non-compliance against this condition.</p> <p>According to the AEMRs, surveys were conducted by specialist consultants in accordance with the GGBFMP on the following dates:</p> <ul style="list-style-type: none"> 28th February 2017; 28th February 2018; and 7th February 2019. <p>The surveys did not identify any Green and Golden Bell Frogs on site.</p> <p>The 2019 AEMR reported that toolbox talks were undertaken to refresh site personnel on identification and procedure if Green and Golden Bell Frogs are present on site.</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			ERM reviewed the GGBF Survey Reports for 2018, 2019 and 2020. No GGBF were observed as part of any of the survey exercises. ERM also observed the induction material which contains information concerning the GGBF and quiz questions following the completion of the induction program.		
Lighting Emissions					
15.	<p>The Proponent shall:</p> <p>(a) ensure no external lights shine above the horizontal;</p> <p>(b) ensure that all external lighting associated with the project complies with <i>Australian Standard AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting</i>, or its latest version, and</p> <p>(c) take all reasonable and feasible measures to mitigate off-site lighting impacts from the project to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal AEMRs for 2016/2017, 2017/2018 and 2018/2019 Community Complaints Register Port Kembla Coal Terminal External Lighting Audit, AS/NZS 4282 Control of the Obtrusive Effects of Outdoor Lighting, 16th March 2020 	<p>Previous IEAs have reported that an external consultant reviewed site lighting in 2011 and reported that PKCT was compliant with AS 4282. The 2018 - 2019 AEMR reported that a major restoration project had been completed including ensuring all new lighting complies with AS 4282 and using LED lighting and ensure lighting emissions are either local to access and stairway areas or elevated and directed towards the ground or stockpiles.</p> <p>ERM reviewed an audit report titled Port Kembla Coal Terminal External Lighting Audit, AS/NZS 4282 Control of the Obtrusive Effects of Outdoor Lighting dated 16th March 2020. The audit concluded any report detailing that lighting is in accordance with <i>AS4282 (INT) 1995 – Control of Obtrusive Effects of Outdoor Lighting</i> with the exception of the Bulk Products Area, which should be upgraded as part of the next scheduled maintenance for those lights.</p> <p>ERM reviewed the community complaints register which confirmed that there were no complaints related to lighting during the audit period.</p>	NC	Upgrade the lighting in the Bulk Products Area to Type C or D as recommended by the 2020 External Lighting Audit.
Landscape Management Plan					
16.	<p>The Proponent shall prepare and implement a Landscape Management Plan to the satisfaction of the Director-General. This Plan must:</p> <p>(a) be submitted to the Director-General for approval within 12 months of this approval, or as otherwise agreed by the Director-General; and</p> <p>(b) include;</p> <ul style="list-style-type: none"> details of screening trees to be planted on the road receipt earth bund and along the northern site boundary; and an implementation program. 	<ul style="list-style-type: none"> PKCT, Landscape Management Plan, Version 17.0, 20th July 2020 AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal Weed spraying notification forms Monthly Performance Summary Report, June 2020, CBC Facilities Maintenance AEMRs for 2016/2017, 2017/2018 and 2018/2019 Site observations 	<p>The preparation of the Landscape Management Plan (LMP), including the timing of the submission and the satisfaction of the Secretary (formerly Director-General) was assessed as part of previous audits. The LMP includes details of the screening trees planting program and an implementation program.</p> <p>The 2018 – 2019 AEMR reported the following major landscaping upgrades:</p> <ul style="list-style-type: none"> During January and February 2019 a visual screen was planted for residents to the west of the terminal. ERM confirmed the establishment of the screen as part of the site inspection. PKCT administration building upgrade included new landscaped garden, completed in June 2019. 	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			ERM confirmed the establishment of the garden as part of the site inspection.		
GREENHOUSE & ENERGY EFFICIENCY					
Operating Conditions					
17.	The Proponent shall implement all reasonable and feasible measures to minimise: (a) energy use on site; and (b) greenhouse gas emissions from the project to the satisfaction of the Director-General.	<ul style="list-style-type: none"> PKCT, Greenhouse Gas and Energy Efficiency Management Plan, Version 12.0, 21st August 2019 AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal AEMRs for 2016/2017, 2017/2018 and 2018/2019 	<p>The Greenhouse Gas and Energy Efficiency Management Plan (GGEEMP) identifies processes to identify and implement reasonable and feasible measures to minimise energy (electricity) use and greenhouse gas (GHG) emissions.</p> <p>The 2016 – 2017 and 2017 – 2018 AEMRs stated that a major restoration program was underway to replace yard machines with LED lighting to focus light only where needed and reduce energy use. The 2019 AEMR reported this program as complete. Additionally, variable speed drives and power factor correction was applied to reduce energy losses in the distribution system.</p>	C	N/A
Greenhouse and Energy Efficiency Plan					
18.	<p>Within 12 months of this approval or as otherwise agreed by the Director-General, the Proponent shall prepare and implement a Greenhouse and Energy Efficiency Plan for the project. This plan must:</p> <p>(a) be prepared generally in accordance with the Guidelines for Energy Savings Action Plans (DEUS 2005, or its latest version);</p> <p>(b) be submitted to the Director-General for approval;</p> <p>(c) include a program to estimate/monitor greenhouse gas emissions and energy use generated by the project;</p> <p>(d) include a framework for investigating and implementing measures to reduce greenhouse gas emissions and energy use at the project;</p> <p>(e) describe how the performance of these measures would be monitored over time; and</p> <p>(f) report on the project's greenhouse gas emissions and minimisation measures in the AEMR to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> PKCT, Greenhouse Gas and Energy Efficiency Management Plan, Version 12.0, 21st August 2019 AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal AEMRs for 2016/2017, 2017/2018 and 2018/2019 	<p>The previous IEA recommended revising the GGEEMP to reflect that the Energy Savings Action Plan Program had ended and identify a new framework for identifying and implementing measures to reduce greenhouse gas emissions and energy use. PKCT has updated the GGEMP to reflect that the Energy Savings Action Plan Program has ended and elected to continue to monitor energy savings initiatives identified through the plan despite reporting under the plan no longer being required.</p> <p>The previous IEA recommended including the current National Greenhouse and Energy Reporting (NGER) thresholds and undertaking an annual review against the thresholds. In accordance with this recommendation, the NGER reporting thresholds and the emissions for the previous financial year are presented in Appendix A of the GGEMP.</p> <p>The previous IEA recommended updating the GGEEMP to outline the process for calculating greenhouse gas emissions to ensure the latest emissions factors are used. The GGEEMP includes the process for calculating emissions, including emissions factors and energy content in Table 9 of the GGEEMP.</p> <p>Site management reported that energy efficiency was considered as part of the plant and equipment</p>	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>upgrades that have taken place throughout the audit period, however, there are limited opportunities for increasing energy efficiency according to the Energy Savings Action Plan prepared by Energetix.</p> <p>The GGEEMP includes a program for monitoring emissions and energy use generated by the project in Section 7.0 and a framework for investigating and implementing measures to reduce greenhouse gas emissions and energy use in Section 6.0.</p> <p>Greenhouse gas emissions and minimisation measures are reported in the annual AEMRs,</p>		

WASTE

Operating Conditions

19.	<p>The Proponent shall:</p> <p>(a) monitor the amount of waste generated by the project;</p> <p>(b) investigate ways to minimise waste generated by the project;</p> <p>(c) implement reasonable and feasible measures to minimise waste generated by the project; and</p> <p>(d) report on waste management and minimisation in the AEMR to the satisfaction of the Director-General.</p>	<ul style="list-style-type: none"> PKCT, Waste Management Plan, Version 7.0, 30th June 2020 Example monthly waste provider reports Example waste transport certificate Waste tracking spreadsheet AEMRs for 2016/2017, 2017/2018 and 2018/2019 	<p>PKCT generates multiple waste types, including general waste, recyclables (cardboard), oily rags, waste oil, pressure packs, batteries and scrap metal. All waste services are provided by Veolia except for scrap metal which is removed by a separate contractor. ERM observed waste on-site to be segregated into waste streams.</p> <p>Waste is monitored and tracked in a central database that was sighted by the auditor during the site visit. Information pertaining to waste generation, investigations and minimisation programs is presented in Section 5.9 of the AEMRs.</p> <p>Upgrades to the waste management process during the audit period include ensuring the waste contractor supplies the waste destination with the monthly supplier reports and detailed descriptions of the processes used on-site to treat, store, process, re-process, transport and dispose of different waste streams generated at PKCT.</p>	C	N/A
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HAZARDS

Dangerous Goods

20.	<p>The Proponent shall ensure that storage, handling and transport of dangerous goods are done in accordance with the relevant Australian Standards, particularly AS1940 and AS1596, and the <i>Dangerous Goods Code</i>.</p>	<ul style="list-style-type: none"> Site observations 	<p>Site management reported that dangerous goods are not stored on-site in large quantities and that dangerous goods chemicals (spray cans, paint tins, etc) are all stored in dangerous goods cabinets.</p> <p>ERM observed the dangerous goods cabinet on-site, which primarily contained paints, thinners, sealants, coatings and aerosols. Site management reported that fuel is not stored on-site and that a former underground diesel tank was removed in 2013/14.</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			Site management reported that there has been no other storage, transport or handling of dangerous goods in bulk quantities during the audit period.		
Fire Control					
21.	During the project, the Proponent shall: (a) ensure that it maintains suitable equipment to respond to any fires on site; and (b) assist the fire and emergency services as much as possible if there is a fire on site.	<ul style="list-style-type: none"> PKCT, Fire Management Plan, Version 8.0, 23rd August 2019 AEMRs for 2016/2017, 2017/2018 and 2018/2019 List/map Servicing and compliance checks of fire-fighting systems Site observations of monitored fire panel system NSW Fire and Rescue site visit in June 2018 	<p>According to the AEMRs and site management, there have been no fires on site during the audit period.</p> <p>ERM reviewed an example work order which details the fire panels and fire-fighting equipment maintenance and servicing. Monthly tests and inspections of the deluge systems and 5 yearly tests and servicing of the fire panels is undertaken by an external contractor to maintain the fire-fighting equipment.</p> <p>In addition, PKCT has hosted Fire and Rescue NSW in June 2018 for a pre-incident planning and site familiarise exercise.</p>	C	N/A
22.	The Proponent shall ensure that it maintains a Fire Management Plan for the site.	<ul style="list-style-type: none"> PKCT, Fire Management Plan, Version 7.0, 22nd February, 2017 	PKCT operates under a Fire Management Plan which was last updated in 2017.	C	N/A

SCHEDULE 4 - ENVIRONMENTAL MANAGEMENT, REPORTING AND AUDITING

ENVIRONMENTAL MANAGEMENT

1.	<p>The Proponent shall prepare and implement an Environmental Management Strategy for the project to the satisfaction of the Director-General.</p> <p>This strategy must:</p> <p>(a) be submitted to the Director-General for approval within 12 months of this project approval or otherwise agreed by the Director-General;</p> <p>(b) provide for the strategic context for the environmental management of the project;</p> <p>(c) identify the statutory requirements that apply to the project;</p> <p>(d) describe the procedures that would be implemented to:</p> <ul style="list-style-type: none"> keep the local community and relevant agencies informed about the operation and environmental performance of the project; receive, handle, respond to, and record complaints; resolve any disputes that may arise during the course of the project; respond to any non-compliance; manage cumulative impacts; and respond to emergencies; <p>(e) include an environmental monitoring program for the project that includes all the monitoring requirements of this approval;</p> <p>(f) describe how the various incident and approval reporting requirements of the project would be integrated into a single reporting system; and</p> <p>(g) describe the role, responsibility, authority and accountability of all the key personnel involved in the environmental management of the project.</p>	<ul style="list-style-type: none"> PKCT, Environmental Management Strategy, Version 13.0, 10th July 2020 AEMRs for 2016/2017, 2017/2018 and 2018/2019 	<p>PKCT operates under the PKCT Environmental Management Strategy (EMS), Version 13.0, last updated on 10th July 2020.</p> <p>a) The development application was approved in 2009 and the EMS is now in Version 13.0. It is unclear whether the EMS was first submitted within 12 months of approval, however given the 12 month submittal period falls outside the audit period it has not been raised as a finding.</p> <p>b) The strategic context is presented in Section 5.0</p> <p>c) Statutory requirements are presented in Section 6.0</p> <p>d) Systems to keep the local community and relevant agencies informed are presented in Section 11. Procedures to respond to non-compliance and manage cumulative impacts are presented in Section 7.0 and emergency response procedures are presented in Section 8.1.</p>	C (Obs)	<p>Note: ERM recommends removing Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 from the Section 6.3 list of Acts and Regulations as there are no longer underground petroleum storage systems present at the site.</p> <p>Note: ERM recommends removing reference to EIP U3 as this program has been terminated.</p>
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
		<ul style="list-style-type: none"> ▪ 	<p>e) The environmental monitoring program includes monitoring requirements from this approval (traffic, received quantities, noise, dust, meteorology, surface water, biodiversity, greenhouse gas emissions and waste) and is presented in Section 9.0.</p> <p>f) A comprehensive reporting framework is presented in Section 9.0.</p> <p>g) Key personnel roles and responsibilities are described in Section 4.0.</p> <p>Implementation</p> <p>PKCT maintains regular correspondence with the local community via the community consultative committee and relevant agencies via routine reporting through AEMRs, Annual Returns and Management Plan submissions and on an as needed basis by self-reporting environmental incidents to the regulator. ERM received a response from one Community Consultative Committee member, Barry, who reported that he had no concerns at the time of writing and is happy with his interaction with PKCT.</p> <p>ERM reviewed correspondence between the regulator and PKCT following actual and potential environmental breaches of the PKCT EPL. In general, correspondence between PKCT and the EPA was positive and the pro-active steps taken by PKCT during these events was noted by EPA.</p> <p>ERM observed a daily pre-start meeting between site management which included a component focused on discussing potential environmental issues concerned with the day's activities.</p> <p>PKCT has received minimal community complaints during the audit period, with complaints recorded, tracked, investigated and closed out.</p>		

