Radiation Control Act 1990

Radiation Management Licence

LIDDELL COAL OPERATIONS PTY. LIMITED
PO Box 7
SINGLETON NSW 2330 AUSTRALIA

Contact: Russell Wilkie

LICENCE DETAILS

Licence number: **5061082** Expiry date: **12 Sep 2016**

Old licence number: **RML28136**

Licence type: Sell, possess, store or give away regulated material (including radiation apparatus, radioactive substances or items containing radioactive substances) for 1 year

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Subject to the renewal of the licence before the expiry date and to any condition(s) endorsed hereunder, LIDDELL COAL OPERATIONS PTY. LIMITED is hereby licensed under the Radiation Control Act, 1990 by the Environment Protection Authority. The regulated material(s) listed in the attached schedule are included in this licence. The conditions of this licence are attached. Separate to the requirements of this licence, general obligations of licensees are set out in the Radiation Control Act ("the Act"), the Regulations made under the Act and any Codes of Practice referred to therein.

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA. The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

The licensee is responsible for the renewal of this licence before the expiry date and for ensuring that the mailing address is current. Penalties apply for using or selling regulated material without holding a current and appropriate licence.

This licence will remain in force until it expires or is surrendered by the licence holder or until it is suspended or revoked by the EPA. A licence may only be surrendered with the written approval of the EPA.

Team Leader Chemicals and Radiation Licensing
Environment Protection Authority NSW

Radiation Management Licence

Licence Conditions

1. General

1.1. These conditions apply in addition to the obligations that a person responsible for regulated material has under the Act and Regulation

1.2. The licensee commits an offence and may be subject to penalties if the licensee fails to comply with these conditions

1.3. The licensee is authorised to own, store, sell or give away regulated material only to the extent specified by the licence type

1.4 The licensee must ensure that all regulated material in the form of ionising radiation apparatus, sealed source devices and all sealed sources for which they are the person responsible is detailed in this licence in accordance with the timeframes specified in Condition 7.

1.5. The licensee must ensure that all premises where unsealed radioactive substances are used or stored for which the licensee is the person responsible are detailed on this licence within seven days of commencing use or storage in a premises by completing the form published by the Authority and returning the form as instructed.

1.6 The regulated material detailed in this licence must only be used for the purpose(s) specified in this licence.

1.7. The licensee must notify the Authority within 14 days in writing of any change of the following information:

1.3.1. the registered office address of the licensee

1.3.2. the contact person for licence inquiries delegated by the licensee

1.3.3. the site contact person nominated by the licensee (where applicable)

1.8. All notifications required by these conditions must be sent to:

The Manager
Hazardous Materials, Chemicals and Radiation Section
NSW Environment Protection Authority
Department of Premier and Cabinet
PO Box A290
SYDNEY SOUTH NSW 1232

Or a PDF file may be sent to radiation@epa.nsw.gov.au

2. Safety information - radioactive substances

2.1. The licensee must ensure that a notice is displayed near to the radiation warning sign at the entrance to the premises (room, store, laboratory) where radioactive substances are kept or used that includes the following information:

2.1.1. the licensee's name,

2.1.2. the licence number,

2.1.3. the name and telephone number of the licensee's contact in the event of an emergency affecting the premises, and

2.1.4. the emergency service and telephone number to call in the event of an emergency affecting the premises.

2.2. The licensee must ensure that a summary of procedures relating to the safe use of a radioactive source is displayed at the premises where the regulated material is kept.

2.3. The licensee must ensure that detailed procedures to be followed in the event of a radiation accident are kept at the premises

3. Compliance certification - general

3.1. The licensee must ensure that diagnostic imaging apparatus and sealed source devices which are fixed radiation gauges, referred to in Conditions 4 and 5 of the Management Licence Conditions remain under an unbroken state of compliance certification during the transition from the requirements of the Radiation Control Regulation 2003 to the Radiation Control Regulation 2013.

