

22 AUG 2011

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## ANNUAL RETURN

COPY

LICENCE NO.	3241
LICENCE HOLDER	DENDROBIUM COAL PTY LTD
REPORTING PERIOD	01-Jul-2010 to 30-Jun-2011

If your licence has been transferred, suspended, surrendered or revoked by the EPA during this reporting period, cross out the dates above and specify the new dates to which this Annual Return relates below:

REVISED REPORTING PERIOD \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_  
 (Note: the revised reporting period also needs to be entered in Section E)

**THIS ANNUAL RETURN MUST BE RECEIVED BY THE EPA BEFORE 30-Aug-2011**

Your Annual Return must be completed, including certification in Section E, and submitted to the EPA no later than 60 Days after the end of the reporting period for your licence.

Failure to submit this Annual Return within 60 days after the reporting period ends may result in:

- the issue of a Penalty Notice for \$750 (individuals) or \$1500 (corporations);
- OR
- prosecution.

Please send your completed Annual Return by **Registered Post** to:

**Regulatory and Compliance Support Unit  
 Department of Environment, Climate Change and Water  
 PO Box A290  
 SYDNEY SOUTH NSW 1232**

It is an offence to supply any information in this form to the EPA that is false or misleading in a material respect, or to certify a statement that is false or misleading in a material respect.

THERE IS A MAXIMUM PENALTY OF \$250,000 FOR A CORPORATION OR \$120,000 FOR AN INDIVIDUAL.

Details provided in this Annual Return will be available on the EPA's Public Register in accordance with section 308 of the Protection of the Environment Operations Act 1997.

## Annual Return

DENDROBIUM COAL PTY LTD


**Environment,  
Climate Change  
& Water**

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Use the checklist below to ensure that you have completed your Annual Return correctly.

( the boxes)

CHECKLIST	
<input type="checkbox"/>	Section A: All licence details are correct
<input type="checkbox"/>	Section B1: You have entered the correct number in the complaints table
<input type="checkbox"/>	Section B2 – B3: If there are tables, you have provided the required details
<input type="checkbox"/>	Section C: You have answered question 1, and 2 if applicable
<input type="checkbox"/>	Section D: If applicable, you have completed all load calculation worksheets
<input type="checkbox"/>	Section E: The Annual Return has been signed by appropriate person(s) and, if applicable, the revised reporting period entered
<input type="checkbox"/>	Make a copy of the completed Annual Return and keep it with your licence records
<input type="checkbox"/>	Attach a cheque (unless you have paid separately) for the payment of the administrative fee for the next licence fee period

Please send your completed Annual Return by **Registered Post** to:

**Regulatory and Compliance Support Unit  
Department of Environment, Climate Change and Water  
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SYDNEY SOUTH NSW 1232**

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## A Statement of Compliance – Licence Details

**ALL licence holders must check that the licence details in Section A are correct.**

If there are changes to any of these details you must advise the EPA and apply as soon as possible for a variation to your licence or for a licence transfer.

Licence variation and transfer application forms are available on the EPA website at: <http://www.environment.nsw.gov.au/licensing>, or from regional offices of the EPA, or by contacting us on telephone 02 9995 5700.

If you are applying to vary or transfer your licence you must still complete this Annual Return.

### A1 Licence Holder

Licence Number 3241  
 Licence Holder DENDROBIUM COAL PTY LTD  
 Trading Name (if applicable)  
 ABN 85 098 744 088

### A2 Type of Licence

Scheduled Activity - Premises Based

### A3 Premises to which Licence Applies

common name (if any) DENDROBIUM MINE  
 premises CORDEAUX ROAD, MOUNT KEMBLA, NSW  
 or Dendrobium Mine

### A4 Activities to which Licence Applies

Scheduled Activity  
 Mining for coal  
 Coal works

### A5 Other Activities (Not Applicable)

### A6 Fee-Based Activity Classifications

Note that the fee based activity classification is used to calculate the administrative fee.

Fee-based activity	Activity scale	Unit of measure
Coal works	> 2000000 - 5000000	T loaded

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

Mining for coal

> 3500000 - 5000000

T produced

## A7 Assessable Pollutants (Not Applicable)

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## B Monitoring and Complaints Summary

### B1 Number of Pollution Complaints

Number of complaints recorded by the licensee during the reporting period (as required by condition M4 of the licence).	21
If no complaints were received enter nil.	