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
REPORTING					
Incident Reporting					
2.	Within 24 hours of detecting the occurrence of an incident that causes (or may cause) material harm to the environment, the Proponent shall notify the Department and other relevant agencies of the incident.	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 Management interviews 	According to the AEMRs and management interviews, there were no incidents of 'material harm' during the audit period therefore this condition has not been triggered.	NT	N/A
3.	Within 21 days of notifying the Department and other relevant agencies of such an incident, the Proponent shall provide the Department and these agencies with a written report that: <ul style="list-style-type: none"> (a) describes the date, time, and nature of the incident; (b) identifies the cause (or likely cause) of the incident; (c) describes what action has been taken to date; and (d) describes the proposed measures to address the incident. 	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 Management interviews 	There were no notifications of 'material harm' to DPIE during the audit period therefore this condition has not been triggered.	NT	N/A
Annual Reporting					
4.	Within 12 months of this approval, and annually thereafter, the Proponent shall submit an AEMR to the Director-General and all relevant agencies. This report must: <ul style="list-style-type: none"> (a) identify the standards and performance measures that apply to project; (b) describe the works carried out in the last 12 months; (c) describe the works planned to be carried out in the next 12 months; (d) include a summary of the complaints received during the past year, and compare this to the complaints received in previous years; (e) include a summary of the monitoring results for the project during the past year; (f) include an analysis of these monitoring results against the relevant: • impact assessment criteria/limits; • monitoring results from previous years; and • predictions in the EA or other documents listed in condition 2 of schedule 2; (g) identify and discuss all exceedances of approval and licence conditions and other applicable standards and performance measures; (h) identify any trends in the monitoring results over the life of the project; (i) identify any non-compliance during the previous year; and (j) describe what actions were, or are being, taken to ensure compliance. 	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 Agency responses following submittal of AEMRs. 	Annual environmental reports were submitted to the Secretary and relevant the following agencies: <ul style="list-style-type: none"> a) The standards and performance measures applicable to the project are included for noise, transport, air quality, meteorology, surface water, biodiversity, visual amenity, greenhouse and energy efficiency, waste, hazards and fire control in each relevant section of the AEMR. b) The works planned for noise, transport, air quality, surface water, biodiversity, visual amenity, greenhouse and energy efficiency, waste and fire control are included in each relevant section of the AEMR c) The works carried out for noise, transport, air quality, surface water, biodiversity, visual amenity, greenhouse and energy efficiency, waste and fire control are included in each relevant section of the AEMR d) Complaints are summarised in the <i>Community</i> section of each AEMR and a graph comparing number of complaints by type is also presented. e) Monitoring results compared to compliance criteria are provided for noise, transport, air quality, meteorology, surface water, biodiversity, visual amenity, greenhouse and energy efficiency, waste, hazards and fire control. f) Monitoring results are compared against the relevant impact assessment criteria/limits and historical results for noise, transport, air quality, meteorology, surface water, biodiversity, visual 	C	N/A

No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			<p>amenity, greenhouse and energy efficiency, waste, hazards (monitoring of performance standards only) and fire control (monitoring of performance standards only) in each relevant section of the AEMR.</p> <p>g) Non-compliances are discussed in each of the relevant sections of the AEMR including actions undertaken to ensure compliance.</p> <p>h) Trends in monitoring results over the life of the project are presented in each relevant section of the AEMR for noise, transport, air quality, weather, surface water, biodiversity, visual amenity, energy efficiency and waste.</p> <p>i) The Statement of Compliance in Section 2.0 of each AEMR contains a summary of non-compliances during the previous year. Section 8.0 contains a summary of the actions which were taken or are being taken to ensure ongoing compliance.</p> <p>ERM observed responses from agencies following the submittal of the AEMR each year for the audit period. In each case, there was no feedback provided by the Department.</p>		

INDEPENDENT ENVIRONMENTAL AUDIT

5.	<p>By 31 March 2011, and every 3 years thereafter, unless the Director-General directs otherwise, the Proponent shall commission and pay the full cost of an Independent Environmental Audit of the project. This audit must:</p> <p>(a) be conducted by a suitably qualified, experienced, and independent team of experts whose appointment has been endorsed by the Director-General;</p> <p>(b) include consultation with the relevant agencies;</p> <p>(c) assess the environmental performance of the project and whether it is complying with the relevant requirements in this approval and any relevant EPL (including any strategy, plan or program required under these approvals); and</p> <p>(d) review the adequacy of strategies, plans and/or programs required under these approvals; and, if appropriate,</p> <p>(e) recommend measures or actions to improve the environmental performance of the project, and/or any strategy, plan or program required under these approvals.</p> <p><i>Note: This audit team should be led by a suitably qualified auditor, and include experts in the field of noise, air quality and traffic management.</i></p>	<ul style="list-style-type: none"> DPI&E letter dated 28th February 2020 approving audit team DPI&E letter dated 21st April 2020 granting IEA extension 	<p>Independent environmental audits were conducted by AECOM in 1011, 2014 and 2017. This audit was commissioned prior to 31st March 2020.</p> <p>a) The lead auditor was approved by the Secretary and the audit team comprises suitably qualified experts in the fields of noise, air quality and traffic management;</p> <p>b) The IEA included consultation with DPI&E, EPA, and CCC (as discussed in Main Report Section 2.2);</p> <p>c) This report assesses the environmental performance of the project and compliance with relevant requirements in the approval and EPL;</p> <p>d) The adequacy of strategies, plans and/or programs required under the approval and EPL were reviewed as part of Main Report Section 3.5; and</p> <p>e) Improvement recommendations have been provided as part of Main Report Table 3.1.</p> <p>ERM considers that all the requirements of this Condition have been met.</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
6.	The Proponent shall provide regular reporting on the environmental performance of the project on its website, in accordance with the reporting arrangements in any plans or programs approved under the conditions of this approval, and to the satisfaction of the Secretary.	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 	<p>The PKCT website includes a <i>Regulatory Documents</i> page dedicated to regular reporting on the environmental performance of the project.</p> <p>The reporting is in accordance with the requirements of the plans and programs approved under the approval.</p>	C	N/A
7.	Within 3 months of submitting the audit report to the Director-General, the Proponent shall review and if necessary revise the strategies/plans/programs required under this approval, to the satisfaction of the Director-General.	<ul style="list-style-type: none"> AEMR for 2018/2019 Email from PKCT to NSW Department of Planning, Industry and Environment, 'PKCT Triennial Independent External Audit - Management Plan review submissions', dated 12th September 2017 and 11th January 2018. 	<p>According to the AEMR for 2018/2019, PKCT submitted the previous IEA Audit Report and Action Plan to the DPI&E on 14th June 2017. The updated management plans were submitted to the Department via email dated 12th September 2017, which is within 3 months of submitting the audit report to the Secretary (formerly Director-General). The Secretary has not provided PKCT with a written response confirming the updated management plans are to the satisfaction of the Secretary, despite follow up correspondence from PKCT requesting feedback from the Department. ERM considers PKCT to be compliant with the requirements of this condition, noting that evidence of the updates being to the satisfaction of the Secretary is not available.</p>	C	N/A

ACCESS TO INFORMATION

8.	<p>Within 3 months of the approval of any strategy/plan/program required under this approval (or any subsequent revision of these strategies/plans/programs), or the completion of the audits or AEMR, required under this approval, the Proponent shall:</p> <p>(a) provide a copy of the relevant document/s to the relevant agencies;</p> <p>(b) place a copy of the document/s on its website; and</p> <p>(c) remove superseded copies of strategies/plans/programs from its website.</p>	<ul style="list-style-type: none"> PKCT website Emails from PKCT to Planning NSW 	<p>ERM reviewed emails detailing the provision of updated plans and programs to the relevant agencies, including the following:</p> <ul style="list-style-type: none"> Email from PKCT to Planning NSW dated 23rd August 2019 providing updated GGBF, DCC, Air Quality, Fire Management, Water Management, Greenhouse Gas and Energy Efficiency Management, Landscape Management, Noise Management and Waste Management Plans and Environmental Management Strategy; Email from PKCT to Planning NSW dated 12th September 2017 providing updated DCC, Greenhouse Gas and Energy Efficiency Management, Noise Management, Water Management and Waste Management Plans and Environmental Management Strategy; and Email from PKCT to Planning NSW dated 12th August 2019 providing updated DCC. <p>ERM reviewed the PKCT website and confirmed that the management plans were up to date. The previous IEA was completed and submitted to Planning NSW on 14th June 2017 and the updated management plans were sent to Planning NSW on 12th September 2017 which is less than 3 months since the audit was</p>	C	N/A
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No	Assessment Requirement	Reference/ Evidence	Comments	Compliance Status	Recommendations
			completed, therefore PKCT is considered to be compliant with this condition.		
9.	During the project, the Proponent shall: (a) make a summary of monitoring results required under this approval publicly available on its website; and (b) update these results on a regular basis (at least every 6 months).	<ul style="list-style-type: none"> AEMRs for 2016/2017, 2017/2018 and 2018/2019 AECOM, June 2017, 2017 Independent Environmental Audit, Port Kembla Coal Terminal https://www.pkct.com.au/community-environment/regulatory-documents 	<p>AEMRs, including summaries of the monitoring results required under this approval, are publically available on the PKCT website on the <i>Community & Environment</i> page.</p> <p>According to the previous IEA, PKCT was granted approval from the DP&E to discontinue preparation of the Interim Environmental Monitoring Reports, which were prepared up until 2016, therefore only the annual reports are available. Therefore, the requirements of this condition are considered to have been met.</p>	C	N/A

APPENDIX A2 - EPL

Compliance with Environment Protection Licence (EPL) 1625

Document details	
Document title	Appendix A2 - EPL
Document subtitle	Compliance with Environment Protection Licence (EPL) 1625
Project No.	0546906
Date	10 September 2020
Version	1.0
Author	Dean Kerr, Heather McKay
Client Name	Port Kembla Coal Terminal Ltd

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations									
1 ADMINISTRATIVE CONDITIONS														
A1 What the licence authorises and regulates														
A1.1	<p>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.</p> <p>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.</p> <table><tr><th>Scheduled Activity</th><th>Fee Based Activity</th><th>Scale</th></tr><tr><td>Coal works</td><td>Coal works</td><td>> 5,000,000 T annual handling capacity</td></tr><tr><td>Shipping in bulk</td><td>Shipping in bulk</td><td>> 500,000 T of annual capacity to load and unload</td></tr></table>	Scheduled Activity	Fee Based Activity	Scale	Coal works	Coal works	> 5,000,000 T annual handling capacity	Shipping in bulk	Shipping in bulk	> 500,000 T of annual capacity to load and unload	<ul style="list-style-type: none">Annual returns for 2017/2018, 2018/2019 and 2019/2020AEMRs for 2016/2017, 2017/2018 and 2018/2019Spreadsheet detailing monthly quantities of coal received by road and rail and shiploading quantities, (PKCT tonnes and throughput.xls)	<p>According to the AEMRs, the following quantities were received by road and rail during the financial years covered by the audit period:</p> <ul style="list-style-type: none">July 2016 – June 2017: 8.1 Mt;July 2017 – June 2018: 4.6 Mt; andJuly 2018 – June 2019: 7.4 Mt. <p>ERM reviewed a management spreadsheet documenting the quantities of coal received by financial year and confirmed the amounts recorded in the tracking spreadsheet were congruent with the AEMR reports.</p> <p>Shipping quantities were reportedly similar to the road and rail transport quantities, therefore the scale of the operations is in accordance with the EPL.</p>	C	N/A
Scheduled Activity	Fee Based Activity	Scale												
Coal works	Coal works	> 5,000,000 T annual handling capacity												
Shipping in bulk	Shipping in bulk	> 500,000 T of annual capacity to load and unload												
A2 Premises or plant to which this licence applies														
A2.1	<p>The licence applies to the following premises:</p> <p>Premises Details</p> <p>PORT KEMBLA COAL TERMINAL LIMITED</p> <p>PORT KEMBLA ROAD</p> <p>WOLLONGONG</p> <p>NSW 2500</p> <p>LOT 1 DP 1125445, LOT 3 DP 1125445, LOT 22 DP 1128396, LOT 8 DP 1154760</p>	N/A	Noted	N/A	N/A									
A2.2	<p>Note: In relation to Condition A2.1, the premises excludes pipelines, infrastructure and operations associated with the holder of Environment Protection Licence No. 654 issued under the Protection of the Environment Operations Act 1997.</p>	N/A	Noted	N/A	N/A									
A3 Information supplied to the EPA														
A3.1	<p>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.</p> <p>In this condition the reference to "the licence application" includes a reference to:</p> <p>(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</p> <p>(b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.</p>	<ul style="list-style-type: none">EPL 1625	<p>With the exception of the non-compliances identified in this audit, ERM considers PKCT to be conducting works and activities in accordance with EPL 1625.</p>	C	N/A									

