

ENVIRONMENT PROTECTION LICENCE

(Pursuant to section 34 of the *Waste Management and Pollution Control Act*)

Licensee	Santos NA Darwin Pipeline Pty Ltd
Licence Number	EPL217 - 03
Registered Business Address	Santos NA Darwin Pipeline Pty Ltd 60 Flinders Street Adelaide SA 5000
ACN	093 316 959
ABN	60 093 316 959
Premises Address	Section 01860 Hundred of Ayers plan(s) S2002/189 and Section 01870 Hundred of Ayers plan(s) S2002/189 and Section 01871 Hundred of Ayers plan(s) S2002/189 611A WICKHAM POINT RD, WICKHAM and 611C WICKHAM POINT RD, WICKHAM and 611B WICKHAM POINT RD, WICKHAM
Anniversary Date:	19 September
Commencement Date:	19/09/2022
Expiry Date:	18/09/2025
Scheduled Activity	Operating premises for processing hydrocarbons so as to produce, store and /or despatch liquefied natural gas or methanol, where: (a) the premises are designed to produce more than 500,000 tonnes annually of liquefied natural gas and/or methanol; and (b) no lease, licence or permit under the <i>Petroleum Act or the Petroleum (Submerged lands) Act</i> relates to the land on which the premises are situated.

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Description

This licence authorises the operation of the premises for processing and storage of hydrocarbons. Following the cessation of production, it authorises the storage of liquefied natural gas at the premises.

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ATTACHMENTS

- 1 Appendix A - DLNG Environment Protection Licence Figures.pdf
- 2 Appendix B - DLNG environment protection licence tables.pdf
- 3 Appendix C - DLNG Mangrove Surveillance and Chemical Monitoring Program.pdf

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INFORMATION ABOUT THIS LICENCE

- This licence does not in any way relieve the licence holder from its obligations to comply with the *Waste Management and Pollution Control Act* (WMPC Act), including the general environmental duty in section 12 of the WMPC Act and the duty to notify of incidents causing or threatening to cause pollution under section 14 of the WMPC Act.

Duration of a licence (section 40, 43 and 45 of the WMPC Act)

- A licence will remain in force until its expiry date or until it is surrendered by the licensee or is suspended or cancelled in accordance with the WMPC Act.
- The licensee must notify the Northern Territory Environment Protection Authority (NT EPA) within 14 days after ceasing to conduct the activity.
- The licensee may, with the approval of the NT EPA, surrender the licence to the NT EPA.

Amendment or Revocation of a licence (section 37 of the WMPC Act)

- The licensee may apply to amend or revoke a condition of this licence.
- A fee applies and the application must be made using the designated form via NT EPA Online.
- The NT EPA may also amend or revoke a condition of this licence as set out in section 38 of the WMPC Act.

Transfer of a licence (section 46 of the WMPC Act)

- The licensee can apply to transfer their licence to another person.

Renewal of a licence (section 40 of the WMPC Act and section 3 of the Regulations)

- The licensee may apply for the renewal of their licence not earlier than 90 days, and not later than 30 days, before their licence expires.
- A fee applies and the application must be made via NT EPA Online.

Public Register

- A copy of environment protection licences and any plans for environmental management, reports, submissions or documents required as a condition of an environment protection licence, will be placed on a register in accordance with section 9 of the WMPC Act.
- A copy of the Annual Return will be placed on the register.
- The NT EPA makes this register freely available from the NT EPA website.

Environment Protection Objectives (Part 4 of the WMPC Act), and Water Quality Standards (section 73 of the *Water Act*)

- An Environment Protection Objective (EPO) is a statutory instrument to establish principles on which:
 - a. environmental quality is to be maintained, enhanced, managed or protected;
 - b. pollution, or environmental harm resulting from pollution, is to be assessed, prevented, reduced, controlled, rectified or cleaned up; and
 - c. effective waste management is to be implemented or evaluated.
- In accordance with section 18 of the WMPC Act a beneficial use, quality standard, criteria or objective declared under section 73 of the *Water Act* and in force is an environment protection objective for the purposes of the WMPC Act.

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- The following EPOs and Beneficial Use Declarations (BUDs) are relevant to this licence:
 - Declaration of Beneficial Uses and Objectives, Darwin Harbour Region, Northern Territory Government Gazette No. G27, 7 July 2010
 - Declaration of Beneficial Uses and Objectives, Elizabeth-Howard Rivers Region Groundwater, Northern Territory Government Gazette No. G27, 7 July 2010
 - National Environment Protection (National Pollutant Inventory) Objective.

Environmental Interests

- This section highlights sensitivity of the surrounding land use and environment associated with the location of the approved activity.
- In conducting the Licensed Activity, the licensee shall do all things reasonable and practicable to ensure the Licensed Activity does not adversely affect the ambient air quality of the Darwin region.
- The volume of wastewater discharged to Darwin Harbour from the Licensed Activity will be reduced over the life of the licence.
- Sites of Conservation Significance (SOCS)
 - Darwin Harbour SOCS No. 6.