### B2 Concentration Monitoring Summary

For each monitoring point identified in your licence, (see licence conditions M2 and R1), complete all the details for each pollutant listed in the tables provided below.

If concentration monitoring is **not** required by licence conditions M2 and R1, **no tables** will appear below.

**Note** that this does not exclude the need to conduct appropriate concentration monitoring of assessable pollutants as required by load-based licensing (if applicable).

Discharge & Monitoring Point 5

303097 East 6185702 North

Pipeline discharging to Allan's Creek labelled as "Discharge Point" on map titled "Dendrobium Mine Water Disposal Pipeline" dated 8 November 2002.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Arsenic	milligrams per litre	34	44	0.012	0.084	0.75
Conductivity	microsiemens per centimetre	34	44	1070	3360	19800
Copper	milligrams per litre	34	44	<0.001	0.003	0.032
Nickel	milligrams per litre	34	44	0.009	0.094	0.88
Oil and Grease	milligrams per litre	34	43	<5	<5	<5
pH	pH	34	44	7.5	7.8	8.6
Zinc	milligrams per litre	34	44	0.005	0.023	0.11
Total suspended solids	milligrams per litre	34	44	<1	9	107

# Annual Return

DENDROBIUM COAL PTY LTD


**Environment,  
Climate Change  
& Water**

## Monitoring Point 6

300928 East 6188716 North

Dust gauge located at Figtree Farm, O'Briens Road Figtree, labelled as "Point 6" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Combustible solids	grams per square metre per month	12	12	0.2	2.1	19.3
Insoluble solids	grams per square metre per month	12	12	0.4	3.3	27.0
Ash	grams per square metre per month	12	12	0.2	1.2	7.7

## Monitoring Point 9

299434 East 6187701 North

Dust gauge located at Mt Kembla Primary School labelled as "Point 9" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Ash	grams per square metre per month	12	12	0.3	0.5	1.4
Insoluble solids	grams per square metre per month	12	12	0.6	1.4	3.8
Combustible solids	grams per square metre per month	12	12	0.2	0.8	2.4

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## Monitoring Point 10

298982 East 6187685 North

Dust gauge located at 374 Cordeaux Road, Mt Kembla, labelled as "Point 10" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Combustible solids	grams per square metre per month	12	12	0.3	1.3	2.7
Insoluble solids	grams per square metre per month	12	12	0.5	4.0	28.2
Ash	grams per square metre per month	12	12	0.2	2.8	25.5

## Monitoring Point 12

298666 East 6188095 North

Dust gauge located at 55 Harry Graham Drive, Kembla Heights, labelled as "Point 12" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Ash	grams per square metre per month	12	12	0.2	0.7	2.4
Insoluble solids	grams per square metre per month	12	12	0.3	1.7	6.9
Combustible solids	grams per square metre per month	12	12	0.1	1	5.9

# Annual Return

DENDROBIUM COAL PTY LTD


**Environment,  
Climate Change  
& Water**

## Monitoring Point 13

298830 East 6188007 North

Dust gauge located at Dendrobium Colliery Surface, labelled as "Point 13" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Combustible solids	grams per square metre per month	12	12	0.4	0.7	1
Insoluble solids	grams per square metre per month	12	12	1.2	1.4	1.7
Ash	grams per square metre per month	12	12	0.6	0.8	1

## Monitoring Point 15

299381 East 6189589 North

Dust gauge located at 151 Harry Graham Drive, Kembla Heights, labelled as "Point 15" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Ash	grams per square metre per month	12	12	0.2	4.5	33.6
Insoluble solids	grams per square metre per month	12	12	0.4	6.6	40.2
Combustible solids	grams per square metre per month	12	12	0.3	2.2	7.0

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## Monitoring Point 17

300350 East 6187985 North

Dust gauge located at 206 Cordeaux Road, Mt Kembla, labelled as "Point 17" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Combustible solids	grams per square metre per month	12	12	0.1	0.5	0.8
Insoluble solids	grams per square metre per month	12	12	0.2	0.9	2.0
Ash	grams per square metre per month	12	12	0.2	0.4	1.2