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																												
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND																																	
P1 Location of monitoring/discharge points and areas																																	
P1.1	<div>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.</div> <div>Air<table><tr><th>EPA ID no.</th><th>Type of monitoring point</th><th>Type of discharge point</th><th>Location description</th></tr><tr><td>1</td><td>Dust deposition monitoring</td><td></td><td>P1 25 m south of Bulk Products Berth E306952 N6184836</td></tr><tr><td>2</td><td>Dust deposition monitoring</td><td></td><td>P2 40m south of Bulk Products Berth stockyard E307179 N6184540</td></tr><tr><td>3</td><td>Dust deposition monitoring</td><td></td><td>P3 40m east of Bulk Products Berth stockyard E307198 N6184856</td></tr><tr><td>4</td><td>Dust deposition monitoring</td><td></td><td>P4 40m east of Coal Berth stockyard E307103 N6185818</td></tr><tr><td>5</td><td>Dust deposition monitoring</td><td></td><td>P5 Northern pond E306916 N6186282</td></tr><tr><td>6</td><td>Dust deposition monitoring</td><td></td><td>P6 40m west of Coal Berth stockyard E306908 N6185720</td></tr></table></div>	EPA ID no.	Type of monitoring point	Type of discharge point	Location description	1	Dust deposition monitoring		P1 25 m south of Bulk Products Berth E306952 N6184836	2	Dust deposition monitoring		P2 40m south of Bulk Products Berth stockyard E307179 N6184540	3	Dust deposition monitoring		P3 40m east of Bulk Products Berth stockyard E307198 N6184856	4	Dust deposition monitoring		P4 40m east of Coal Berth stockyard E307103 N6185818	5	Dust deposition monitoring		P5 Northern pond E306916 N6186282	6	Dust deposition monitoring		P6 40m west of Coal Berth stockyard E306908 N6185720	<ul style="list-style-type: none">Annual returns for 2017/2018, 2018/2019 and 2019/2020Environment Protection Licence 1625 Monthly Reports for 2017, 2018 and 2019AEMRs for 2016/2017, 2017/2018 and 2018/2019Site observations	<div>ERM reviewed the annual returns for the audit period and confirmed that each of the monitoring points was listed.</div> <div>The monitoring points listed here are specifically identified in the Air Quality Monitoring and Compliance section of the AEMRs. Results for monitoring at each of these locations are presented and discussed.</div> <div>ERM inspected a selection of the dust deposition monitoring gauges and confirmed the presence of the available monitoring points. Dust deposition monitoring gauges appeared to be maintained in good condition and were free of potential inhibitors to the collection of dust.</div>	C	N/A
EPA ID no.	Type of monitoring point	Type of discharge point	Location description																														
1	Dust deposition monitoring		P1 25 m south of Bulk Products Berth E306952 N6184836																														
2	Dust deposition monitoring		P2 40m south of Bulk Products Berth stockyard E307179 N6184540																														
3	Dust deposition monitoring		P3 40m east of Bulk Products Berth stockyard E307198 N6184856																														
4	Dust deposition monitoring		P4 40m east of Coal Berth stockyard E307103 N6185818																														
5	Dust deposition monitoring		P5 Northern pond E306916 N6186282																														
6	Dust deposition monitoring		P6 40m west of Coal Berth stockyard E306908 N6185720																														

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
	7	Dust deposition monitoring		P7 250m west of Coal Berth stockyard E306673 N6185865				
	8	Dust deposition monitoring		P8 Northern truck wash E306744 N6186371				
	9	Dust deposition monitoring		P9 Sydney Water recycled water plant E306936 N6186639				
	12	Dust deposition monitoring		P12 157 Church Street Wollongong E306520 N6188025				
	15	Dust deposition monitoring		P15 North of planning office E306859 N6185458				
	17	Dust deposition monitoring		P13 Entry gate to Berth 109 E305867 N6185702				
	18	Dust deposition monitoring		P10 Links Seaside Apartments, 1 Ross Street, Wollongong. E306872 N6187535				
	19	Dust deposition monitoring		P11 Vikings Oval E306710 N6187446				

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
P1.1	20	Dust deposition monitoring		C1 Southern monitoring site Southern Pond E307102 N6184596				
	21	Dust deposition monitoring		C2 Northern monitoring site Sydney Water recycled water plant E306874 N6186945				
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.				N/A	N/A	N/A	N/A
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.				<ul style="list-style-type: none">Annual returns for 2017/2018, 2018/2019 and 2019/2020Environment Protection Licence 1625 Monthly Reports for 2017, 2018 and 2019AEMRs for 2016/2017, 2017/2018 and 2018/2019Site observations	ERM reviewed the annual returns for the audit period and confirmed that the monitoring points were listed. ERM inspected each of the discharge locations as part of the site tour. ERM reviewed the monthly reports prepared by PKCT to document compliance with EPL monitoring requirements throughout each calendar year. The monthly reports from the audit period included the monitoring points listed in this licence condition.	C	N/A
	Water and land							
	EPA ID no.	Type of monitoring point	Type of discharge point	Location description				
	16	Discharge to waters Water quality monitoring	Discharge to waters Water quality monitoring	DP16 Outlet of Settlement Lagoon E306674 N6185924				
	22	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP22 TS1 Pond E306732 N6186214				
	23	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP23 Central Pond E306912 N6185207				
	24	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP24 Tower 3 Pond E306896 N6185046				
25	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP25 Southern Pond E307103 N6184594					

Item	Assessment Requirement				Reference/ Evidence	Comments	Compliance	Recommendations
	26	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring	DP26 Workshop Pond E306816 N6185563				
	27	Wet weather discharge Discharge quality monitoring	Wet weather discharge Discharge quality monitoring					

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.	N/A	See Table 1, Schedule 3, Item 12.	NC	Refer to specific conditions below
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L2 Concentration Limits

L2.1	For each monitoring/discharge point or utilisation area specified in the table/s below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.	N/A	See Condition L2.4	NC	Exceedances of the concentration limits have occurred during the audit period. See Condition L2.4 for details.																		
L2.2	Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.	N/A	Noted	N/A	N/A																		
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/s.	N/A	Noted	Note	N/A																		
L2.4	Water and/or Land Concentration Limits Point 16 <table border="1"> <thead> <tr> <th>Pollutant</th><th>Unit of measure</th><th>50 percentile concentration limit</th><th>90 percentile concentration limit</th><th>3DGM concentration limit</th><th>100 percentile concentration limit</th></tr> </thead> <tbody> <tr> <td>Oil and grease</td><td>Visible</td><td>-</td><td>-</td><td>-</td><td>Not visible</td></tr> <tr> <td>Total suspended solids</td><td>Milligrams per litre</td><td>-</td><td>-</td><td>-</td><td>50</td></tr> </tbody> </table>	Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit	Oil and grease	Visible	-	-	-	Not visible	Total suspended solids	Milligrams per litre	-	-	-	50	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 AEMRs for 2016/2017, 2017/2018 and 2018/2019 EPA, Formal Warning Letter, 12th April 2019 PKCT, Monitoring Records 'PKCT Surface Water Sampling Data for LDP16.xls' 	Condition L2.5 provides for circumstances where the 50 mg/L limit can be exceeded during discharge. The circumstances are limited to a 5 day rainfall depth value of 90 mm over a consecutive 5 day period. For the four exceedance events noted from the audit period, rainfalls immediately preceding the exceedances were high intensity, short duration events, therefore condition L2.5 was not triggered. In the April 2019 formal warning letter, the EPA acknowledged that a high intensity, short duration rainfall contributed to the March exceedance and stated that there is merit in discussing the requirements of L2.5.	NC	ERM recommends engaging with the EPA with a view to amending Condition L2.5 to include discharges resulting from high intensity, short duration rainfall events.
Pollutant	Unit of measure	50 percentile concentration limit	90 percentile concentration limit	3DGM concentration limit	100 percentile concentration limit																		
Oil and grease	Visible	-	-	-	Not visible																		
Total suspended solids	Milligrams per litre	-	-	-	50																		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
L2.5	Exceeding the limit specified in Condition L2.4 of this licence for Total Suspended Solids for discharges from Point 16 identified by Conditions P1.2 and P1.3 is only permitted when the discharge occurs solely as a result of rainfall measured at the premises. For discharge to be considered to occur solely as a result of rainfall, the rainfall must exceed a 5 day rainfall depth value of 90 mm over a consecutive 5 day period.	<ul style="list-style-type: none"> EPA, Formal Warning Letter, 12th April 2019 	Noted. According to the formal warning from the EPA, the TSS exceedance on 15 th March 2019 did not occur following rainfall in excess of 90 mm over a consecutive 5 day period. The TSS exceedance is reported as a non-compliance against licence condition L2.4.	Note	See condition L2.4.
L2.6	The licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.	N/A	Units were reported in TSS throughout the audit period, therefore this condition has not been triggered.	NT	N/A
L2.7	The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.	N/A	Units were reported in TSS throughout the audit period, therefore this condition has not been triggered.	NT	N/A
L2.8	The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L4.2 before using the revised statistical correlation.	N/A	Units were reported in TSS throughout the audit period, therefore this condition has not been triggered.	NT	N/A

L3 Waste

L3.1	The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.	<ul style="list-style-type: none"> Site observations Management interviews 	Management confirmed that no waste was received on site during the audit period.	C	N/A
L3.2	This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if those activities require an environment protection licence.	N/A	Given that no waste was received on site during the audit period, this condition has not been triggered.	NT	N/A

L4 Noise Limits

L4.1	<p>The proponent shall ensure that the noise generated by the project at any privately-owned residence does not exceed the limits specified in Table 1 for the location nearest to that residence.</p> <p>Table 1: Noise impact assessment criteria dB(A) LAeq(15 min)</p> <table><tr><th>Location</th><th>Time Period</th><th>Limits (LAeq 15 min dB(A))</th></tr><tr><td rowspan="3">Corner of Swan/Kembla Streets</td><td>Day</td><td>51</td></tr><tr><td>Evening</td><td>50</td></tr><tr><td>Night</td><td>49</td></tr><tr><td rowspan="3">Corner of Swan/Corrimal Streets</td><td>Day</td><td>51</td></tr><tr><td>Evening</td><td>50</td></tr><tr><td>Night</td><td>49</td></tr><tr><td rowspan="3">Corner of Keira/Fox Streets</td><td>Day</td><td>55</td></tr><tr><td>Evening</td><td>49</td></tr><tr><td>Night</td><td>45</td></tr></table>	Location	Time Period	Limits (LAeq 15 min dB(A))	Corner of Swan/Kembla Streets	Day	51	Evening	50	Night	49	Corner of Swan/Corrimal Streets	Day	51	Evening	50	Night	49	Corner of Keira/Fox Streets	Day	55	Evening	49	Night	45	<ul style="list-style-type: none">Letter from EPA to PKCT dated 15th August 2017Letter from DPIE to PKCT dated 16th March 2017	<p>Condition M7.2 allows for the cessation of noise monitoring following 6 years of compliance with the criteria in Condition L4.1. In accordance with Condition M7.2, the DPIE approved a request from PKCT to cease routine noise monitoring on 16th March 2017, which is prior to the audit period. PKCT notified the EPA that noise monitoring was being ceased in accordance with Condition M7.2 on 15th August 2017 and received a response from EPA on 15th August 2017 stating that the EPL did not require amending to account for the cessation of noise monitoring. Therefore, noise monitoring has not occurred during the audit period.</p> <p>Complaints in relation to noise have not been received during the audit period, therefore ERM considers PKCT to be compliant with this Condition.</p>	C	N/A
Location	Time Period	Limits (LAeq 15 min dB(A))																											
Corner of Swan/Kembla Streets	Day	51																											
	Evening	50																											
	Night	49																											
Corner of Swan/Corrimal Streets	Day	51																											
	Evening	50																											
	Night	49																											
Corner of Keira/Fox Streets	Day	55																											
	Evening	49																											
	Night	45																											