Cultural Interests

- It is the licensee's responsibility to contact the Aboriginal Areas Protection Authority, appropriate land council or other governing body and ensure that any Authority Certificates required as a result of conducting the licenced activity are obtained and complied with.

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RULES FOR INTERPRETING THE CONDITIONS OF THIS LICENCE

- Where there is a discrepancy between the conditions of this licence and any plan, standard, guideline or other document referred to in this licence, the conditions of this licence prevail to the extent of the inconsistency.
- Any reference to any standard (Australian or international) in this licence means the relevant parts of the current version of that standard.
- A reference to any guideline or code of practice (or to the relevant parts of any guideline or code of practice) in this licence means the current version of the guideline or code of practice.
- Under section 39 of the WMPC Act, any contravention of or failure to comply with this licence by the licensee may be an offence.
- In determining whether the licensee has committed an offence, the licensee may be liable for the conduct of its directors, employees or agents.
- The licensee should ensure that each of its directors, employees, contractors or agents are aware of, and comply with, this licence.
- In this licence, unless the contrary intention appears, words that are defined in the WMPC Act are intended to have the meaning given to them in that Act.

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LICENCE CONDITIONS

GENERAL

- 1 The licensee must ensure the contact details recorded in NT EPA Online for this licence are correct at all times.
- 2 The licensee must at all times have a 24 hour emergency contact.
- 3 The licensee must pay the annual fee calculated in accordance with the method prescribed in the Regulations within 50 business days of the anniversary of the commencement date of this licence, for each year or part of a year that this licence is in force.
- 4 The licensee must cause clear and legible signage, in English, to be displayed in a prominent location at each public entrance to the premises that includes the following details:
 - 4.1 environment protection licence number issued under the WMPC Act; and
 - 4.2 24 hour emergency contact details.
- 5 The licensee must cause a copy of this licence to be available for inspection by any person, in hard copy form, at the premises.
- 6 The licensee must provide to the NT EPA, within 10 business days of a request, a copy of any document, monitoring data or other information in relation to the activity, in the format requested by the NT EPA.
- 7 All notices, reports, documents or other correspondence required to be provided as a condition of this licence, unless otherwise specified as a condition of this licence, must be provided in electronic form by uploading the document via NT EPA Online (or by emailing waste@nt.gov.au).
- 8 The NT EPA may require the licensee to revise or amend and resubmit any document. Where NT EPA requires a document to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.
- 9 The licensee must, for the duration of this licence, implement, maintain and follow a Consultation and Communication Plan which includes a strategy for communicating with persons who are likely to have a real interest in, or be affected by, the activity.
- 10 The licensee must operate and maintain a community feedback number.
- 11 The licensee must display the community feedback number:
 - 11.1 where the licensee has a website, in a prominent location on the licensee's website;
 - 11.2 in the Consultation and Communication Plan; and
 - 11.3 in other publicly available documents relating to the activity.
- 12 The licensee must maintain a Complaint Log for all complaints received by the licensee in relation to the activity.
- 13 The licensee must ensure that the Complaint Log includes, for each complaint received by the licensee, the following information:
 - 13.1 the person to whom the complaint was made;
 - 13.2 the person responsible for managing the complaint;

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- 13.3 the date and time the complaint was reported;
 - 13.4 the date and time of the event(s) that led to the complaint;
 - 13.5 the contact details of the complainant if known, or where no details are provided a note to that effect;
 - 13.6 the nature of the complaint;
 - 13.7 the nature of event(s) giving rise to the complaint;
 - 13.8 prevailing weather conditions at the time (where relevant to the complaint);
 - 13.9 the action taken in relation to the complaint, including any follow-up contact with the complainant; and
 - 13.10 if no action was taken, why no action was taken.
- 14 The licensee must implement, maintain and follow an Emergency Response Plan that addresses procedures for responding to emergencies associated with the activity that may cause environmental harm.

EARLY SURRENDER OF LICENCE

- 15 Any reports, records or other information required or able to be provided by the licensee under this licence must be submitted to the NT EPA prior to the licensee surrendering the licence. If the date on which a report, record or other information is required falls after the date the licensee requests to surrender this licensee, the licensee must provide the report, record or information as far as possible using data available to the licensee up to and including the date the request to surrender the licence is made.