## Monitoring Point 18

300344 East 6189321 North

Dust gauge located at Kemira Valley Coal Loading Facility at the bins, labelled as "Point 18" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Ash	grams per square metre per month	12	12	0.4	0.6	0.9
Insoluble solids	grams per square metre per month	12	12	1.1	2.2	6.1
Combustible solids	grams per square metre per month	12	12	0.7	1.6	5.2

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## Monitoring Point 20

300263 East 6188963 North

Hi-Vol sampler located at Kemira Valley Coal Loading Facility labelled as "Point 20" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
Total suspended particles	micrograms per cubic metre	12	11	13.5	24.5	42.8
PM10	micrograms per cubic metre	12	13	7.1	16.8	38

## Monitoring Point 21

298680 East 6187770 North

Hi-Vol sampler located at Dendrobium Surface, labelled as "Point 21" in the map titled "Figure 1 - Air Quality Monitoring Sites" submitted to the EPA on 15/9/09.

Pollutant	Unit of measure	No. of samples required by licence	No. of samples you collected and analysed	Lowest sample value	Mean of samples	Highest sample value
PM10	micrograms per cubic metre	12	11	4.8	20.0	41.7
Total suspended particles	micrograms per cubic metre	12	13	21.1	48.3	75.1

## B3 Volume or Mass Monitoring Summary

For each monitoring point identified in your licence, (see licence conditions M6 and R1), complete the details of the volume or mass monitoring indicated in the tables provided below.

If volume or mass monitoring is not required by licence conditions M6 and R1, **no tables** will appear below.

**Note** that this does not exclude the need to conduct appropriate concentration monitoring of assessable pollutants as required by load-based licensing (if applicable).

### Discharge & Monitoring Point 5

303097 East 6185702 North

Pipeline discharging to Allan's Creek labelled as "Discharge Point" on map titled "Dendrobium Mine Water Disposal Pipeline" dated 8 November 2002.

Unit of measure	Frequency	No. of measurements made	Lowest result	Mean result	Highest result
megalitres per day	Continuous	Continuous	0.318	3.68	9.90

Method: In line instrumentation

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## C Statement of Compliance – Licence Conditions

### C1 Compliance with Licence Conditions

( the boxes)

- 
- 1 Were all conditions of the licence complied with (including monitoring and reporting requirements)?  Yes  No

( a box)

- 
- 2 If you answered 'No' to question 1, please supply the following details for each non-compliance in the format, or similar format, provided on the following page.

Please use a separate page for each licence condition that has not been complied with.

- a) What was the specific licence condition that was not complied with?
- b) What were the particulars of the non-compliance?
- c) What were the date(s) when the non-compliance occurred, if applicable?
- d) If relevant, what was the precise location where the non-compliance occurred?

Attach a map or diagram to the Statement to show the precise location.

- e) What were the registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance?
- f) What was the cause of the non-compliance?
- g) What action has been, or will be, taken to mitigate any adverse effects of the non-compliance?
- h) What action has been, or will be, taken to prevent a recurrence of the non-compliance?

- 
3. How many pages have you attached?

Each attached page must be initialled by the person(s) who signs Section E of this Annual Return

3
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## C2 Details of Non-Compliance with Licence

Licence condition number not complied with
Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)
If required, further details on particulars of non-compliance
Date(s) when the non-compliance occurred, if applicable
If relevant, precise location where the non-compliance occurred (attach a map or diagram)
If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance
Cause of non-compliance
Action taken or that will be taken to mitigate any adverse effects of the non-compliance
Action taken or that will be taken to prevent a recurrence of the non-compliance

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## D Statement of Compliance - Load-Based Fee Calculation Worksheets

If you are **not** required to monitor assessable pollutants by your licence (see **A7** on this **Annual Return**), **no worksheets** will appear below. Please go to Section E.

If assessable pollutants have been identified on your licence (see licence condition L2), complete the following worksheets for each assessable pollutant to determine your load-based fee for the licence fee period to which this Annual Return relates.

A load-based licensing online fee calculator is available on the EPA's website at [www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

Loads of assessable pollutants must be calculated using any of the methods provided in the EPA's Load Calculation Protocol for the relevant activity. A Load Calculation Protocol would have been sent to you with your licence. If you require additional copies you can download the Protocol from the EPA's website or you can contact us on telephone 02 9995 5700.