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>Note: a) To determine compliance with the LAeq(15minute) noise limits in the above table, noise from the project is to be measured at the most affected point within the residential boundary. Where it can be demonstrated that direct measurement of noise from the project is impractical, the DECC may accept alternative means of determining compliance (see Chapter 11 of the NSW Industrial Noise Policy). The modification factors in Section 4 of the NSW Industrial Noise Policy shall also be applied to the measured noise levels where applicable.</p> <p>b) The noise emission limits identified in the above table apply under meteorological conditions of:</p> <ul style="list-style-type: none"> - Wind speeds of up to 3 m/s at 10 metres above ground level; or - Temperature inversion conditions of up to 3oC/100m, plus a 2 m/s source-to-receiver component drainage flow wind at 10 metres above ground level for those receivers where applicable in accordance with the NSW Industrial Noise Policy. <p>However, if the proponent has a written negotiated noise agreement with any landowner of the land listed in Table 1, and a copy of this agreement has been forwarded to the Department of Planning and DECC, then the proponent may exceed the noise limits in Table 1 in accordance with the negotiated noise agreement.</p>				
L5 Potentially offensive odour					
L5.1	<p>No condition of this licence identifies a potentially offensive odour for the purposes of section 129 of the Protection of the Environment Operations Act 1997.</p> <p>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.</p>	<ul style="list-style-type: none"> ▪ PKCT Event Management System, Event Report EV-02582 ▪ Annual returns for 2017/2018, 2018/2019 and 2019/2020 	<p>One complaint was received during the audit period in relation to a 'coal' odour reportedly emanating from PKCT. PKCT investigated the complaint and did not identify a specific source of the odour. No further action was undertaken or required by the EPA.</p> <p>Management confirmed that no other odour complaints were received by PKCT during the audit period. Given the location of PKCT and the minimal complaints related to odour, PKCT is considered to be compliant with the requirements of this condition.</p>	C	N/A
4 Operating Conditions					
O1	Activities must be carried out in a competent manner				
O1.1	<p>Licenced activities must be carried out in a competent manner</p> <p>This includes:</p> <ol style="list-style-type: none"> 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. 	<ul style="list-style-type: none"> ▪ AEMRs for 2017/2018, 2018/2019 and 2019/2020 ▪ PKCT Waste Management Plan, version 7.0, 30th June 2020 ▪ Site observations 	<p>The primary materials and substances used to carry out the licenced activities at PKCT are coal products. Coal arrives by road or rail and is transferred by a conveyor system to the coal storage facility where it is stockpiled by stackers. Ship loading is undertaken by collecting coal from the stockpiles using a reclaimer. Coal is transferred by conveyor system and loaded onto ships using a ship loader.</p> <p>PKCT's systems for handling, storing and moving coal is considered to be conducted in a competent manner. Coal delivered from trucks and trains is monitored by CCTV, regular audits and routine maintenance of unloading areas to ensure spillage is minimised and dust generation is mitigated. Moisture content is</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>monitored at both the rail and truck unloading areas and systems are in place to manage potential dust generation based on the condition of the coal arriving to site. Conveyors are covered where possible and a spray system is attached to parts of the conveyor network to prevent dust generation from coal spilled from conveyors. Stackers are fitted with sprays to wet coal as it is being ejected from the stacker onto the stockpile and weather conditions, including continuous dust measurements are monitored from the main control room and an automated spray system can be overridden as needed to adapt to changing conditions.</p> <p>The ship loading system minimises coal loss by loading ships from within the ship hold, preventing wind from generating coal dust during ship loading activities.</p> <p>The stormwater network at the site flushes spilled coal to sumps which are routinely cleaned out and the spilled coal is sold back to customers. Routine monitoring and maintenance includes inspections of coal handling areas and the main control room monitors conditions in real time coordinating and managing activities on site.</p> <p>PKCT operates under the PKCT Waste Management Plan, which identifies waste segregation, storage, processing, transport, tracking and disposal requirements for daily operations at PKCT. PKCT's waste management is considered to be conducted in a competent manner. See Approval Conditions Table 1, Schedule 3, Item 19 for further discussion regarding waste management.</p>		
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.	<ul style="list-style-type: none"> Spreadsheet summarising work orders (Environ_PMs_0420) Example operator competency records Example Work Orders 2017/2018, 2018/2019, 2019/2020 Annual Returns Training records 	<p>See Approval Conditions Table 1, Schedule 2, Item 13.</p> <p>Maintenance</p> <p>ERM reviewed a spreadsheet summarising the work orders for maintenance of plant and equipment. The work orders included the tertiary treated effluent system, sewage system, potable water system, contaminated water system, northern truck wash infrastructure.</p> <p>ERM reviewed a selection of example work orders and confirmed that in general, routine</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>maintenance was being undertaken on plant and equipment.</p> <p>Operation</p> <p>ERM reviewed example operator competency records for a shift electrician and day worker, with both workers assessed as being competent in the proper and efficient method of operating plant and equipment.</p> <p>ERM reviewed the operator manual for the Main Control Room and an example Assessment Record Sheet for the Main Control Room Operator, Nathan Ballinger, which includes an assessment of the knowledge and skills required to conduct Main Control Room operations. ERM also reviewed the skills matrix for PKCT employees which includes active monitoring of expiry dates for competencies and regular training requirements.</p> <p>ERM reviewed the Annual Returns for the audit period and confirmed that plant and equipment were generally maintained and operated in a proper and efficient manner. The following equipment failures were noted in Annual Returns for the audit period:</p> <ul style="list-style-type: none"> 30th August 2019: The lagoon polymer dosing system was under-dosing when in backup mode. Corrective actions included rectifying coding issues, adding additional alarms and system checks, additional water quality monitoring and completion of a Strategic Review; 4th February 2020: A broken depositional dust gauge was identified at location P11 – Entry Gate Bluescope. The stand was re-installed and the collection bottle was replaced; November 2019 – February 2020: Ambient air monitoring site C1 – Southern Monitor experienced intermittent data loss due to extreme weather conditions. PKCT replaced the monitor three times, increased contractor servicing from monthly to fortnightly across January and February. Data collection improved in March 2020 after weather conditions eased; December 2018 – March 2019: Ambient air monitoring site C1 – Southern Monitor experienced intermittent data loss. Two 		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>new pumps and a temporary hire machine were installed to rectify the issue;</p> <ul style="list-style-type: none"> November 2018: Depositional dust gauge site P6 – 40 m West Coal Berth Stockyard overturned and the sample bottle broke. The contractor who collects and analyses dust reviewed and repaired any gauges likely to fail; and 18th – 21st August 2017 – Northern ambient air monitoring site P2 went off-line due to an electrical connector failure. The service contractors replaced all similar electrical connectors in both dust monitors during the subsequent monthly service and annual checking for corrosion of electronic components was added to the equipment service routine. <p>The incidents of improper operation of equipment reported during the audit period were adequately rectified and mechanisms put in place to prevent recurrences where possible, therefore these events are not considered to represent non-compliance with this condition.</p>		
O3	Dust				
O3.1	The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.	<ul style="list-style-type: none"> Site observations PKCT, Air Quality Management Plan and Monitoring Program, Version 13.0, 20th July 2020 AEMRs for 2016/2017, 2017/2018 and 2018/2019 Observations of real time sampling and monitoring of dust and alert system 	<p>PKCT utilises a water cart to wet down areas of the site which may potentially emit dust from the premises. Real-time weather monitoring is used to guide PKCT's planning and site preparations to minimise dust emissions, such as applying additional water to coal stockpiles.</p> <p>A truck wash is present at the road receipt exit and it is mandatory for all trucks to pass through the truck wash to minimise emissions of dust from road transport vehicles accessing PKCT. PKCT monitors residential dust at three locations, with 11 additional monitoring points throughout the site to assist with dust management practices. According to the AEMRs, there were no instances of exceedances of the criteria at any of the residential locations.</p> <p>The AEMRs for the audit period reported one month where the criteria were exceeded at one of the 11 industrial gauges, in March 2017. However, there was no associated exceedance reported at any of the residential gauges.</p>	C (Obs)	The Air Quality Management Plan and Monitoring Program is currently version 3 (according to the version history table) dated 20 th July 2020 while the document header states the version as 12.0 and the footer states the document authorisation date as 9 th October 2017. The document requires updating to correctly state the current version.

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
O3.2	Activities occurring in or on the premises must be carried out in a manner that will minimise the generation or emission, of wind-blown or traffic generated dust.	<ul style="list-style-type: none"> PKCT, Air Quality Management Plan and Monitoring Program, Version 13.0, 20th July 2020 AEMRs for 2016/2017, 2017/2018 and 2018/2019 Observations of real-time dust monitoring in the main control room Observations of the Event Management System (EMS) EMS Reports EV-02482 and EV-03504 Critical Task Observation CTO-02076 (site inspection for dust during hot weather) <p>Example Task Observation Sheets – Berth Areas & Ship – Dust, Dirty Water Discharge and Spillage Control</p>	<p>PKCT provides 24/7 site operational control via the Main Control Room (MCR). ERM observed the real-time monitoring system for air quality during the site inspection. If dust is observed, action is taken through the operation of sprays or other available controls. ERM reviewed example EMS reports from 25th September 2017 and 2nd March 2020 which included observations of dust being generated from stockpiles and controls being implemented to mitigate dust generation, including manual spray activation and increased dust suppression.</p> <p>PKCT report dust minimisation improvements in the AEMRs. During the audit period, improvements included installing a belt scraper to minimise coal spillage, sealing an access road, modifying spray gun network, developing additional plans, sealing a portion of the bulk products storage area, installing new stackers with advanced dust control systems, return scraper upgrades, windshields audit, Ship-loader 2 launder and washdown improvements and additional hardstand re-sealing.</p> <p>Dust events observed which emanate beyond the immediate source with a potential to have off site impacts are entered into PKCT's Event Management System, requiring investigation and corrective action. ERM reviewed an EMS report from 2nd March 2020 which identified dust emanating beyond the immediate source with the potential for off-site impacts. Spray cycles were manually increased and set to maximum to mitigate dust generation and the EPA was informed of the event.</p> <p>PKCT also has an auditing process in place which includes site observations of dust, dust associated with truck movements and the assessment of associated controls. ERM reviewed example task observations which included regular assessment of dust generating capacity of different site areas.</p> <p>Given the systems in place to monitor and manage air pollution, PKCT is considered to be operating in a manner that minimises the generation or emission, of wind blown or traffic generated dust.</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
O3.3	All loaded trucks entering or leaving the premises must have their loads covered.	<ul style="list-style-type: none"> PKCT, Driver's Code of Conduct, Version 6.0, 6th December 2016 AEMRs for 2016/2017, 2017/2018 and 2018/2019 Example driver observations and audits by PKCT and trucking companies Complaints register 	<p>The Driver's Code of Conduct includes requirements to have loads covered. ERM reviewed the induction program and confirmed that covering trucks is included in the induction material.</p> <p>Routine task observations and audits were completed throughout the audit period, focussing on compliance against the Driver's Code of Conduct and PKCT's approval conditions. ERM reviewed a sample of driver audits and observed that load covering was included in the audits. No examples of breaches were reported.</p> <p>Annual audits of the trucking providers by PKCT includes specific assessment on the induction requirements including load covering.</p> <p>The AEMRs report EPL and regulatory breaches related to trucking based on Road Transport Provider observations, Trucksafe/NHVAS and other audits. There were no EPL or regulatory breaches reported during the audit period.</p> <p>Site management confirmed that there were no incidents during the audit period, therefore PKCT are considered to be compliant with this condition.</p>	C	N/A
O4	Processes and management Sedimentation ponds				
O4.1	<p>The following ponds referred to in the table below are identified in this licence for the purposes of identifying ponds in Condition O4.2.</p> <p>Sedimentation Pond</p> <p>TS1 Pond</p> <p>Northern Pond</p> <p>Settlement Lagoon</p> <p>Workshop Pond</p> <p>Central Pond</p> <p>Tower 3 Pond</p> <p>Southern Pond</p>	N/A	Noted.	Note	N/A
O4.2	The ponds must be maintained to ensure that sedimentation does not reduce their capacity by more than 20% of the design capacity.	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 Photographs of pond clean outs 	ERM inspected the ponds listed in Condition O4.1 and confirmed that the sedimentation levels were less than 20% and can be measured to ensure sedimentation does not reduce any pond's capacity by greater than 20%.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		<ul style="list-style-type: none"> Work orders for routine pond inspections and preventative maintenance 	<p>ERM reviewed photographs of pond clean outs which showed sedimentation material excavated from TS1 Pond and a drained and cleaned Central Pond and Workshop Pond.</p> <p>Two work orders for preventative maintenance during the audit period were reviewed for 9th December 2019 and 23rd March 2020. The work orders included pond capacity inspections for all of the ponds listed in licence condition O4.1. The inspection records did not identify any issues with pond capacity.</p>		
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.	Note	Noted.	Note	N/A
M1.2	<p>All records required to be kept by this licence must be:</p> <p>a) in a legible form, or in a form that can readily be reduced to a legible form;</p> <p>b) kept for at least 4 years after the monitoring or event to which they relate took place; and</p> <p>c) produced in a legible form to any authorised officer of the EPA who asks to see them.</p>	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 Environment Protection Licence 1625 Monthly Reports for 2017, 2018 and 2019 	<p>(a) PKCT maintains records required to be kept by the licence as part of the annual returns submissions and in the annual reports detailing monthly monitoring results required by this licence.</p> <p>(b) Annual reports detailing the monthly monitoring results are available from the PKCT website from 2012, exceeding the 4 year minimum retention period.</p> <p>(c) Site management confirmed that an authorised officer of the EPA has not requested to view records required to be kept by the licence.</p>	C	N/A
M1.3	<p>The following records must be kept in respect of any samples required to be collected for the purposes of this licence:</p> <p>a) the date(s) on which the sample was taken;</p> <p>b) the time(s) at which the sample was collected;</p> <p>c) the point at which the sample was taken; and</p> <p>d) the name of the person who collected the sample.</p>	<ul style="list-style-type: none"> Site observations 	ERM reviewed records for a sample of monitoring results and confirmed the inclusion of date, time, location and sampler information.	C	N/A
M2	Requirement to monitor concentration of pollutants discharged				
M2.1	For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:	N/A	Noted.	Note	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations																																
M2.2	<div>Air monitoring requirements</div> <div>Point 1,2,3,4,5,6,7,8,9,12,15,17,18,19</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Particulates – deposited matter</td><td>Grams per square metre per month</td><td>Monthly</td><td>AM-19</td></tr></table> <div>Point 20,21</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>PM10</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr><tr><td>PM2.5</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr><tr><td>Total Solid Particle</td><td>Micrograms per cubic metre</td><td>Continuous</td><td>Continuously</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling method	Particulates – deposited matter	Grams per square metre per month	Monthly	AM-19	Pollutant	Units of measure	Frequency	Sampling method	PM10	Micrograms per cubic metre	Continuous	Continuously	PM2.5	Micrograms per cubic metre	Continuous	Continuously	Total Solid Particle	Micrograms per cubic metre	Continuous	Continuously	<ul style="list-style-type: none">Annual returns for 2017/2018, 2018/2019 and 2019/2020Environment Protection Licence 1625 Monthly Reports for 2017, 2018 and 2019AEMRs for 2016/2017, 2017/2018 and 2018/2019Example laboratory reportsDust monitoring records spreadsheet (Dust.xlsx)	<div>The annual returns contained monthly results for Particulates – deposited matter for all points listed in Condition M2.2 with the exception of P6, which did not have a result for November 2018 due to a broken sample bottle which had been blown over due to strong winds. The Contractor in charge of collecting PKCT dust gauges undertook a full review following this event and repaired any gauges likely to fail.</div> <div>ERM reviewed the real time continuous dust monitoring system and reviewed a spreadsheet containing continuous dust monitoring results from the locations identified in Condition M2.2.</div> <div>ERM did not observe the sampling of dust gauges and is unable to confirm the method complies with AM-19.</div>	NC	Historic NC. No further action.								
Pollutant	Units of measure	Frequency	Sampling method																																		
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M2.3	<div>Water and/or Land Monitoring Requirements</div> <div>Point 16</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Oil and Grease</td><td>Visible</td><td>Daily during any discharge</td><td>Visual inspection</td></tr><tr><td>pH</td><td>pH</td><td>Daily during any discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>Milligrams per litre</td><td>Daily during any discharge</td><td>Grab sample</td></tr></table> <div>Point 22,23,24,25,26,27</div> <table><tr><th>Pollutant</th><th>Units of measure</th><th>Frequency</th><th>Sampling method</th></tr><tr><td>Oil and Grease</td><td>Visible</td><td>Daily during any discharge</td><td>Visual inspection</td></tr><tr><td>pH</td><td>pH</td><td>Daily during any discharge</td><td>Grab sample</td></tr><tr><td>Total suspended solids</td><td>Milligrams per litre</td><td>Daily during any discharge</td><td>Grab sample</td></tr></table>	Pollutant	Units of measure	Frequency	Sampling method	Oil and Grease	Visible	Daily during any discharge	Visual inspection	pH	pH	Daily during any discharge	Grab sample	Total suspended solids	Milligrams per litre	Daily during any discharge	Grab sample	Pollutant	Units of measure	Frequency	Sampling method	Oil and Grease	Visible	Daily during any discharge	Visual inspection	pH	pH	Daily during any discharge	Grab sample	Total suspended solids	Milligrams per litre	Daily during any discharge	Grab sample	<ul style="list-style-type: none">Annual returns for 2017/2018, 2018/2019 and 2019/2020Environment Protection Licence 1625 Monthly Reports for 2017, 2018 and 2019AEMRs for 2016/2017, 2017/2018 and 2018/2019Example laboratory reportsWater monitoring records spreadsheet (EPL Water Monitoring Records.xlsx)	<div>The AEMRs contain records of discharge water sampling for the audit period in Appendix D for Point 16, which includes analytical results for oil and grease, pH and TSS in the units specified.</div> <div>ERM reviewed the annual returns and did not identify any examples where monitoring at the points specified in this Condition was not undertaken daily during discharge, therefore ERM considers PKCT compliant with this condition.</div>	C	N/A
Pollutant	Units of measure	Frequency	Sampling method																																		
Oil and Grease	Visible	Daily during any discharge	Visual inspection																																		
pH	pH	Daily during any discharge	Grab sample																																		
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Total suspended solids	Milligrams per litre	Daily during any discharge	Grab sample																																		
M3 Testing Methods – Concentration Limits																																					
M3.1	<div>Monitoring for the concentration of a pollutant emitted to the air required to be conducted by this licence must be done in accordance with:</div> <div>a) any methodology which is required by or under the Act to be used for the testing of the concentration of the pollutant; or</div>	<ul style="list-style-type: none">Site observations of dust monitoring locationsExample laboratory reports	<div>ERM observed a selection of the monthly dust monitoring locations and one of the two continuous dust monitoring locations during the site inspection (the continuous dust monitoring station atop the sewage treatment plant was not accessed during the site visit). The siting for the</div>	C	N/A																																