OPERATIONAL

- 16 The licensee must, without limiting any other condition of this licence, in conducting the Licensed Activity, do all things reasonable and practicable to ensure the Licensed Activity does not adversely affect the relevant Declared Beneficial Uses and Objectives as declared from time to time.
- 17 The licensee must ensure any plant and equipment used by the licensee in conducting the activity:
- 17.1 is fit for the purpose and use to which it is put;
 - 17.2 is maintained; and
 - 17.3 is operated by a person trained to use the plant and equipment.
- 18 No change, replacement or alteration of plant or equipment is permitted if the change, replacement or alteration increases the risk of environmental harm from the licensed activity, unless approved in writing by the NT EPA.
- 19 The licensee must ensure that all instruments, equipment and measuring devices used for measuring or monitoring in accordance with any condition of this licence must be calibrated, appropriately operated and maintained.
- 20 All analyses and tests required to be conducted in accordance with this licence must be carried out by a laboratory that has N.A.T.A. certification for the analysis and test, except as otherwise authorised by the NT EPA.

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Waste Management

- 21 The licensee must ensure:
- 21.1 all listed waste transported from the premises is transported by a person licensed to transport the listed waste; and
 - 21.2 waste is transported to facilities that are licensed to accept the waste and are capable of containing and/or treating the waste.
- 22 The licensee must keep records of listed waste in accordance with the approved manner.

Environmental Management Plans

23 **Table 1 - Plans for Environmental Management**

Document Reference	Document Title
DLNG/HSE/PLN/001	Darwin LNG Operations Environmental Management Plan
ALL/HSE/002	Darwin LNG Emergency Response Plan

- 24 The licensee must implement an auditable Operational Environmental Management Plan (OEMP). The OEMP must:
- 24.1 be prepared in consideration of the *NT EPA Guideline for the Preparation of an Environmental Management Plan*;
 - 24.2 include environmental management strategies for managing greenhouse gas emissions;
 - 24.3 include measures to ensure:
 - a. continuous improvement in environmental management practices and environmental performance for the licensed activity;
 - b. the minimisation of emissions, discharges and wastes as far as is reasonable and practicable for the licensed activity; and
 - c. management of foreseeable environmental risks and hazards for non-routine situations including corrective responses to prevent and mitigate environmental harm, including a contingency plan for shut down for maintenance or other reasons.
 - 24.4 be certified by a Qualified professional with the experience and qualifications to be able to assess the environmental risks associated with carrying out the licensed activity and to assess the adequacy of the OEMP to facilitate compliance with the conditions of this licence; and
 - 24.5 not be implemented or amended in a way that contravenes or is inconsistent with any condition of this licence.
- 25 Where documents specified in Table 1 are amended materially, the licensee must provide the amended document(s) to the NT EPA, within 20 business days prior to any amendment being implemented, with:
- 25.1 a tabulated summary of the amendment(s) with document references;
 - 25.2 reasons for the amendment(s);
 - 25.3 an assessment of environmental risk associated with the amendment(s); and
 - 25.4 a Qualified professional's written and certified review of the amended OEMP.

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26 **Environmental Auditing**

The licensee must commission an environmental audit to be undertaken by a Qualified person to evaluate compliance with:

26.1 the WMPC Act;

26.2 the *Water Act*; and

26.3 the conditions of this licence, including the OEMP, environmental monitoring programs and environmental performance.

27 The licensee must ensure that the environmental audit occurs at least 12 months prior to the expiry of the licence.

28 The licensee must submit the proposed scope for the environmental audit to the NT EPA for approval, no later than 20 business days prior to the proposed commencement date of the environmental audit (which must be specified when the proposed scope is submitted).

29 The licensee must receive written approval for the audit scope from the NT EPA before the environmental audit can commence, noting that the NT EPA may require the licensee to revise, amend or resubmit the proposed scope.

30 The licensee must ensure the environmental audit report is:

30.1 certified by the Qualified person conducting the audit;

30.2 provided to the NT EPA within five business days of being certified and signed by the Qualified person conducting the audit; and

30.3 completed within two calendar months of receipt of approval from the NT EPA unless otherwise agreed.

DISCHARGES AND EMISSIONS

31 **General**

The licensee must ensure there is no migration or overflow of a contaminant or waste, which causes or may cause environmental harm, beyond the boundary of the land, specified in Figure 1 of Appendix A, on which the premises are located. For the avoidance of doubt, this condition is not intended to authorise the discharge of a contaminant or waste to any land or water which discharge has not been specifically authorised by another condition of this licence.

32 The licensee must ensure that stormwater does not come into contact with a contaminant or waste, which causes or may cause environmental harm.

Discharges to Water

33 The licensee must ensure the release of wastewater only occurs from the authorised discharge point(s) as identified in Figure 2 of Appendix A, Table 1 of Appendix B and the natural gas liquid tank bund.

34 The licensee must ensure that all discharge events at each authorised discharge point consists only of waste from the source(s) as specified in Table 1 of Appendix B.

35 The licensee must, for the Irrigation Water and Jetty Outfall discharge points, install, operate and maintain a device to measure and record, for each discharge event:

35.1 the time the discharge commenced and the duration of the discharge;

35.2 the discharge rate of flow; and

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35.3 the discharge volume.