You are required to keep all records used to calculate licence fees for four years after the licence fee was paid or became payable, whichever is the later date.

### **PENALTIES APPLY FOR SUPPLYING FALSE OR MISLEADING INFORMATION**

**D1 – D6 (Not Applicable)**

# Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## E Signature and Certification

This Annual Return may only be signed by a person(s) with legal authority to sign it as set out in the categories below. Please tick ( ) the box next to the category that describes how this Annual Return is being signed.

If you are uncertain about who is entitled to sign or which category to tick, please contact us on telephone 02 9995 5700.

If the licence holder is:	the Annual Return must be signed and certified:
an individual	<input type="checkbox"/> by the individual licence holder, or <input type="checkbox"/> by a person approved in writing by the EPA to sign on the licence holder's behalf <input type="checkbox"/> by affixing the common seal in accordance with Corporations Act 2001, or
a company	<input type="checkbox"/> by 2 directors, or <input type="checkbox"/> by a director and a company secretary, or <input type="checkbox"/> if a proprietary company that has a sole director who is also the sole company secretary – by that director, or <input type="checkbox"/> by a person delegated to sign on the company's behalf in accordance with the Corporations Act 2001 and approved in writing by the EPA to sign on the company's behalf. <input type="checkbox"/> by the Chief Executive Officer of the public authority, or <input type="checkbox"/> by a person delegated to sign on the public authority's behalf in accordance with its legislation and approved in writing by the EPA to sign on the public authority's behalf.
a public authority (other than a council)	<input type="checkbox"/> by the General Manager in accordance with s.377 of the Local Government Act 1993, or <input type="checkbox"/> by affixing the seal of the council in a manner authorised under that Act.
a local council	<input type="checkbox"/>

It is an offence to supply any information in this form that is false or misleading in a material respect, or to certify a statement that is false or misleading in a material respect. There is a maximum penalty of \$250,000 for a corporation or \$120,000 for an individual.

I/We

- declare that the information in the Monitoring and Complaints Summary in section B of this Annual Return is correct and not false or misleading in a material respect, and
- certify that the information in the Statement of Compliance in sections A, C and D and any pages attached to Section C is correct and not false or misleading in a material respect.

If your licence has been transferred, suspended, surrendered or revoked by the EPA during this reporting period, cross out the dates below and specify the new dates to which this Annual Return relates below:

For the reporting period 01-Jul-2010 to 30-Jun-2011 or \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_

SIGNATURE:   
 NAME: COLIN BLOOMFIELD  
 (printed)  
 POSITION: DIRECTOR  
 DATE: 17 / 8 / 2011

SIGNATURE:   
 NAME: PAUL BUDRIKIS  
 (printed)  
 POSITION: DIRECTOR  
 DATE: 22 / 08 / 2011

SEAL(if signing under seal)

**PLEASE ENSURE THAT ALL APPROPRIATE BOXES HAVE BEEN COMPLETED AND THAT THE CHECKLIST ON PAGE 2 OF THE ANNUAL RETURN HAS BEEN COMPLETED**

## Annual Return

DENDROBIUM COAL PTY LTD


 Environment,  
Climate Change  
& Water

## C2 Details of Non-Compliance with Licence

<b>Licence condition number not complied with</b>
M6 Requirement to monitor volume or mass.
<b>Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)</b>
The volume of discharge was not recorded at the licensed discharge point.
<b>If required, further details on particulars of non-compliance</b>
N/A
<b>Date(s) when the non-compliance occurred, if applicable</b>
3/8/2010, 17/12/2010, and 13/4/2011
<b>If relevant, precise location where the non-compliance occurred</b>
LDP5 (Point 5)
<b>If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance</b>
N/A
<b>Cause of non-compliance</b>
<p>3/8/2010 – There was a loss of communications between Dendrobium Pit Top and the Licensed discharge point (LDP5) with the potential cause being wet weather and moisture affecting the electronics in the communications panel.</p> <p>17/12/2010 – A Faulty link with communication equipment from Dendrobium Pit Top to Licensed discharge point (LDP5) as the Uninterrupted power supply (UPS) unit did not operate correctly.</p> <p>13/4/2011- A back-up system was installed in March 2011 to provide an alternate means of data capture if the primary communication system to the Dendrobium Pit Top failed. Both the primary and back-up systems failed to capture data on this day. There were power issues and two fuses failed on the back-up data logger. There was a loss of communications between Dendrobium Pit Top and Licensed discharge point (LDP5) with the potential cause being moisture in the control panel.</p>
<b>Action taken or that will be taken to mitigate any adverse effects of the non-compliance</b>
No adverse impacts occurred during these periods with water quality within licence limits.
<b>Action taken or that will be taken to prevent a recurrence of the non-compliance</b>
<p>A back-up system was installed in March 2011 to provide an alternate means of data capture if the primary communication system failed. Power issues caused a problem with the back-up system in April, so data downloads from the back-up system have been increased to weekly.</p> <p>Moisture absorbing material (Hippo) is placed inside the control panel at LDP5 to reduce moisture build-up.</p>