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>b) if no such requirement is imposed by or under the Act, any methodology which a condition of this licence requires to be used for that testing; or</p> <p>c) if no such requirement is imposed by or under the Act or by a condition of this licence, any methodology approved in writing by the EPA for the purposes of that testing prior to the testing taking place.</p> <p>Note: The <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i> requires testing for certain purposes to be conducted in accordance with test methods contained in the publication "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW".</p>	<ul style="list-style-type: none"> Calibration records for continuous dust monitoring stations PKCT, Air Quality Management Plan, version 13.0, dated 20th July 2020 	<p>monthly dust monitoring locations were observed to be compliant with the approved methods for the sampling and analysis of air pollutants in NSW, including the following:</p> <ul style="list-style-type: none"> A clear sky angle of 120° was available above sampling inlets; airflow around the sample inlet was not restricted in any direction; The locations were >10 metres from the drip line of buildings or trees; Extraneous dust sources were generally not observed nearby; and The monitoring locations were positioned >5 m from the source. <p>The siting for the continuous monitoring locations were observed to be compliant with the approved methods for the sampling and analysis of air pollutants in NSW, including the following:</p> <ul style="list-style-type: none"> A clear sky angle of 120° was available above the sampling inlet; Airflow was unrestricted for at least 270° around the sample inlet with no obstruction between the major dust source and the sample inlet; The monitors were positioned >10 m from the nearest building or tree drip lines that are higher than 2 m below the height of the sample inlet; Extraneous sources of dust were not present nearby; and The dust monitors were positioned greater than 50 m from the nearest public road. The northern dust monitor is located within 50 m of internal Sydney Water property roads and the southern dust monitor was positioned within 50 m of internal PKCT roads, however traffic movement in the Sydney Water property is minimal and the area of the site adjacent to the southern dust monitor is seldom accessed. <p>Collection of dust samples is undertaken by an external consultant and analysis of dust samples is completed by a NATA accredited laboratory, ALS. Methods of laboratory analysis were reported to be in accordance with AS3580.10.1 – 2003.</p>		

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			<p>The continuous dust monitoring stations do not provide direct measurements of dust deposition, however they provide data continuously and can be actively monitored in real time. The continuous dust monitors are not designed to meet compliance requirements but to facilitate dust management during operations at the site. ERM reviewed example calibration records for the continuous dust monitors, which stated that the stations were tested and calibrated in accordance with the World Meteorological Organisation AWS certification standard and procedures.</p> <p>Given the dust monitoring locations are generally located, sampled, calibrated and analysed in accordance with relevant standards and methods, PKCT is compliant with this condition.</p>		
M3.2	Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.	<ul style="list-style-type: none"> Site observations of water sampling locations Example laboratory reports 	<p>ERM observed the water sampling locations at each of the points identified in the EPL. Samples are collected using a clean stainless steel bucket to obtain a representative sample of water from the sample point at the point of discharge. Samples are stored on ice and transported to the laboratory under chain of custody with the details of the sample collection maintained in a register on-site, including sampler and date.</p> <p>Laboratory analyses were undertaken by a laboratory with NATA accreditation and the following methods were used:</p> <ul style="list-style-type: none"> Total suspended solids, APHA 2540D, which is generally consistent with the USEPA (1999) method 160.2 as required by the approved methods publication. pH, in accordance with APHA as required by the approved methods publication. <p>The method for monitoring pollutants discharged to waters is considered to be compliant with the requirements of this condition.</p>	C	N/A
M4 Environmental Monitoring					
M4.1	The licensee is required to install and maintain a rainfall depth measuring device.	<ul style="list-style-type: none"> Site observations 	<p>ERM inspected the rainfall depth measuring device and it appeared to be in good condition. Real time weather monitoring in the Main Control Room was also observed to confirm that</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			the rainfall depth measuring device is functioning.		
M4.2	Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 Rainfall monitoring records spreadsheet (Rainfall Data_Daily.xlsx) 	ERM reviewed the rainfall data spreadsheet which contains an entry for each day of the audit period the time each sample is recorded under the "Hourly Rainfall Values" tab. Site management also confirmed that rainfall monitoring is undertaken at the same time each day.	C	N/A

M5 Recording of pollution complaints

M5.1	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.	<ul style="list-style-type: none"> Extract of complaints register Site observations 	Management confirmed that PKCT maintains a complaints register as part of the Event Management System. ERM observed the complaints register during the site inspection.	C	N/A
M5.2	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.	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 Extract from complaints register Complaint event reports 	Three root cause analysis reports from the audit period were reviewed and confirmed to include the date and time, method of complaint, nature of the complaint and actions taken by PKCT including follow up action. During the site inspection, ERM also observed example records, which included personal details of the complainant, therefore all the requirements of this condition have been met.	C	N/A
M5.3	The record of a complaint must be kept for at least 4 years after the complaint was made.	<ul style="list-style-type: none"> Extract of complaints register Site observations 	ERM observed that complaint records are maintained for at least 4 years after the complaint.	C	N/A
M5.4	The record must be produced to any authorised officer of the EPA who asks to see them.	<ul style="list-style-type: none"> Management interviews 	Management confirmed that complaint records have not been requested by any authorised officer of the EPA during the audit period, therefore this requirement has not been triggered.	NT	N/A

M6 Telephone complaints line

M6.1	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.	<ul style="list-style-type: none"> PKCT website Site observations 	The PKCT website includes a 'Hotline' page accessible under the 'Community and Environment' menu, which includes a telephone number and email address for complaints. During the site, ERM called the complaints line and confirmed that the hotline is functioning as intended, therefore this condition has been satisfied.	C	N/A
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
M6.2	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.	<ul style="list-style-type: none"> PKCT website 	The PKCT has a 'Hotline' page accessible under the 'Community and Environment' menu, which details a telephone number and email address for complaints. The website specifically identifies this number as being available for lodging complaints, therefore this requirement has been satisfied.	C	N/A
M6.3	The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.	Note	Noted.	Note	N/A
M7 Other noise monitoring and recording conditions					
Noise monitoring					
M7.1	Noise from the premises must be measured bi-annually (to measure summer and winter levels) via a combination of attended and unattended noise monitoring measures at the potentially affected premises identified in Condition L4.1 of this licence.	<ul style="list-style-type: none"> Letter from EPA to PKCT dated 15th August 2017 Letter from DPIE to PKCT dated 16th March 2017 	Condition M7.2 allows for the cessation of monitoring following 6 years of compliance with noise criteria. In accordance with Condition M7.2, the DPIE approved a request from PKCT to cease routine noise monitoring on 16 th March 2017, which is prior to the audit period. PKCT notified the EPA that noise monitoring was being ceased in accordance with Condition M7.2 on 15 th August 2017 and received a response from EPA on 15 th August 2017 stating that the EPL did not require amending to account for the cessation of noise monitoring. Therefore, noise monitoring has not occurred during the audit period and the requirements of this Condition have not been triggered during the audit period.	NT	N/A
M7.2	The noise monitoring program must be reviewed by the licensee. If no exceedance of the criteria occurs for 6 years and the EPA is satisfied with the review, noise monitoring will not be required to continue.	<ul style="list-style-type: none"> Letter from EPA to PKCT dated 15th August 2017 Letter from DPIE to PKCT dated 16th March 2017 	The DPIE approved a request from PKCT to cease routine noise monitoring on 16 th March 2017, which is prior to the audit period. PKCT notified the EPA that noise monitoring was being ceased in accordance with Condition M7.2 on 15 th August 2017 and received a response from EPA on 15 th August 2017 stating that the EPL did not require amending to account for the cessation of noise monitoring, therefore ERM considers PKCT to be compliant with this condition.	C	N/A
6 Reporting Conditions					
R1.1	The licensee must complete and supply to the EPA an Annual Return in the approved form comprising: <ol style="list-style-type: none"> 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, 	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 	ERM reviewed the annual returns for the audit period and confirmed that each annual return was supplied to the EPA in the approved form, therefore PKCT is compliant with this condition.	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and</p> <p>7. a Statement of Compliance - Environmental Management Systems and Practices.</p> <p>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.</p>				
R1.2	<p>An Annual Return must be prepared in respect of each reporting period, except as provided below.</p> <p>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.</p>	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 Extracts from POEO Licences, Application and Notice Detail web page from 2017, 2018, 2019 and 2020 EPA POEO Public Register 	<p>According to the EPA POEO public register, PKCT has submitted an annual return every year in the audit period. ERM reviewed the annual returns submission details from the audit period and confirmed that the annual returns had been submitted for each reporting period, therefore this condition has been satisfied.</p>	C	N/A
R1.3	<p>Where this licence is transferred from the licensee to a new licensee:</p> <p>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</p> <p>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.</p> <p>Note: An application to transfer a licence must be made in the approved form for this purpose.</p>	<ul style="list-style-type: none"> Interviews with site management 	<p>Management confirmed that the license has not been transferred during the audit period, therefore this requirement has not been triggered.</p>	NT	N/A
R1.4	<p>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:</p> <p>a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or</p> <p>b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.</p>	<ul style="list-style-type: none"> Interviews with site management 	<p>Management confirmed that the license has not been surrendered or revoked during the audit period, therefore this requirement has not been triggered.</p>	NT	N/A
R1.5	<p>The Annual Return for the reporting period must be supplied to the EPA via eConnect <i>EPA</i> 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').</p>	<ul style="list-style-type: none"> Extracts from POEO Licences, Application and Notice Detail web page from 2017, 2018, 2019 and 2020 EPA POEO Public Register 	<p>According to the EPA POEO Public Register, PKCT submitted the annual returns for 2017 and 2018 within 60 days after the end of each reporting period.</p> <p>The annual return period ends on 31st March and the submission deadline is therefore 30th May each year. ERM reviewed the annual returns submission details from the audit period and confirmed the following annual returns submission dates from the reporting period:</p> <ul style="list-style-type: none"> 2016/2017 annual return – 30th May 2017; 2017/2018 annual return – 28th May 2018; 2018/2019 annual return – 27th May 2019; and 2019/2020 annual return – 25th May 2020. <p>Therefore the requirements of this condition have been satisfied.</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
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.	<ul style="list-style-type: none"> Site observations 	ERM reviewed the last four year's annual returns retained on site and confirmed compliance with this condition.	C	N/A
R1.7	Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by: <ul style="list-style-type: none"> a) the licence holder; or b) by a person approved in writing by the EPA to sign on behalf of the licence holder. 	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 Site observations 	During management interviews, ERM reviewed the Statements of Compliance and Monitoring and Complaints Summary and confirmed certification and signatures by a PKCT Director and Secretary, therefore this condition has been satisfied.	C	N/A