4. Compliance certification - diagnostic imaging apparatus

4.1. The licensee must ensure that diagnostic imaging apparatus of the type listed in Column 1 of Table 1 for which the licensee is responsible, is certified by a consulting radiation expert accredited by the Authority as complying with the requirements for registration in Schedule 1 of the corresponding Part of Radiation

Guideline 6 - Registration requirements & industry best practice for ionising radiation apparatus used in diagnostic imaging, NSW EPA March 2004 (listed in Column 2 of Table 1), as published by the Authority from time to time:

4.1.1. before the apparatus is used, or

4.1.2. within two years of the anniversary of initial compliance certification - for mammography apparatus, fluoroscopy apparatus, computed tomography apparatus, and for apparatus that may be used for both fluoroscopy and radiography, or

4.1.3. within five years of initial certification - for dental radiography apparatus, radiography apparatus, and bone mineral density apparatus, or

4.1.4. if modifications have been made that affect the compliance of the apparatus with the requirements of Schedule 1 of the relevant Guideline, or

4.1.5. if the apparatus has been relocated and reassembled, or

4.1.6. where the purpose for which the apparatus is used has changed, or

4.1.7. in addition, in the case of mammography apparatus, an annual certificate is required in relation to mean glandular dose requirements or following any service or modification that may affect patient dose.

Table 1	
Column 1	Column 2
Apparatus for mammography	The requirements specified in Schedule 1, Part 1 Mammography
Apparatus for fluoroscopy or radiography	The requirements specified in Schedule 1, Part 2 Fluoroscopy and radiography
Apparatus for dental diagnostic purposes	The requirements specified in Schedule 1, Part 3 Dentistry (including maxillofacial)
Apparatus for veterinary purposes	The requirements specified in Schedule 1, Part 4 Veterinary science
Apparatus for computed tomography or bone mineral densitometry	The requirements specified in Schedule 1, Part 5, Computed tomography and bone mineral densitometry

4.2. If a consulting radiation expert certifies that radiation apparatus generally complies with mandatory requirements, but has specified that minor repairs are necessary so that the requirements of Schedule 1 of the relevant Part of Guideline 6 are met, the licensee must:

4.2.1. ensure that these repairs are carried out within the timeframe specified by the consulting radiation expert, and

4.2.2. adhere to any restrictions on the use or operation of the apparatus specified by the consulting radiation expert until the repairs have been carried out.

5. Compliance certification - fixed radiation gauges

5.1. The licensee must ensure that a sealed source device which is a fixed radiation gauge for which the licensee is the person responsible is certified compliant by a consulting radiation expert accredited by the Authority with the mandatory requirements published by the Authority:

5.1.1. before it is used, and

5.1.2. every two years before the anniversary of its initial compliance certification

6. Working life of sealed radioactive sources

6.1. The licensee must ensure that a sealed radioactive source for which the licensee is the person responsible is not used:

6.1.1. beyond the manufacturer's recommended working life for the source, or

6.1.2. if the manufacturer has not recommended the working life of the source, beyond 15 years after the date of manufacture of the source, or

6.1.3. unless the Authority has approved the use of the source for a further period and the licensee complies with any conditions for continued use set down by the Authority.

7. Notification of receipt and transfer of regulated material

7.1. The licensee must notify the Authority of the receipt or transfer of possession of regulated material (whether by sale or giving away) within seven days of receipt or transfer occurring, by completing the form published by the Authority and returning the form as instructed.

7.2. The licensee must notify the Authority within seven days if fixed radiation apparatus for which the licensee if the person responsible is relocated.

Note: This provision (7.1) does not apply to radioactive substances that are not in sealed source form.