36 The licensee must notify the NT EPA where the total annual volume of wastewater discharged via the jetty outfall exceeds 61 megalitres. The notification must include detailed explanation of the reasons for this and what (if any) measures have been implemented to address the increase.

37 The licensee must ensure that the discharge from all discharge events to water at each authorised discharge point does not exceed the licence limits specified for that discharge point in Table 2 of Appendix B.

38 Condition 37 does not apply to the Jetty Outfall Discharge Trigger Values specified in Appendix B Table 2.

39 The licensee must ensure that discharge from the Jetty Outfall Authorised Discharge Point does not result in the median of each of the water quality parameters measured at the edge of the mixing zone in each sampling event, to exceed the mixing zone trigger values specified in Appendix B Table 2:

39.1 on a single occasion where the measured value exceeds the trigger value and the exceedance is not present at the upstream reference site.

40 The licensee must ensure that the discharge from all discharge events to water at each authorised discharge point does not:

40.1 contain any floating debris, oil, grease, petroleum hydrocarbon sheen, scum, litter or other objectionable matter;

40.2 cause or generate odours which would adversely affect the use of surrounding waters;

40.3 cause algal blooms in the receiving water;

40.4 cause visible change in the behaviour of fish or other aquatic organisms in the receiving water;

40.5 cause mortality of fish or other aquatic organisms; or

40.6 cause adverse impacts on plants.

Discharges to Land

For the purposes of these conditions the word "land" does not include water on, above, or under land.

41 The licensee must ensure that all discharges occur only from authorised discharge point(s) as identified in Figure 2 of Appendix A, Table 2 of Appendix B and as otherwise allowed in accordance with the conditions of this licence.

42 The licensee must notify the NT EPA if the total annual volume of wastewater discharged to land via irrigation exceeds 26 megaliters in any given year. The notification is to include a detailed explanation of the reasons for this and measures (if any) to reduce the volume of wastewater used for irrigation.

43 The licensee must ensure that all discharge events to land at each authorised discharge point consist only of waste from the source(s) as specified in Table 1 of Appendix B.

44 The licensee must ensure that the discharge from all discharge events to land at each authorised discharge point does not exceed the licence limits specified in Table 2 of Appendix B.

Discharges to Air - Air Emissions

45 This licensee must ensure that discharges to air only occurs from the authorised emission points identified in Appendix A Figure 3, Appendix B Table 3 and as otherwise authorised in accordance with the conditions of this licence.

46 The licensee must ensure that emissions to air from all emission events at each authorised emission point do not exceed the limits specified in Columns 4 and 5 of Table 3 in Appendix B.

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- 47 The licensee must ensure all releases to air from the authorised emission release points:
- 47.1 are directed vertically upwards without impedance or hindrance; and
 - 47.2 are freely discharged after release and not captured by building wakes.
- 48 The licensee must ensure all authorised emission release points are labelled clearly and legibly and in a prominent location with the corresponding release point number as identified in column 1 of Table 3 Appendix B.

Flaring

- 49 The licensee must take all reasonable and practicable measures to minimise flaring.

Acid Gas

- 50 The licensee must not dispose of acid gas other than:
- 50.1 by acid gas incineration; or
 - 50.2 as otherwise approved by the NT EPA.
- 51 The licensee must ensure that acid gas is not disposed of by hot venting unless the acid gas incinerator unit is undergoing maintenance and repair, or as otherwise authorised by the NT EPA.
- 52 The licensee must ensure that the acid gas incinerator unit is not in repair and maintenance for more than 28 days at any one time and no more than 55 days per year.
- 53 The licensee must ensure that an acid gas incinerator is maintained and ready for operations at all other times.

Ambient Air Quality

- 54 The activity must not cause or release, beyond the boundary of the premises:
- 54.1 visible steam;
 - 54.2 smoke;
 - 54.3 offensive odour;
 - 54.4 dust or particulates; or
 - 54.5 noise which unreasonably interferes with or is likely to unreasonably interfere with the enjoyment of the area by persons who occupy a place within the area or are otherwise lawfully in the area.

55 Storage and Handling of Chemicals, Flammable and Combustible Substances

The licensee must keep records of the chemical content, type, volume, storage location and use of all firefighting foams.

- 56 The licensee must ensure all reasonable and practical measures are implemented to minimise, and phase out, use of firefighting foams containing PFAS and pre-cursors to PFOS and PFHxS and in any case, not to use foams containing PFOS and PFHxS.
- 57 All fluorine-containing foams used for testing of firefighting systems and training must be contained and must not contaminate land or waters or air.