R2 Notification of environmental harm

R2.1	Notifications must be made by telephoning the Environment Line service on 131 555.	<ul style="list-style-type: none"> Management interviews 	Site management reported that incidents were reported to the EPA via the Environment Line. ERM were unable to confirm that all notifications were made through the line and have assumed that PKCT are compliant with this condition.	C	N/A
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.	<ul style="list-style-type: none"> Emails from PKCT to NSW EPA EPA, Formal Warning Letter, 12th April 2019 	ERM reviewed the following emails relating to notified incidents: <ul style="list-style-type: none"> Notification of TSS exceedances during discharge on 30th August 2019, dated 6th September 2019; Notification of dust emanating from stockpiles on 2nd March 2020, dated 9th March 2020; Notification of Dirty Water Discharging from the Iron Chieftain from PKCT to Port Authority of NSW (forwarded to EPA on the same day) on 13th March 2018, dated 13th March 2018; Notification of dust emanating from stockpiles on 23rd November 2018, dated 30th November 2018; and Notification of TSS exceedances during discharge on 15th March 2019, dated 27th March 2019. ERM understands that PKCT notified the EPA of the exceedance on 27th March 2019 following receipt of laboratory analysis on 25th March 2019 confirming the exceedance. 	C(Obs)	PKCT should confirm laboratory turnaround times to ensure notification of exceedances are made as close to the incident date as possible.

R3 Written Report

R3.1	Where an authorised officer of the EPA suspects on reasonable grounds that: <ul style="list-style-type: none"> 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 	<ul style="list-style-type: none"> Interviews with site management Email from PKCT to Port Authority NSW, 'INFORM: 	The EPA requested a written report from PKCT following notification of observations of a suspected oil slick adjacent to the vessel Iron Chieftain's stern on 13 th March 2018. According	C	N/A
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	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.	<p>Dirty water discharge form Iron Chieftain', dated 13th March, 2018</p> <ul style="list-style-type: none"> Email from EPA to PKCT, 'Dirty water discharge form Iron Chieftain', dated 13th March 2018 INCIDENT REPORT REQUEST – Discharge from Vessel "Iron Chieftain", 21st March 2018 	<p>to the report, a crew member was observed spraying a chemical onto the deck of the ship, the deck bung plugs were open and the dirty water was discharging into the harbour. PKCT's stevedore contacted the vessel and requested the activity cease.</p> <p>PKCT provided the written report on 21st March 2018, therefore this condition is considered to be satisfied.</p>		
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.	<ul style="list-style-type: none"> Interviews with site management Email from EPA to PKCT, 'Dirty water discharge form Iron Chieftain', dated 13th March 2018 INCIDENT REPORT REQUEST – Discharge from Vessel "Iron Chieftain", 21st March 2018 	<p>The EPA requested PKCT provide a written report in relation to the discharge from the Iron Chieftain reported on 13 March 2018. The request required PKCT provide an incident report against Condition R3.3 and required submission to the EPA by 23rd March 2018.</p> <p>PKCT provided the requested incident report on 21st March 2018, which is within the timeframe specified in the request. The report included inquiries of the vessel involved and Port Authority NSW (which has jurisdiction over the event). Therefore, ERM considers the conditions of this requirement to be met.</p>	C	N/A
R3.3	<p>The request may require a report which includes any or all of the following information:</p> <ol style="list-style-type: none"> the cause, time and duration of the event; the type, volume and concentration of every pollutant discharged as a result of the event; 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; 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; action taken by the licensee in relation to the event, including any follow-up contact with any complainants; details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and any other relevant matters. 	<ul style="list-style-type: none"> Email from EPA to PKCT, 'Dirty water discharge form Iron Chieftain', dated 13th March 2018 INCIDENT REPORT REQUEST – Discharge from Vessel "Iron Chieftain", 21st March 2018 	<p>The EPA requested an incident report against Condition R3.3 in relation to the discharge from the Iron Chieftain. The PKCT incident report specifically addressed each item a) through g) and provided written commentary, therefore the requirements of this condition have been satisfied.</p>	C	N/A
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.	<ul style="list-style-type: none"> Interviews with site management Email from EPA to PKCT, 'FW: Incident Allocated I03359-2020 1300 OTHER - 1301 EPA LICENSED - Particulates/dust 	<p>Site management reported that no requests for further details have been received from the EPA in relation to the Iron Chieftain discharge report during the audit period.</p> <p>The EPA requested further details in relation to a self-reported dust pollution event on 2nd March 2020 during strong southerly winds. The email included a request to describe measures PKCT</p>	C	N/A

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
		<p>WOLLONGONG', dated 3rd March 2020</p> <ul style="list-style-type: none"> Email from PKCT to EPA, 'RE: Incident Allocated I03359-2020 1300 OTHER - 1301 EPA LICENSED - Particulates/dust WOLLONGONG', dated 9th March 2020. Email from EPA to PKCT, 'RE: Notification of Event Port Kembla Coat Terminal', dated 13th February 2020 Email from PKCT to EPA, 'HPE CM: RE: Notification of Event Port Kembla Coat Terminal', dated 19th February 2020 Email from EPA to PKCT, 'Notification of TSS exceedance - EPL 1625- Port Kembla Coat Terminal - 17 January 2020', dated 25th February 2020 Email from PKCT to EPA, 'PKCT LDP16 Water Qual exceedance during recent heavy rains', dated 27th March 2019 Email from EPA to PKCT, 'RE: PKCT LDP16 Water Qual exceedance during recent heavy rains', dated 9th April 2019 Email from PKCT to EPA, 'RE: PKCT LDP16 Water Qual exceedance during recent heavy rains', dated 11th April 2019 	<p>put in place preceding the wind event. PKCT replied on 9th March 2020 and no further correspondence was received from the EPA in relation to this matter.</p> <p>The EPA requested further details in relation to a TSS exceedance from LDP16 on 17th January 2020. The request included describing the outcomes of the full system review of PKCT's water collection system, including the results of the review and whether further investigation was required. PKCT provided a response to the EPA on 19th February 2020 and the response from EPA on 25th February 2020 stated that the EPA did not propose to take any further action.</p> <p>PKCT notified the EPA of a TSS exceedance at LDP16 during discharge on 15th March 2019. The EPA requested the March pH and TSS data for LDP 16 and the rainfall data from the PKCT site gauge for the month of March. PKCT supplied the requested information on 11th April 2019.</p> <p>Given PKCT have provided all information requested by the EPA in relation to pollution incidents in the time specified by the EPA, where applicable, ERM considers PKCT to be compliant with the requirements of this Condition.</p>		

R4 Other reporting conditions

Ambient Air Monitoring Report

R4.1	<p>The following must be submitted to the EPA with the Annual Return:</p> <p>A brief summary of the results for all Total Suspended Particulate (TSP) matter, Particulate Matter (PM10) and Particulate Matter (PM2.5) monitoring.</p> <p>Tabular presentation of all TSP, PM10 and PM2.5 levels for monitoring/discharge point 20 and 21. The average result for TSP and PM10 must be detailed within the table.</p>	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 	<p>ERM reviewed annual returns attachments and confirmed that:</p> <ul style="list-style-type: none"> A brief summary of the results for all TSP, PM10 and PM2.5 monitoring is presented in Section 2.0; 	NC	ERM recommends conducting assessments for all exceedances of TSP and PM10 thresholds at point 21 or engaging with the EPA to align this condition with the PKCT Dust Monitoring
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Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
	<p>Where the 24-hour concentration of TSP exceeds 90 µg/m³ at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:</p> <ul style="list-style-type: none"> weather data; a comparison of TSP levels at monitoring/discharge point 20 and 21; the proportion of TSP that is PM₁₀, PM_{2.5} and PM₁; the contribution of operating conditions; and other relevant factors. <p>Where the 24-hour concentration of PM₁₀ exceeds 50 µg/m³ at point 21, the licensee must undertake an assessment to determine the likely reason for the elevated level, including:</p> <ul style="list-style-type: none"> weather data; a comparison of PM₁₀ levels at monitoring/discharge point 20 and 21; the proportion of PM₁₀ that is PM_{2.5} and PM₁; the contribution of operating conditions; and other relevant factors. <p>Ambient air quality information used to inform the licensee's Annual Environmental Monitoring Report for the financial year preceding 30 June in the reporting period and information used to inform the licensee's Interim Annual Environmental Monitoring Report for the six-month period from 1 July to 31 December in the reporting period may be used to satisfy Condition R4.1. Information collected from 1 January to 31 March in the reporting period may be submitted to the EPA with the next Annual Return.</p>		<ul style="list-style-type: none"> Tabular presentation of all TSP, PM₁₀ and PM_{2.5} levels for monitoring/discharge points 20 and 21 including the average result for TSP and PM₁₀ is included in Attachment B in the 2017/2018 and 2018/2019 annual returns and Attachment C in the 2019/2020 annual return; PKCT has included excerpts from assessments for events where the 24-hour concentration of TSP exceeded 90 µg/m³ at point 21, however, this is only undertaken when analysis shows that PKCT is likely to have contributed more than 30% to the exceeding concentration of TSP, which is in accordance with the PKCT Dust Monitoring Program. According to the annual returns summary tables, exceedances of the 24-hour concentration of TSP at the point 21 occurred 17 times in 2017/2018 and 2018/2019 and 10 times in 2019/2020, however the annual returns attachments only included investigations for two events in 2017/2018, zero events in 2018/2019 and three events in 2019/2020. Therefore, there are instances where the reporting required by this condition has not been included in the annual returns and this condition has not been met; and <p>PKCT has included excerpts from assessments for events where the 24-hour concentration of PM₁₀ exceeded 50 µg/m³ at point 21, however, this is only undertaken when analysis shows that PKCT is likely to have contributed more than 30% to the exceeding concentration of PM₁₀, which is in accordance with the PKCT Dust Monitoring Program. According to the annual returns summary tables, exceedances of the 24-hour concentration of PM₁₀ at point 21 occurred 41 times in 2017/2018, 31 times in 2018/2019 and 23 times in 2019/2020, however the annual returns attachments only included investigations for one event in 2017/2018, zero events in 2018/2019 and seven events in 2019/2020. Therefore, there are instances where the reporting required by this condition has not been included in the</p>		<p>Program to require investigations only where PKCT is likely to have contributed more than 30% to the exceeding concentration.</p>