8. Consent to dispose of radiation apparatus

8.1. The licensee may dispose of radiation apparatus, for which the licensee is the person responsible, but only if:

8.1.1. The radiation apparatus has been rendered permanently inoperable, and

8.1.2. The licensee notifies the Authority within seven days using the approved form

9. Records

9.1. The following records must be kept in relation to regulated material for which the licensee is the person responsible:

9.1.1. Maintenance reports and summaries of quality assurance and / or wipe tests undertaken on any sealed radioactive source or sealed source device

9.1.2. Reports and certificates of compliance issued by a consulting radiation expert in relation to any radiation apparatus or fixed radiation gauge

9.1.3. The source certificate for any sealed radioactive source

9.1.4. Details of the type, location and movement of any radioactive substance(s)

9.1.5. Details of an annual stocktake of all radioactive substances kept or used

9.1.6. Details of all instances where the categories of regulated material used or kept change, as determined by Part 2, Cl.14 of the Regulation, and advise the EPA of any such change in writing within 14 days

9.2. The licensee must:

9.2.1. Maintain records in legible form or in a form that can be readily reproduced in a legible form,

9.2.2. Keep all records relating to regulated material for a period of two years after disposal, and

9.2.3. Provide all records relating to regulated material to the person to whom the regulated material is transferred, in the case of sale or giving away

10. Storage

10.1. Ensure that regulated material for which the licensee is responsible is safely and securely stored if it is not required for immediate use and that:

10.1.1. The store is constructed of durable materials

10.1.2. The store is lockable

10.1.3. Radiation levels in any accessible area outside the store do not exceed the dose limits for exposure in Schedule 5 of the Regulation

10.1.4. Any radioactive substances are not stored with explosives, combustible or corrosive materials

11. Whole body scanning

11.1. The licensee must ensure that computed tomography apparatus for which the licensee is responsible is not used for screening for early signs of illness in patients who have no symptoms or disease risk factors, except at the written request of an dependent medical practitioner and where the licensee has obtained the informed sent of the patient in writing.

Note: Informed consent requires that the patient has been informed of the scale of radiation dose from the procedure and the risks involved, including that persons under the age of 50 years are more at risk of developing cancers as a result of the procedure.

12. Cyclotron

12.1. The licensee must, prior to commencement of commissioning of the facility, submit a radiation protection plan to the Authority for its approval.

12.2. The licensee must, prior to commencement of normal operations, submit a copy of the acceptance test

documentation, providing certification that design features for hazard control are in place and operational, to the Authority for its approval.

12.3. The licensee must, if there is any variation to working procedures, engineering protective measures, or radiation monitoring plans, submit an amended radiation protection plan to the Authority for its approval.

12.4. The licensee must submit to the Authority a report on the operation of the cyclotron and ancillary facilities, as they relate to safety and radiation control issues for the first three months of its routine operation, and subsequently annually.

13. Guidelines

13.1. The licensee must comply with the obligations of 'responsible persons' in the following documents, to the extent that they apply to the licensee's radiation practice, as published by the New South Wales Environment Protection Authority (NSW EPA) http://www.epa.nsw.gov.au/radiation/radiationpubs.htm from time to time

13.1.1. Radiation Guideline 6 - Registration requirements & industry best practice for ionising radiation apparatus used in diagnostic imaging, NSW EPA March 2004:
Part 1: Mammography
Part 2: Fluoroscopy & radiography
Part 3: Dentistry (including maxillofacial)
Part 4: Veterinary science
Part 5: Computed tomography & bone mineral densitometry
Part 6: Test protocols for parts 2-5

Note: Appendix A of Guideline 6, Parts 2-5 Policy on x-ray protective clothing (2004) has been superseded by Policy on x-ray protective clothing, NSW EPA, Nov 2009.