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MONITORING

58 **General**

The licensee must ensure that, for each sample collected in accordance with the requirements of this licence the following information is recorded and retained:

- 58.1 the date on which the sample was collected;
- 58.2 the time at which the sample was collected;
- 58.3 the location at which the sample was collected;
- 58.4 the name of the person who collected the sample;
- 58.5 the chain of custody forms relating to the sample;
- 58.6 analytical results (if any) relating to the sample; and
- 58.7 laboratory quality assurance and quality control documentation.

59 The licensee must ensure all continuous monitoring equipment used for the purposes of demonstrating compliance with conditions of this licence:

- 59.1 measures the parameter of interest at intervals sufficient to detect a change relevant to the parameter being measured; and
- 59.2 measures, records and transmits measured data in real time to the premises data management system.

60 **Monitoring Discharges to Water**

The licensee must maintain and implement an environmental monitoring program for discharges to water from the licenced activity in accordance with the monitoring requirements included in Table 2 of Appendix B.

61 The licensee must monitor the quality of wastewater discharges at the Jetty Outfall Authorised Discharge Point and at the edge of the receiving environment 20m jetty outfall mixing zone specified in Table 2.

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Table 2- JETTY OUTFALL MIXING ZONE MONITORING SITES

Monitoring Site	Description	Depth	Longitude	Latitude
Weak, to a weak-medium incoming tide				
North Reference	Northern-based, incoming tide upstream reference location. At the north edge of jetty infrastructure	Surface	-12.521910°	130.849215°
MZ E	Receiving environment at the eastern edge of the mixing zone, adjacent jetty infrastructure	Surface	-12.523606°	130.850100°
MZ SSE	Receiving environment at the edge of mixing zone, tide dependent.	Surface	-12.523759°	130.849955°
MZ W	Receiving environment at the western edge of the mixing zone, adjacent jetty infrastructure	Surface	-12.523598°	130.849733°
Weak, to a weak-medium outgoing tide				
South Reference	Southern-based, outgoing tide upstream reference location. At the southern edge of jetty infrastructure	Surface	-12.525022°	130.850394°
MZ E	Receiving environment at the eastern edge of the mixing zone, adjacent jetty infrastructure	Surface	-12.523606°	130.850100°
MZ NNW	Receiving environment at the edge of mixing zone, tide dependent.	Surface	-12.523411°	130.849864°
MZ W	Receiving environment at the western edge of the mixing zone, adjacent jetty infrastructure	Surface	-12.523598°	130.849733°

- 62 The licensee must:
- 62.1 ensure all land based monitoring locations are labelled clearly and legibly and in a prominent location with the appropriate monitoring site identification; and
 - 62.2 maintain safe access and egress, as is reasonably practicable.
- 63 The licensee must ensure all sampling and analysis of water pollutants are carried out in accordance with NSW Department of Environment and Conservation and NSW EPA *Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales*.
- 64 The licensee must implement and maintain a mangrove monitoring program in accordance with Appendix C.
- 65 The licensee must ensure that any proposed revisions to the mangrove monitoring program in Appendix C (other than typographical changes or revisions to formatting or referencing) are:
- 65.1 reviewed by a suitably qualified professional, who must produce a written report about their review;
 - 65.2 submitted to the NT EPA with justification for revisions; and
 - 65.3 submitted to the NT EPA with a complete copy of the suitably qualified professional's written review, 20 business days prior to the proposed implementation date.

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- 66 The NT EPA may require the licensee to revise or amend and resubmit the mangrove monitoring program. Where the NT EPA requires the mangrove monitoring program to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.

Monitoring Air Discharges

- 67 The licensee must maintain and implement an environmental monitoring program for discharges to air from the licenced activity in accordance with the monitoring requirements included in Table 3 of Appendix B.
- 68 The licensee must ensure all sampling and analysis of air emissions are carried out in accordance with NSW EPA *Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales*.
- 69 Monitoring of air emissions must be undertaken at least once per year when the emission source is operating under maximum steady state operating conditions.

Monitoring Discharges to Land and Surrounding Environment

- 70 The licensee must maintain and implement an environmental monitoring program for discharges to land from the licenced activity in accordance with the monitoring requirements included in Table 2 of Appendix B and the ConocoPhillips Darwin LNG Proposed Groundwater Monitoring Plan dated March 2013. For the purposes of this condition, the word "land" does not include water [or air] on or above land.
- 71 The licensee must ensure all sampling and analysis of water pollutants are carried out in accordance with NSW Department of Environment and Conservation and NSW EPA *Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales*.
- 72 The licensee must ensure any samples collected in accordance with this licence or in connection with the activity, are obtained by, or under the supervision of a qualified sampler.

RECORDING AND REPORTING

- 73 **Waste**
The licensee must maintain records of the nature, quantities and source of waste generated at the premises in each successive 12 month period following the commencement date of this licence.
- 74 The licensee must retain records relating to waste, including listed waste, as required by the conditions of this licence, for a period of 2 years after the end of the 12 month period to which the record relates.