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
			annual returns and this condition has not been met;		
Wet Weather Overflow Reporting					
R4.2	<p>The following must be submitted to the EPA with the Annual Return: Details of any overflow from Point 22, Point 23, Point 24, Point 25 and/or Point 26 specified by Conditions P1.2 and P1.3. The following information must be provided for each overflow:</p> <ul style="list-style-type: none"> a tabular presentation of the concentration of each pollutant specified in Condition M2.3; date and time of the commencement of each overflow; an estimate of the volume of each stormwater overflow and over what time period the overflow occurred; the weather conditions at the time of each overflow, specifying the amount of rainfall on a daily basis that had fallen a) on the day(s) of the overflow and b) for each day of the 7 day period prior to the overflow; an explanation as to why the overflow occurred; an estimate of sedimentation as a percentage of the design capacity of the relevant sedimentation pond identified in Condition O4.1; the location(s) of the discharge; and was the discharge permitted by the licence. 	<ul style="list-style-type: none"> Annual returns for 2017/2018, 2018/2019 and 2019/2020 	ERM reviewed annual returns attachments and confirmed that details of any overflow from Point 22, 23, 24, 25 or 26 included the items required by this condition.	C (Obs)	P1.3 includes Point 27, however Point 27 is not referenced in this condition. ERM recommends clarifying with EPA if details of overflows from Point 27 require submitting with the annual returns.
7 General Conditions					
G1	Copy of licence kept at the premises or plant				
G.1.1	A copy of this licence must be kept at the premises to which the licence applies.	<ul style="list-style-type: none"> Site observations 	ERM confirmed the presence of a copy of the EPL at the premises. The PKCT website also links to a copy of the EPL, however when ERM tested this, the link connected to the incorrect version of the EPL on the EPA website.	C (Obs)	ERM recommends updating the PKCT website to link to the correct version of the EPL.
G1.2	The licence must be produced to any authorised officer of the EPA who asks to see it.	<ul style="list-style-type: none"> Management interviews 	Management confirmed that an authorised officer has not requested to see the licence during the audit period, therefore this condition has not been triggered.	NT	N/A
G1.3	The licence must be available for inspection by any employee or agent of the licensee working at the premises.	<ul style="list-style-type: none"> Site observations 	ERM confirmed the presence of a copy of the EPL at the premises, available for inspection by any employee or agent of the licensee working at the premises.	C	N/A

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
G2	Other general conditions						
G2.1	Completed programs						
	Program	Description	Completed date	N/A	Noted.	N/A	N/A
	PRP 1- Installation of additional dust control for Difficult Coal Types	Dust Control for Difficult Coal Types. Install additional controls and techniques to minimise dust resulting from handling difficult coal type products.	30-November-2004				
	PRP 2 - Water Collection System Performance Upgrade	Water Collection System Performance Upgrade. Determine strategies to improve the performance of the water collection treatment and discharge system.	31-January-2007				
	PRP 3 - Investigate further dust control technique for difficult coal types	Investigate further dust control techniques for difficult coal types. Report the findings of the investigation and preferred dust control strategy.	30-June-2008				
	PRP 4 - Minimise Spillage of Coal from Maintenance Activities at Berth 102	Report on the Spillage Reduction For Berth 102. Options to improve the spillage capture/minimisation performance of Berth 102.	02-April-2009				
	PRP 5 - Reuse of treated effluent from Coniston STP in dust control	Reuse of treated effluent from Coniston STP in Dust Control. Implementation will save approx 1 Mega litre per day of potable water and reduce demand pressure on the Sydney drinking water dams.	30-June-2009				
	PRP 6 – Dust Management Improvement	Dust Management Improvement. Identify ways of improving the effectiveness of dust management and minimising dust emissions.	30-June-2010				
	PRP 7 - Green and Golden Bell Management Plan	Green and Golden Bell Management Plan. Minimise the risk of harm or damage to the GGBF and its habitat from any actual or potential pollution from the premises.	30-June-2009				

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
	PRP 8 - Identify options to improve the performance of the stormwater pollution control system	Identify options to improve the performance of the stormwater pollution control system. To improve the effectiveness of the stormwater pollution control system at the Port Kembla Coal Terminal.	31-August-2010				
	PRP 9 - Performance upgrades to the stormwater control system	Performance upgrades to the stormwater control system to improve the system's ability to control suspended solids discharged into Port Kembla Harbour.	30-June-2012				
	PRP10 - Environmental Improvement Program, Review Truck Wash Performance	Environmental Improvement Program, Review Truck Wash Performance	30-July-2011				
	PRP11 - Environmental Improvement Program, Install Northern Truck Wash Upgrades	The effectiveness of the northern truck wash can be improved. This PRP is for the purpose of improving the effectiveness of the northern truck wash. The work involves civil and electrical refurbishments & installations together with new operating procedures to be followed by trucking companies using the facility.	06-February-2015				
	PRP 12 - Implement upgrades to stormwater pollution control system	Implement recommendations from the Port Kembla Coal Terminal Pond Maintenance report or, if not reasonably practical, by alternate measures at the Central, North and TS1 Ponds, and Coal Stockyard area.	09-December-2016				
	PRP 13 - Algae control trial in Settlement Lagoon	The licensee submitted a proposal to trial the use of Eco-Tabs as a measure to prevent and treat algal growth in the Settlement Lagoon to EPA.	31-March-2014				

Item	Assessment Requirement			Reference/ Evidence	Comments	Compliance	Recommendations
	Wagon Monitoring and Reporting Environmental Improvement Program	Implement a program of monitoring and reporting on the condition of loaded wagons received at the premises. All trains entering the dump-station will be assessed against criteria relating to likelihood that coal may have been spilt within the rail corridor during the trains most recent journey.	30-September-2016				
	EIP - Particulate Matter Control Best Practice Study	The licensee must conduct a Site-Specific Best Management Practice Study to identify the most practicable means to reduce particle emissions.	26-July-2017				
	EIP - Use of Real Time Particulate Monitoring Data for Operational Control	The licensee must review the effectiveness of the real time particulate monitoring system used at Port Kembla Coal Terminal and the associated management systems in place aimed at reducing dust emissions on site.	06-April-2017				
	EIP - Train Condition Exception Reporting	The licensee must complete visual train condition assessments for all trains arriving at the premises. The aim of this condition assessment is to identify wagons that are consistently loaded in a manner that clearly is likely to contribute to spillage of coal in the rail corridor.	30-November-2017				
	Implement Stockyard Spray Optimisation	Implement improvements to existing stockyard spray system. Follow up actions from U2 - Particulate Matter Control Best Practice Study	29-June-2018				
	Develop Management Plan for Southern Pads/bulk products area	Develop Management Plan for Southern Pads/Bulk products area. Follow up actions from U2 - Particulate Matter Control Best Practice Study	21-May-2018				
	Review Inbound Moisture Meters	Review current inbound moisture meter. Follow up actions from U2 - Particulate Matter Control Best Practice Study	29-June-2018				

Item	Assessment Requirement	Reference/ Evidence	Comments	Compliance	Recommendations
8 Pollution Studies and Reduction Programs					
U1	Environmental Improvement Program (EIP) - Install Moisture Meters Road Receival				
U1.1	Purchase and Installation of second Inbound Moisture Meter Following the successful PIA for the installation of a second moisture meter to be installed on PKCT's inbound road receival system, PKCT will complete a PEA for the purchase and installation of the second moisture meter to be installed on PKCT's inbound road receival system. Completion Date: 31st December 2018.	<ul style="list-style-type: none"> Site observations PKCT Environmental Improvement Program U1, Install Moisture Meters Road Receival, Draft Report, August 2020 	According to the draft report prepared by PKCT in relation to EIP U1, PKCT's initial PIA for the second moisture meter was approved and a PEA was approved by PKCT Capital Review Committee. ERM observed the moisture meter in the truck load-out facility during the site visit, therefore the requirements of this EIP are considered to have been met.	C	N/A
U1.2	Installation and commissioning of new inbound moisture meter PKCT will complete installation and commissioning of a new inbound road receival system moisture meter. Completion Date: 31 December 2019	<ul style="list-style-type: none"> Site observations PKCT Environmental Improvement Program U1, Install Moisture Meters Road Receival, Draft Report, August 2020 	PKCT installed a Moistscan® MA-500HD moisture meter at the NC2 conveyor in the Road Receival system on 17th October 2019. Records of installation and commissioning were included in Appendix 1 of the draft report related to EIP U3. Records of commissioning, including inspection and test records were completed on 17 th October 2019 accompanied by a declaration from an authorised representative of the equipment suppliers. ERM observed the moisture meter in the truck load-out facility during the site visit. The site maintains active monitoring of moisture content in the Main Control Room and ERM observed the operation of this feature during the site visit, therefore the requirements of this EIP are considered to have been met.	C	N/A
U1.3	Testing and calculations for new inbound moisture meter PKCT will complete the testing and verification of the calculations for the new inbound road receival system moisture meter against manual sampling results of coal types run through road system. Completion Date: 28th February 2020	<ul style="list-style-type: none"> Site observations PKCT Environmental Improvement Program U1, Install Moisture Meters Road Receival, Draft Report, August 2020 	Calibration of the moisture meter was conducted by the equipment supplier and involved tracking products of known moisture content across the scanner and verifying or adjusting the measured levels. This process was carried out on 3 rd January 2020, therefore ERM considers PKCT to be compliant with the requirements of this Condition.	C	N/A
U1.4	Integration of new inbound moisture meter PKCT will complete the integration of new inbound road receival system moisture meter for automatic moisture content reporting for PKCT's road receival system. Completion Date: 31st August 2020	<ul style="list-style-type: none"> Site observations PKCT Environmental Improvement Program U1, Install Moisture Meters Road Receival, Draft Report, August 2020 	PKCT monitors moisture content data from the moisture meters for imported material from the Main Control Room. ERM observed the operation of this system during the site visit and confirmed the second moisture meter has been integrated into PKCT's dust monitoring and response system, therefore the requirements of this EIP are considered to have been met.	C	N/A

APPENDIX A3 - DRIVER'S CODE OF CONDUCT

Compliance with Project Approval 08_0009

Document details	
Document title	Appendix A3 - Driver's Code of Conduct
Document subtitle	Compliance with Project Approval 08_0009
Project No.	0546906
Date	10 September 2020
Version	1.0
Author	Dean Kerr, Heather McKay
Client Name	Port Kembla Coal Terminal Ltd

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations								
Drivers Code of Conduct													
1.	Drivers Summary Sheet Travel Time Wollongong Coal No 1 Mine: Despatch of road haulage of coal from Wollongong Coal via Bellambi Road is permitted to PKCT between 7am and 10pm Monday to Friday, and 8am to 6 pm on Saturday and Sunday or public holidays.	<ul style="list-style-type: none">Interviews with site management	Management reported that coal was not received via Bellambi Road from Wollongong Coal No 1 Mine during the audit period, therefore this condition is not triggered.	Not Triggered	N/A								
	West Cliff Coal Preparation Plant: Road haulage of coal is permitted to PKCT on a 24 hour 7 day per week basis.	<ul style="list-style-type: none">N/A	Noted.	N/A	N/A								
	Dendrobium Coal Preparation Plant: Road haulage of coal is permitted to PKCT on a 24 hour 7 day per week basis.	<ul style="list-style-type: none">N/A	Noted.	N/A	N/A								
2.	Haulage Routes All haulage trucks travelling to and from PKCT will do so by using major arterial roads. Major arterial roads include those listed in the table below: <table><tr><td>Mt Ousley Road</td><td>Bellambi Lane</td></tr><tr><td>Northern Distributer</td><td>F6 Freeway</td></tr><tr><td>Masters Road</td><td>Springhill Road</td></tr><tr><td>Port Kembla Road</td><td></td></tr></table>	Mt Ousley Road	Bellambi Lane	Northern Distributer	F6 Freeway	Masters Road	Springhill Road	Port Kembla Road		<ul style="list-style-type: none">Linfox – Drivers Code of Conduct Compliance Audit, dated 4th March 2020S32 - Drivers Code of Conduct Compliance Audit, dated 16th March 2020Road User Group Meeting Minutes from April 2020, January 2020, November 2019, October 2019, July 2019,Heavy Haulage Induction ScriptHeavy Haulage Induction Question and AnswersExample PKCT Task Coach and Observation Sheets	PKCT, Linfox and South32 conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). The task coach and observation audit sheets include an assessment of whether the trucks are using the main arterial roads detailed in the DCC. ERM reviewed example audit sheets and confirmed that the trucks were utilising the major arterial roads from the DCC. In addition to routine audits by the trucking company and PKCT, the trucking company management reported that all trucks are tracked by GPS to ensure the correct routes are taken.	C	N/A
Mt Ousley Road	Bellambi Lane												
Northern Distributer	F6 Freeway												
Masters Road	Springhill Road												
Port Kembla Road													
3.	PKCT Road Delivery Standards Heavy Haulage Drivers will observe the following while en- route to PKCT or while on the PKCT site: <ul style="list-style-type: none">Observe all road rules including speed limits as signpostedObey the sign posted speed limit on Bellambi Lane.Stay on the outer two lanes while travelling down Mt Ousley Rd and take care when mergingHold a valid driver’s licence for the class of vehicle that you operateWhere safe to do so, avoid applying compression brakes near residences and in built up areasDo not apply compression brakes approaching the intersection of Port Kembla Road and Springhill Road wherever possible. Compression braking on Masters Road should be avoided.Operate the vehicle in a manner that minimises vehicle noiseHave the load covered from the mine to the PKCT road receival area. The gates at the end of Port Kembla Road denote the start of the PKCT Road Receival Area.	<ul style="list-style-type: none">Linfox – Drivers Code of Conduct Compliance Audit, dated 4th March 2020S32 - Drivers Code of Conduct Compliance Audit, dated 16th March 2020Road User Group Meeting Minutes from April 2020, January 2020, November 2019, October 2019, July 2019,Heavy Haulage Induction ScriptHeavy Haulage Induction Question and Answers Example PKCT Task Coach and Observation Sheets	PKCT, Linfox and South32 conduct routine audits of trucking activities to confirm compliance with the Drivers Code of Conduct (DCC). The task coach and observation audit sheets include an assessment of the following: <ul style="list-style-type: none">Trucks are adhering to all road rules including speed limits (all of the major arterial roads from Item 2 are listed specifically with their designated speed limits, including Bellambi Lane);Trucks staying on outer two lanes on Mt Ousley Rd;Drivers hold a valid licence for the vehicle being operated;The use of compression breaks is being avoided in residential areas, when approaching the intersection of Port Kembla Road and Springhill Road;Trucks are being operated so as to avoid excessive noise;Loads are covered for the duration of the trip;	C	N/A								