14. Codes

14.1. The licensee must comply with the obligations of 'responsible persons' in the following documents, to the extent that they apply to the licensee's radiation practice, as published by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) http://www.arpansa.gov.au/Publications/codes from time to time:

14.1.1. RPS 2. Code of Practice for the Safe Transport of Radioactive Material, ARPANSA Jan 2008

14.1.2. RPS 5. Code of Practice and Safety Guide for Portable Density/Moisture Gauges containing Radioactive Sources, ARPANSA, May 2004

14.1.3. RPS 8. Code of Practice for the Exposure of Humans to Ionizing Radiation for Research Purposes, ARPANSA, May 2005

14.1.4. RPS 10. Code of Practice and Safety Guide for Radiation Protection in Dentistry, ARPANSA, Dec 2005

14.1.5. RPS 13. Code of Practice and Safety Guide for Safe Use of Fixed Radiation Gauges, ARPANSA, Jan 2007

14.1.6. RPS 14. Code of Practice for Radiation Protection in the Medical Applications of Ionizing Radiation, ARPANSA, May 2008

14.1.7. RPS 17. Code of Practice and Safety Guide for Radiation Protection in Veterinary Medicine, ARPANSA, July 2009

14.1.8. RPS 19. Code of Practice for Radiation Protection in the Application of Ionizing Radiation by Chiropractors, ARPANSA, Nov 2009

14.1.9. RHS 9. Code of practice for protection against ionizing radiation emitted from X-ray analysis equipment, ARPANSA, 1984

14.1.10. RHS 28. Code of practice for the safe use of sealed radioactive sources in bore-hole logging, ARPANSA, 1989

14.1.11. RHS 31. Code of practice for the safe use of industrial radiography equipment, ARPANSA, 1989

In the event of an inconsistency between the Codes and the current relevant NSW legislation, the requirements of the legislation prevail to the extent of the inconsistency.

15. Definitions

Person responsible has the same meaning as in section 6 of the Act

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Act means the Radiation Control Act 1990 (http://www.epa.nsw.gov.au/legislation/ActSummaries.htm#radiation)

Diagnostic imaging apparatus means:

A. Any ionising radiation apparatus used or intended to be used for any medical diagnostic, veterinary diagnostic or dental purpose, or
B. Any ionising radiation apparatus used or intended to be used for radiotherapy or radiotherapy planning purposes.

Fixed radiation gauge means a sealed source device which is in a fixed position.

Regulation means the Radiation Control Regulation 2013 (http://www.epa.nsw.gov.au/legislation/RegulationSummaries.htm#RCreg)

Regulated material has the same meaning as in section 4 of the Act

Occupationally exposed has the same meaning as in clause 3 of the Regulation

Radiation accident has the same meaning as in clause 37 of the Regulation

Sealed source device has the same meaning as in section 4 of the Act.

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Radiation Regulated Material (RRM) Schedule (Licence no 5061082)

Location: LIDDELL COAL OPERATIONS PTY. LIMITED - RAVENSWORTH - Old New England Highway, RAVENSWORTH, NSW 2330

Radiation regulated material ID No 10291 (status Active)

Work Area	Fee Group	Type	Equipment	Purpose
Washery correct medium DIC-PU-302	Group B	Sealed source device	Fixed Radiation Gauge	

Components:	Type	Manufacturer	Model No	Serial No	Source Name
29510	Container	Endress & Hauser	QG-020YPIC	A1000C010E1	
29511	Sealed source	QSA Global		PS836	caesium-137

Radiation regulated material ID No 10292 (status Active)

Work Area	Fee Group	Type	Equipment	Purpose
Washery correct medium DIC-PU-402	Group B	Sealed source device	Fixed Radiation Gauge	

Components:	Type	Manufacturer	Model No	Serial No	Source Name
29512	Container	Endress & Hauser	QG-020YPIC	A1000D010E1	
29513	Sealed source	QSA Global		PS837	caesium-137

Radiation regulated material ID No 10294 (status Active)

Work Area	Fee Group	Type	Equipment	Purpose
Tailing thickener U/F DIT-PU-703	Group B	Sealed source device	Fixed Radiation Gauge	

Components:	Type	Manufacturer	Model No	Serial No	Source Name
29517	Container	QSA Global	QG-20-YPIC	A1000E010E1	
29518	Sealed source	QSA Global		PS838	caesium-137