Non-Compliance

- 75 The licensee must notify the NT EPA of any non-compliance with this licence by completing the Non-Compliance Notification via NT EPA Online (or by emailing waste@nt.gov.au), as soon as practicable after (and in any case within 24 hours after) first becoming aware of the non-compliance.
- 76 The licensee must include in the notification of non-compliance the following information:
- 76.1 when the non-compliance was detected and by whom;
 - 76.2 the date and time of the non-compliance;
 - 76.3 the actual and potential causes and contributing factors to the non-compliance;
 - 76.4 the risk of environmental harm arising from the non-compliance;
 - 76.5 the action(s) that have or will be undertaken to mitigate any environmental harm arising from the non-compliance;

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- 76.6 corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur; and
- 76.7 if no action was taken, why no action was taken.
- 77 A non-compliance with this licence includes an exceedance at an authorised discharge point specified in Table 1 of Appendix B, excluding the Jetty Outfall Authorised Discharge Point, of a trigger value for wastewater discharges specified in Table 2 of Appendix B:
- 77.1 on three consecutive sampling occasions; or
- 77.2 on a single sampling occasion of three times or more the trigger value.
- 78 A non-compliance with this licence includes an exceedance at the Jetty Outfall Authorised Discharge Point specified in Table 1 of Appendix B of a mixing zone trigger value specified in Table 2 of Appendix B, determined from a median value of a water quality parameter measured at the edge of the mixing zone:
- 78.1 on three consecutive occasions and the exceedance is not also present in the upstream reference site, on the same three consecutive occasions; or
- 78.2 on a single occasion where the measured value exceeds the trigger value greater than or equal to two times the trigger value, and the exceedance is not present at the upstream reference site.
- 79 A non-compliance with this licence includes an exceedance of a maximum:
- 79.1 concentration limit specified in Table 3 of Appendix B; or
- 79.2 mass emission rate limit specified in Table 3 of Appendix B.
- 80 The licensee must keep adequate records of all exceedances of trigger values specified in Appendix B. These records must be provided to the NT EPA upon request.
- 81 The licensee must keep records of all non-compliances with this licence.
- 82 The licensee must provide an incident investigation report to the NT EPA within 10 business days of notification of the incident detailing the findings of an investigation of the incident.
- 83 The incident investigation report must include:
- 83.1 the date and time when the non-compliance was detected and by whom;
- 83.2 the risk of environmental harm arising from the non-compliance;
- 83.3 if no action was taken, why no action was taken;
- 83.4 corrective actions that have or will be undertaken to ensure the non-compliance does not reoccur;
- 83.5 the action(s) that have been undertaken to mitigate any environmental harm arising from the non-compliance; and
- 83.6 the actual and potential causes and contributing factors to the non-compliance.
- 84 **Annual Report**
The licensee must submit a completed Annual Return via NT EPA Online each year within 10 business days of the anniversary date of the licence.
- 85 The licensee must, by 01 March each year, provide to the NT EPA an Annual Monitoring Report as it relates to the previous period of 01 January - 31 December.
- 86 The licensee must ensure that each Annual Monitoring Report:

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- 86.1 is prepared in accordance with the requirements of the NT EPA 'Guideline for Reporting on Environmental Monitoring';
 - 86.2 includes a tabulation of all monitoring data required as a condition of this licence;
 - 86.3 includes long term trend analysis of monitoring data to demonstrate any environmental impact associated with the activity over a minimum period of three years (where the data is available);
 - 86.4 includes an assessment of environmental impact from the activity; and
 - 86.5 includes analysis on the impacts of the Licensed Activity on ambient air quality.
- 87 The NT EPA may require the licensee to revise or amend and resubmit any Monitoring Report. Where the NT EPA requires the Annual Monitoring Report to be resubmitted, the licensee must submit it to the NT EPA by the date specified by the NT EPA.

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END OF LICENCE CONDITIONS

This licence is not valid unless signed below:



Peter Vasei
Director Environmental Operations
Delegate of the Northern Territory
Environment Protection Authority
Dated: 16/09/2022

END NOTES

This licence is a renewal and supersedes EPL217-02 which was issued on 19 September 2017 and expired on 19 September 2022.

EPL217-02 was an amendment and superseded EPL217-01 which was issued on 19 September 2017 and expires on 18 September 2022.

EPL217-01 was an amendment and superseded EPL217 which was issued on 19 September 2017 and expires on 18 September 2022.

EPL217 was a renewal and superseded EPL 54-08 which was issued on 13 June 2017 and expired on 19 September 2017.

EPL 54-08 was an amendment and superseded EPL 54-07 which was issued on 17 May 2017 and expired on 19 June 2017.

EPL 54-07 was an amendment and superseded EPL 54-06 which was issued on 4 November 2014 and expired 18 May 2017.

