

Attachment 1 – Licence 11149 LYA

Condition No.	Condition text	Support to comply
LI_G9	<p>1. You must develop a risk management and monitoring program for your activities which:</p> <ol style="list-style-type: none"> identifies all the risks of harm to human health and the environment which may arise from the activities you are engaging in at your premises; clearly defines your environmental performance objectives; clearly defines your risk control performance objectives; describes how the environmental and risk control performance objectives are being achieved; identifies and describes how you will continue to eliminate or minimise the risks in [1a] so far as reasonably practicable (SFARP); and describes how the information collated in compliance with this clause, is or will be disseminated, used or otherwise considered by you or any other party. <p>2. The risk management and monitoring program must be:</p> <ol style="list-style-type: none"> documented in writing; signed by a duly authorised officer of the licensed entity; and made available to the Authority on request. 	<p>EPA expectations licence holder to with the Risk Management and Monitoring Plan (RMMP) condition on 31 December 2021. The general licence condition G5 will be removed then.</p> <p>The Environment Protection Amendment Act 2018 introduces a General Environmental Duty. Under this duty it is the responsibility of everyone carrying out an activity to:</p> <ul style="list-style-type: none"> understand and assess the risks their activities may pose eliminate or reduce those risks as far as reasonably practicable <p>The new RMMP condition supplements the current G5 condition, for example by requiring the duty holder to identify and describe how you will continue to eliminate or minimise the identified risks so far as reasonably practicable (SFARP). Having regard to the ongoing review of technologies, and informed by results from the continuous Emissions Monitoring System, the RMMP requires minimising or eliminating risk so far as reasonably practicable.</p> <p>EPA expects compliance with this condition to include demonstration of a comprehensive understanding of the risk associated with key pollutants released from your plant into ambient air. EPA also expects technology or process changes identified as reasonably practicable in the RMMP to be implemented.</p> <p>Through inclusion of the SFARP test, EPA acknowledges that where it can be demonstrated that minimising or eliminating risk is not practicable, those improvements may not be implemented. EPA recognises that investments in significant infrastructure upgrades may be costly and the time horizon to recover these investments may be limited if operations cease prior to costs being adequately recovered. Refer to EPA publication 1856 for more information on the SFARP test.</p>
LI_L22.1	<p>You must prepare a landfill and ash-pond rehabilitation plan that you provide to EPA by 31 Dec 2021. The plan must accord with the requirements of Section 8 of Best Practice Environmental Management, Siting, Design, Operation and Rehabilitation of Landfills (EPA Publication 788, released August 2015) and must be consistent with the mining rehabilitation plan approved under the Mineral Resources (Sustainable Development) Act 1990 (Vic). The plan must be verified by a person who has been appointed as an environmental auditor under the Environment Protection Act 1970 and must:</p> <ol style="list-style-type: none"> outline the performance objectives and environmental performance measures for the rehabilitation of landfills and ash ponds; outline the key activities that will take place when rehabilitating the landfills and ash ponds; specify the proposed timeframes for key rehabilitation activities; specify the environmental management framework applied to the rehabilitation activities to ensure that the risks associated are adequately assessed and controlled; be revised and submitted to EPA at least every 5 years; or after a major variation to the plan as prescribed in EPA publication 1323.3 (released in September 2016). 	<p>Refer to the following for more information:</p> <ul style="list-style-type: none"> EPA publication 788: Best Practice Environmental Management, Siting, Design, Operation and Rehabilitation of Landfills Note: Given the prescriptive nature of requirements of Section 8 of EPA publication 788, EPA as a risk based regulator, EPA will only relevant requirements of section 8 EPA publication 788. Environmental Auditing - https://www.epa.vic.gov.au/for-business/find-a-topic/environmental-audit EPA publication 1323.3: Landfill licensing
LI_DA1.10.2	<p>The discharge of indicators listed in the 'Discharge to Air' Table must not exceed the corresponding discharge limits in that table, except for conditions LI_DA1.10.3 and LI_DA1.10.4.</p>	<p>This condition replaces the old condition LI_DA1. For compliance, refer to Refer to EPA publications 1322.9 and 440 . 90th percentile limits are calculated are based on a 12-month rolling average.</p> <p>EPA expects LYA to be compliant:</p> <ul style="list-style-type: none"> with LI_DA1.10.2 limits from 31 May 2021. with LI_DA1 limits until 31 May 2021 (refer to previous licence).