No	Assessment Requirement	Reference/Evidence	Comments	Compliance Status	Recommendations										
	<ul style="list-style-type: none">▪ Not queue on Springhill Road (Queuing is only permitted on Tom Thumb and Port Kembla Road)▪ Position trucks over tipping grates before commencing tipping at PKCT▪ Use the truck wash obeying signage and/ or traffic lights as applicable and pass through at an appropriate speed to ensure an effective wash (no greater than 5km/hr).▪ After tipping, ensure tailgate is locked before leaving PKCT.▪ Approach speed hump at the gate of PKCT slowly to avoid creating excessive noise.▪ Report spills, (coal or hydrocarbon).▪ Report hazards or poor road conditions e.g. potholes or poorly sequenced traffic lights which may present a traffic hazard or noise concern.▪ It is the driver’s responsibility to report all vehicle faults and the owner’s responsibility to ensure the vehicle is maintained.		<ul style="list-style-type: none">▪ Queuing on Springhill Rd is avoided;▪ Trucks are positioned over grids prior to tipping;▪ Trucks are not speeding through the truck wash and are obeying traffic signals;▪ Tail gates are locked before leaving PKCT; and▪ Speed humps are approached slowly, including the speed hump at the gate of PKCT and excessive noise is avoided. <p>ERM reviewed example audit sheets and confirmed that the trucks were generally compliant with the requirements of this condition.</p> <p>In addition to routine audits by the trucking company and PKCT, the trucking company management reported that all trucks are tracked by GPS to ensure the correct routes are taken and speed limits adhered to, drivers licences are maintained on a central database with warnings for impending expiry dates and regular drivers licence declaration maintained on the Linfox database.</p> <p>Linfox management advised that the trucks delivering coal to PKCT do not have compression breaks installed. A retarder system operates in a similar manner while avoiding the excessive noise created by compression breaks. The tipping area is monitored by camera surveillance at all times, allowing for monitoring of truck behaviour while tipping, utilising the truck wash, arriving and departing PKCT.</p> <p>Given the ongoing monitoring for routes, speed limit adherence and behaviour within PKCT premises, coupled with the lack of compression breaks on trucks and the regular trucking audits, ERM considers PKCT to be compliant with this condition.</p>												
4.	<p>Incident Management</p> <p>To ensure quick response, all incidents must be reported immediately to your shift supervisor. For incidents on the public road network contact emergency services and RMS as required and others if support if needed. For incidents at the mine site and PKCT, contact the site controller (i.e. mine site or PKCT as appropriate).observe all road rules including speed limits</p> <p>Contact Numbers:</p> <table><tr><td></td><td>Contact Number</td></tr><tr><td>Emergency Services</td><td>000</td></tr><tr><td>RMS Transport Management Centre</td><td>131 700</td></tr><tr><td>Port Kembla Coal Terminal</td><td>42211812 (emergency number); 42211806, 42211807</td></tr><tr><td>Shipper</td><td>mine site’s emergency number as advised</td></tr></table>		Contact Number	Emergency Services	000	RMS Transport Management Centre	131 700	Port Kembla Coal Terminal	42211812 (emergency number); 42211806, 42211807	Shipper	mine site’s emergency number as advised	N/A	This condition generally applies to trucking companies and is not the responsibility of PKCT.	N/A	N/A
	Contact Number														
Emergency Services	000														
RMS Transport Management Centre	131 700														
Port Kembla Coal Terminal	42211812 (emergency number); 42211806, 42211807														
Shipper	mine site’s emergency number as advised														

APPENDIX B DEPARTMENTAL CORRESPONDENCE

Leanne Jeffrey

From: Barry Peden <b.peden@bigpond.net.au>
Sent: Tuesday, 4 August 2020 1:34 PM
To: Heather McKay
Subject: Re: Port Kembla Coal Terminal - Independent Environmental Audit

G'day Heather

I am completely happy with my involvement with PKCT Consultative Committee, and have no areas of concern at this stage

Thanks,
BP

On 3 Aug 2020, at 11:44 AM, Heather McKay <Heather.McKay@erm.com> wrote:

Dear Barry,

I would like to provide a reminder of the below request. If you have any comments or areas of concern to raise during the audit I would be pleased if you could provide these by Wednesday 5 August.

Kind regards,
Heather

From: Heather McKay
Sent: Tuesday, June 30, 2020 12:17 PM
To: b.peden@bigpond.net.au
Cc: Luke Pascot <Luke.Pascot@pkct.com.au>; Michael Curley <Michael.Curley@pkct.com.au>; Oliver Moore <Oliver.Moore@erm.com>; Dean Kerr <dean.kerr@erm.com>
Subject: Port Kembla Coal Terminal - Independent Environmental Audit

Dear Barry,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to PKCT, PA 08_0009.

One of the requirements of the audit is that it is to be undertaken in consultation with relevant agencies. To that end, this email invites you to raise any questions or concerns regarding this project from an environmental management aspect.

The attached Terms of Reference outlines the audit process, and also introduces the approved team of suitably qualified, experienced and independent experts who will be undertaking the audit. The site inspection will be completed over the period 4-5 August 2020, therefore it would be appreciated if there are any concerns, areas of focus etc., they are raised by 22 July 2020.

I can be contacted at the details outlined below to discuss further.

Kind regards,
Heather

Heather McKay
Senior Environmental and Social Governance Consultant

ERM

Level 4, 201 Leichhardt St | Spring Hill | QLD 4000

PO Box 1400 | Spring Hill | QLD 4004

T +61 (0)7 3007 8486 M +61 (0)420 532 113

E Heather.McKay@erm.com | W www.erm.com

<image001.jpg>

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<0546906 PKCT IEA_ToR_300620.pdf>

Leanne Jeffrey

From: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>
Sent: Thursday, 2 July 2020 8:58 PM
To: Heather McKay
Subject: RE: Port Kembla Coal Terminal - Independent Environmental Audit

Hi Heather,

Please undertake the audit as per the consent requirements, paying particular attention to air quality.

Kind Regards,
Georgia

From: Heather McKay <Heather.McKay@erm.com>
Sent: Tuesday, 30 June 2020 12:17 PM
To: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>
Cc: Luke Pascot <Luke.Pascot@pkct.com.au>; Michael Curley <Michael.Curley@pkct.com.au>; Oliver Moore <Oliver.Moore@erm.com>; Dean Kerr <dean.kerr@erm.com>
Subject: Port Kembla Coal Terminal - Independent Environmental Audit

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Kind regards,
Heather

Heather McKay
Senior Environmental and Social Governance Consultant

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Contact: Georgia Dragicevic
Phone: 4247 1852
Fax: 4224 9470
Email: Georgia.Dragicevic@planning.nsw.gov.au

Mr Luke Pascot
Port Kembla Coal Terminal
Port Kembla Road, Inner Harbour
WOLLONGONG NSW 2500

21 April 2020

Dear Mr Pascot

**Port Kembla Coal Terminal (MP 08_0009)
Independent Environmental Audit 2020**

I refer to your email letter dated 26 March 2020 seeking an extension of time for the submission of the Independent Environmental Audit for Port Kembla Coal Terminal, in accordance with Schedule 4, Condition 5 of the development approval 08_0009 (the approval).

Having considered your request, the Secretary grants an extension of time for the submission of the Independent Environmental Audit for Port Kembla Coal Terminal until the 31st September 2020.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic on telephone number (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. O'Reilly'.

Katrina O'Reilly
Team Leader Compliance
as nominee of the Secretary



Contact: Georgia Dragicevic
Phone: 4247 1852
Fax: 4224 9470
Email: Georgia.Dragicevic@planning.nsw.gov.au

Mr Luke Pascot
Port Kembla Coal Terminal
Port Kembla Road, Inner Harbour
WOLLONGONG NSW 2500

28 February 2020

Dear Mr Pascot

**Port Kembla Coal Terminal (MP 08_0009)
Independent Environmental Audit 2020**

I refer to your email letter dated 27 February 2020 seeking approval of Ms Heather McKay of Environmental Resources Management Australia Pty Ltd as the lead auditor for the upcoming Port Kembla Coal Terminal Independent Environmental Audit, in accordance with Schedule 4, Condition 5 of the development approval 08_0009 (the approval).

Having considered the qualifications and experience of Ms McKay, the Secretary endorses the appointment of Ms McKay to undertake the audit in accordance with Schedule 4, Condition 5 of the approval. This approval is conditional on Ms McKay being independent of the development.

The audit is to be conducted in accordance with AS/NZS ISO 19011 Australian/New Zealand Standard: Guidelines for quality and/or environmental management systems auditing and consider the Independent Audit Post Approval Requirements dated June 2018. A copy of the requirements can be located at <http://planning.nsw.gov.au/Assess-and-Regulate/About-compliance/Compliance-policy-and-guidelines/Independent-audit-post-approval-requirements>.

The audit report is to include the following:

- consultation with the relevant agencies;
- a compliance table indicating the compliance status of each condition of approval and any relevant EPL;
- not use the term “partial compliance”;
- recommend actions in response to non-compliances;
- review the adequacy of plans and programs required under this consent; and
- identify opportunities for improved environmental management and performance.

Within six weeks of completion of the audit, Port Kembla Coal Terminal is to submit a copy of the audit report to the Secretary, together with its response to any recommendations contained in the audit report and a timetable to implement the recommendations. Prior to submitting the audit report to the Secretary, it is recommended that Port Kembla Coal Terminal review the report to ensure it complies with the relevant consent condition.

Should you have any enquiries in relation to this matter, please contact Georgia Dragicevic on telephone number (02) 4247 1852 or by email to Georgia.Dragicevic@planning.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'K O'Reilly', written over a light blue horizontal line.

Katrina O'Reilly
Team Leader Compliance
as nominee of the Secretary

From: [Chris Kelly - Wollongong](#)
To: [Heather McKay](#)
Subject: Port Kembla Coal Terminal - Independent Environmental Audit - EPL 1625
Date: Monday, 6 July 2020 4:10:59 PM
Attachments: [image002.png](#)
[image003.png](#)
[image005.jpg](#)

Dear Ms McKay,

I refer to your email regarding the forthcoming Independent Environmental Audit (IEA) on the Conditions of Approval issued to Port Kembla Coal Terminal (PKCT), PA 08_0009.

You have advised the EPA that the primary objectives of the audit include:

- assess the environmental performance of the project and assess whether it is complying with the requirements in the Conditions of Approval and any relevant Environment Protection Licence.
- review the adequacy of any approved strategy, plan, or program required under the abovementioned consents/approvals; and
- recommend appropriate measures or actions to improve the environmental performance of the project, and/or any assessment, plan or program required under the abovementioned approvals.

Although the EPA does not currently have any major areas of concern with the operation at PKCT, we would recommend particular focus on the following aspects:

- Air quality impacts, particularly management and monitoring of dust generation.
- Adequacy of and compliance with site surface water controls and discharges.
- Non-compliances identified in the PKCT Licence Annual Returns on the EPA Public Register (<https://apps.epa.nsw.gov.au/prpoeoapp/>)

The EPA looks forward to reviewing the IEA report and findings. If you wish to discuss this matter further, please do not hesitate to contact me on 4224 4118.

Regards

Chris Kelly

Regional Operations Officer - Illawarra

Metropolitan South

+61 2 4224 4118

chris.kelly@epa.nsw.gov.au www.epa.nsw.gov.au info@NSW.EPA

Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555



From: Heather McKay <Heather.McKay@erm.com>

Sent: Tuesday, 30 June 2020 1:48 PM

To: Chris Kelly - Wollongong <Chris.Kelly@epa.nsw.gov.au>

Subject: HPE CM: FW: Port Kembla Coal Terminal - Independent Environmental Audit

Dear Chris,

I am currently completing the Independent Environmental Audit (IEA) on the Conditions of Approval issued to PKCT, PA 08_0009.

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I can be contacted at the details outlined below to discuss further.

Kind regards,
Heather

Heather McKay
Senior Environmental and Social Governance Consultant

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From: [Georgia Dragicevic](#)
To: [Heather McKay](#)
Subject: RE: Port Kembla Coal Terminal - Independent Environmental Audit
Date: Thursday, 2 July 2020 8:58:19 PM
Attachments: [image001.jpg](#)

Hi Heather,

Please undertake the audit as per the consent requirements, paying particular attention to air quality.

Kind Regards,
Georgia

From: Heather McKay <Heather.McKay@erm.com>
Sent: Tuesday, 30 June 2020 12:17 PM
To: Georgia Dragicevic <Georgia.Dragicevic@planning.nsw.gov.au>
Cc: Luke Pascot <Luke.Pascot@pkct.com.au>; Michael Curley <Michael.Curley@pkct.com.au>; Oliver Moore <Oliver.Moore@erm.com>; Dean Kerr <dean.kerr@erm.com>
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Sydney NSW 2000

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