EPL 54-06 was an amendment and transfer of EPL 54-05 which was issued on 12 November 2012.

EPL 54-05 was a revision to correct typographical errors in EPL 54-04 which was issued on 30 October 2012.

EPL 54-04 was an amendment and superseded EPL 54-03 which was issued on 12 July 2012 with the expiry date 18 May 2017.

EPL 54-03 was an amendment and superseded EPL 54-02 which was issued on 7 October 2010.

EPL 54-02 was an amendment and superseded EPL - LNG 01.

EPL - LNG 01 was revised and re-issued on 25 September 2009.

EPL - LNG 01 was first issued to ConocoPhillips Australia Pty Ltd (ABN 092 288 376) on 9 December 2005 with an expiry date of 31 December 2022.

The end notes are to assist with historical records.

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DEFINITIONS

All terms in the Licence which are defined in the *Waste Management and Pollution Control Act* have the meaning given in that Act unless otherwise or further defined in this section.

DEFINITION	In this licence, unless a contrary intention appears:
24 hour emergency contact	the phone number of a person who can be contacted at any time and be capable of responding to and providing information about any incident associated with the activity.
Activity	the Scheduled activity as described on the covering page of this licence.
Air	includes any layer of the atmosphere.
ALARP	As Low As Reasonably Practicable
Annual fee	yearly fee payable in respect of the activity as specified in the WMPC Act and the Regulations.
Annual Return	an NT EPA prescribed format for demonstrating and reporting compliance with the conditions of this licence and providing information on waste volumes for the preceding 12 month period.
ANZECC/ARMCANZ	Australian and New Zealand Environment and Conservation Council and Agriculture and Resource Management Council of Australia and New Zealand, 2000: National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting.
Asbestos containing material	any material that contains asbestos.
Best practice environmental management	the management of an activity or premises in a cost-effective manner that, having regard to national or international practices for management of activities or premises of the same kind, ensures the continued minimisation of the actual or potential environmental impact of the activity or premises.
Business days	a day not Saturday, Sunday or a public holiday, in the Northern Territory.
Community feedback number	a telephone number enabling members of the public to contact, at any time, a person or voice mail system that can accept, on behalf of the licensee, enquiries or complaints about the activity, and to which the licensee must respond.
Complaint Log	a register of complaints to be maintained by the Licensee that records the details of each complaint received in relation to the activity.
Consultation and Communication Plan	a written plan documenting proposed consultation and communications for the activity before, during and after the activity which includes a strategy for communicating with members of the public who are likely to have a real interest in, or be affected by, the activity.
Contact details	includes the 24 hour emergency contact, and name, position title and phone number of a representative of the licensee who can be contacted about the licence and activity.
Contaminant	a solid, liquid or gas or any combination of such substances and includes: (a) noise, odour, heat and electromagnetic radiation; (b) a prescribed substance or prescribed class of substances; and

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	(c) a substance having a prescribed property or prescribed class of properties.
Discharges	allow a liquid, gas or other substance to flow out from where it has been confined.
Disposal schedule	a plan for disposing of asbestos containing material such that asbestos containing material is not stored in perpetuity.
Emergency Response Plan	a written plan documenting the licensee's procedures for responding to emergencies caused by, resulting from or associated with the activity and that may cause environmental harm.
Environmental audit	has the meaning given in section 47 of the WMPC Act.
Environmental harm	(a) any harm to or adverse effect on the environment; or (b) any potential harm (including the risk of harm and future harm) to or potential adverse effect on the environment, of any degree or duration and includes environmental nuisance.
Environmental nuisance	means: (a) an adverse effect on the amenity of an area that: (i) is caused by noise, smoke, dust, fumes or odour; and (ii) unreasonably interferes with or is likely to unreasonably interfere with the enjoyment of the area by persons who occupy a place within the area or are otherwise lawfully in the area; or (b) an unsightly or offensive condition caused by contaminants or waste.
Incident	includes: (a) an accident, emergency or malfunction; and (b) a deliberate action, whether or not that action was taken by the person conducting the activity in the course of which the incident occurred.
Land	includes water and air on, above or under land.
Landfill cell	a purpose built area for the disposal of waste within a landfill.
Landfill Closure and Post Closure Plan	a written plan which specifies the landfill closure and post-closure activities as set out in the NT EPA Guidelines for the Siting, Design and Management of Solid Waste Disposal Sites in the Northern Territory.
Leachate	any liquid produced by the action of water percolating through waste, and that contains contaminants.
Listed waste	a waste included under Schedule 2 of the Regulations.
Litter	litter, garbage, rubbish, refuse or waste matter, and includes the body of a dead animal.
Maintain	kept in a manner that it does not present or cause a risk of environmental harm or a hazard to persons or property or, for the purposes of documents including plans, a process of reviewing and amending documentation to ensure it is relevant.
Material environmental harm	environmental harm that: (a) is not trivial or negligible in nature; (b) consists of an environmental nuisance of a high impact or on a wide scale; (c) results, or is likely to result, in not more than \$50,000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or (d) results in actual or potential loss or damage to the value of not more than \$50,000 or the prescribed amount (whichever is greater).