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LI_DA1.10.3	The discharge limits for particles in the 'Discharge to Air' Table do not apply during plant start-up and shut-down or the accidental failure of major operating equipment (maintained in accordance with the manufacturer's specifications) for an aggregate period of 88 hours for any 12-month period.	Refer to EPA publication 1322.9 Licence management (Access discharge to air)
LI_DA1.10.4	The concentration of particles discharged from discharge point(s) 1-4 can only exceed 0.22 grams per normal cubic metre (based on 30-minute averages at 12% CO2) during plant start-up and shut-down or the accidental failure of major operating equipment (maintained in accordance with the manufacturer's specifications) for an aggregate period of 88 hours for any 12-month period.	You must have procedures and controls in place to ensure that the periods and levels of discharges meet those set in the condition. You must be working towards minimising the emissions so that this condition will no longer be required.
LI_DA4	You must conduct continuous monitoring of the following discharge to air indicators, particles (total), carbon monoxide, sulfur dioxide, and oxides of nitrogen, at discharge point(s) 1-4.	Refer to EPA publication 440 & EPA publication 1322.9
LI_DA4.2	You must maintain a publicly accessible website, to which you must publish: <ul style="list-style-type: none"> a) Within 12 hours of the end of each day, whether the Discharge Limits, as specified in the 'Discharge to Air' Table in condition LI_DA1.10.2, were exceeded at any time within the preceding day for the following indicators particles (total), carbon monoxide, sulfur dioxide, and oxides of nitrogen; b) Within 14 calendar days of the end of each month, a summary of validated monitoring data for the preceding month from the monitoring program in condition LI_DA4 and a summary of the information in (a) for the preceding month. The summary of validated monitoring data must include: EPA licence number; discharge point, map showing discharge point location and discharge point description / type; indicator; limit type; unit; discharge limit; monitoring frequency; relevant dates; upfront explanation of apparent missing data; timeframe and details of any exceedances of discharge limits and associated explanations; monitoring system availability; outages and explanations; details of any corrections made after the publishing of the previous monthly summary. c) A copy of your current EPA licence; the licensee's name and address of premises; a link to the EPA Portal search page for licences and APS reports; GPS location details of all monitoring points/areas and a map showing this. d) Information and monitoring data must be published in a legible form which allows for direct download in common open file formats. e) Information and monitoring data must be retained at the premises for five years from the date of publishing. 	The condition sets minimum requirements for public reporting. In particular: <ul style="list-style-type: none"> (a) Public reporting of all parameters monitored in real time directly or through a surrogate method. (b) Public reporting of all data from within 14 days of the preceding month (c) Information that must always be shown on the website (d) Sets the minim requirements for presenting information on a website. (e) Data retention requirements LYA is expected to be compliant with this condition 3 month from date of licence amendment.
LI_DA4.3	You must establish and implement a program for a 12-month period to monitor the discharge to air, at discharge point(s) 1-4, of fine particles PM2.5 and coarse particles PM10 to establish the 90th percentile annual frequency distribution. The results of this program must be made available to EPA on request and must be published to the publicly accessible website required by condition LI_DA4.2 by 31 March 2022.	EPA expects licence holder to engage with EPA when establishing program. EPA acknowledges technological changes for direct monitoring PM10 and PM2.5 in real time. As such, EPA supports use of surrogate methods together with an appropriate number of stack tests. You are encouraged to engage with EPA when establishing the program. Refer to EPA publications 440 & 1322.9
LI_DA4.4	You must establish and implement a program for a 12-month period to monitor the discharge to air, at discharge point(s) 1-4, of all class 3 indicators listed in Schedule A of State Environment Protection Policy (Air Quality Management) likely to be emitted from your premises, as agreed in writing with EPA. The results of this program must be made available to EPA on request and must be published to the publicly accessible website required by condition LI_DA4.2 by 31 March 2022.	EPA expects licence holder to engage with EPA when developing the monitoring program and seek the necessary approval. Refer to the State Environment Protection Policy (Air Quality Management), and EPA publications 440 & 1322.9 . You must review literature and historical records (bores test, stack tests, ash samples etc.)—in the context of the list of Class 3 indicators listed in Schedule A of State Environment Protection Policy (Air Quality Management)—to support your decision on which class 3 indicators to monitor and at what frequency and seek EPA approval before implementing the program.
LI_DL1.1.2	In accordance with Clause 57 of State Environment Protection Policy (Waters), the environmental quality indicators and objectives for sulfate, aluminium, total dissolved solids and chloride do not apply within the attenuation zone shown in Schedule 1B.	State Environment Protection Policy (Waters) EPA publication 841 : Groundwater attenuation zones
LI_DW2	Discharge of waste to surface waters must be in accordance with the 'Discharge to Water' Table	For compliance, refer to Refer to EPA publications 1322.9 EPA expects LYA to be compliant:

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		<ul style="list-style-type: none">• with changes to LI_DW2 limits from 31 May 2021 where change to limits or new parameter were introduced as part of this review.• with LI_DW2 limits until 31 May 2021 where no change to limits occurred as part of this review.
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