## Annual Return

DENDROBIUM COAL PTY LTD


 Environment,  
Climate Change  
& Water

## C2 Details of Non-Compliance with Licence

<b>Licence condition number not complied with</b>
M2 Requirement to monitor concentration of pollutants discharged.
<b>Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)</b>
One of the laboratory results from 22 <sup>nd</sup> October 2010 was excluded from the Annual Return (after discussions with our EPA Contact) as information was received from independent Laboratory that there had been testing errors with oil and grease during that period.
<b>If required, further details on particulars of non-compliance</b>
N/A
<b>Date(s) when the non-compliance occurred, if applicable</b>
22/10/10
<b>If relevant, precise location where the non-compliance occurred</b>
LDP5 (Point 5)
<b>If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance</b>
N/A
<b>Cause of non-compliance</b>
Samples were collected and taken to an Independent Laboratory for oil and grease analysis. The Laboratory reported that they had weigh-back issues with oil and grease analysis during this period and that their results may not be reliable. As no further sample was available, discussions were held with our EPA Contact and the result excluded.
<b>Action taken or that will be taken to mitigate any adverse effects of the non-compliance</b>
No adverse environmental impacts were expected as the 3 other samples analysed during October 2010 and throughout the Annual Return Reporting Period were found to be below the detection limit for oil and grease (<5mg/L). The independent samplers also noted that the sample taken was clear and free from oil and grease.
<b>Action taken or that will be taken to prevent a recurrence of the non-compliance</b>
The Laboratory has discussed the importance of following the set procedures with their employees.

## Annual Return

DENDROBIUM COAL PTY LTD



Environment,  
Climate Change  
& Water

## C2 Details of Non-Compliance with Licence

<b>Licence condition number not complied with</b>
M2 Requirement to monitor concentration of pollutants discharged.
<b>Summary of particulars of the non-compliance (NO MORE THAN 50 WORDS)</b>
During October 2010, our Independent Sampler sampled Point 20 for TSP instead of PM10 and Point 21 for PM10 instead of TSP. This led to TSP being sampled twice at Point 20 and PM10 being sampled twice at Point 21 during October 2010.
<b>If required, further details on particulars of non-compliance</b>
The Field Technician inadvertently monitored PM10 instead of TSP at Point 20 and TSP instead of PM10 at Point 21.
<b>Date(s) when the non-compliance occurred, if applicable</b>
21 <sup>st</sup> October 2010
<b>If relevant, precise location where the non-compliance occurred</b>
Points 20 and 21
<b>If applicable, registration numbers of any vehicles or the chassis number of any mobile plant involved in the non-compliance</b>
N/A
<b>Cause of non-compliance</b>
The Field Technician inadvertently monitored PM10 instead of TSP at Point 20 and TSP instead of PM10 at Point 21. The Chain of Custody documentation and field sheet reflected this error.
<b>Action taken or that will be taken to mitigate any adverse effects of the non-compliance</b>
No adverse environmental impact would be expected as no dust levels were well within the amenity goals established in the Dendrobium Development Consent.
<b>Action taken or that will be taken to prevent a recurrence of the non-compliance</b>
The analysis required (PM10 or TSP) and the location are included in the Independent Samplers schedule which is reviewed by the Site Environmental Representative. The Chain of Custody documentation has been modified to reflect these changes.