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Mixing Zone	a specifically defined area or volume of water around a waste water discharge where the water quality may be below that required to protect environmental values and beneficial uses.
NATA	National Association of Testing Authorities, Australia.
Non-compliance	failure or refusal to comply, whether by act or omission, with obligations or requirements and includes any exceedance of a licence limit.
Non-compliance notification	an NT EPA prescribed format for notifying the NT EPA of a non-compliance.
NT EPA Online	online system for Environment Protection Licence (EPL), Environment Protection Approval (EPA) and Waste Discharge Licence (WDL) lodgement and maintenance.
NT EPA Online Vehicle Register	the vehicle register found at NT EPA Online.
Plant and equipment	all material items used in association with the activity, including (but not limited to) storage vessels and containers, pipe work and hosing, vehicles (including vessels), tools, and measuring equipment.
Point source discharge	means any discernible, confined or discrete conveyance from which contaminants or waste are or may be discharged.
Pollute	(a) emit, discharge, deposit, or disturb, directly or indirectly, a contaminant or waste; or (b) cause, permit, or fail to prevent, directly or indirectly, the emission, discharge, deposition, disturbance or escape of a contaminant or waste.
Pollution	(a) a contaminant or waste that is emitted, discharged, deposited or disturbed or that escapes; or (b) a contaminant or waste, effect or phenomenon, that is present in the environment as a consequence of an emission, discharge, deposition, escape or disturbance or a contaminant or waste.
Premises	the premises identified in this licence which includes equipment, plant and structures, whether stationary or portable, and the land on which premises are situated.
Public entrance	access to the premises that is utilised by the public.
Putrescible waste	the component of the waste stream liable to become putrid. For example, organic matter that has the potential to decompose with the formation of malodorous substances, usually refers to vegetative, food and animal products.
Qualified person	a person registered under Section 68 of the WMPC Act.
Qualified professional	A person who has professional qualifications, training, skills or experience relevant to the nominated subject matters and can give authoritative assessment, advice and analysis about performance relevant to the subject matters using relevant protocols, standards, methods or literature.
Qualified sampler	a person who has training and experience in obtaining samples from the relevant environmental medium.
Regulations	<i>Waste Management and Pollution Control (Administration) Regulations.</i>
Rehabilitation Plan	a written plan to ensure that the objectives of rehabilitation are achieved as set out in the NT EPA Guidelines for the Siting, Design and Management of Solid Waste

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Disposal Sites in the Northern Territory.

Serious environmental harm	environmental harm that is more serious than material environmental harm and includes environmental harm that: (a) is irreversible or otherwise of a high impact or on a wide scale; (b) damages an aspect of the environment that is of a high conservation value, high cultural value or high community value or is of special significance; (c) results or is likely to result in more than \$50,000 or the prescribed amount (whichever is greater) being spent in taking appropriate action to prevent or minimise the environmental harm or rehabilitate the environment; or (d) results in actual or potential loss or damage to the value of more than \$50,000 or the prescribed amount (whichever is greater).
Solid inert waste	solid waste that has no active chemical or biological properties. These wastes do not undergo environmentally significant physical, chemical or biological transformation.
Stormwater	water flowing over ground surfaces, in natural streams and drains as a direct result of rainfall over a catchment and consists primarily of rainfall runoff.
Suitably qualified professional	a person with professional qualifications, training, skills or experience and who can give authoritative assessment, advice and analysis with regards the subject matter using relevant protocols, standards, methods or literature. The assessment of whether a person is able to act as a suitably qualified professional must be based on evidence that can be provided to the NT EPA, upon request.
Trigger values	assigned value for each indicator used to assess the risk to an environmental value, a value that initiates some type of pre-defined management action.
Waste	(a) a solid, a liquid or a gas; or (b) a mixture of such substances, that is or are left over, surplus or an unwanted by-product from any activity (whether or not the substance is of value) and includes a prescribed substance or class of substances.
Waste transport certificate	the NT EPA waste tracking documentation used to track listed waste being transported interstate as required in accordance with the National Environment Protection (Movement of Controlled Waste Between States and Territories) Measure.
Wastewater	water that contains a contaminant or waste.
Water	includes: (a) surface water, ground water and tidal waters; (b) coastal waters of the Territory, within the meaning of the Coastal Waters (Northern Territory Powers) Act 1980 of the Commonwealth; and (c) water containing an impurity.
WMPC Act	the Northern Territory <i>Waste Management and Pollution Control Act</i> .
Qualified auditor	A person included on the register established and maintained pursuant to section 68 of the WMPC Act.