

## Table of Contents

1.	PURPOSE	2
2.	POLLUTION INCIDENT DEFINITION	2
3.	KEY PARTS IN EMERGENCY PLAN	3
3.1.	Actions to be taken after an environmental incident	3
3.2.	Coordination with Local Authorities	3
3.3.	Maps	3
4.	HAZARD, LIKELIHOOD AND PRE-EMPTIVE ACTIONS TO PREVENT POLLUTION INCIDENT RISKS	3
4.1.	Overview	3
4.2.	Summary of Pollution Types	3
4.3.	Use and Storage of Hazardous Chemicals Safety Issues	5
4.4.	Risk assessment and Control Measures (pre-emptive actions)	6
4.5.	Hazard Assessment, Inventory, Early Warnings and Pre-Emptive Actions	7
5.	IMMEDIATE NOTIFICATIONS OF INCIDENT TO RELEVANT AUTHORITIES	7
6.	COMMUNITY NOTIFICATION	9
6.1.	Website information	9
7.	NOTIFICATION TO THE NSW DEPARTMENT OF PLANNING	10
8.	AVAILABILITY AND LOCATION OF THIS PLAN	10
9.	TRAINING	11
10.	UPDATING OF PLAN	11
11.	TESTING	12
12.	IMPLEMENTATION OF THE PLAN	12
13.	APPENDIX 1 – REGULATORY REQUIREMENTS	13

Version Number	Change History	Date
06	Modify odour description in Table 2. Fix page numbers	21 January 2019
05	Review. Change GMT responsibility to GMO. Updates to some chemicals listed. 3.1 updated to match Emergency Plan changes.	21 November 2018
04	Review. Inclusion of secondary water treatment plant requirements, additional documentation referenced.	28 November 2017
03	Update references to new Emergency Plan. Add requirement to report to DoP	03 February 2017
02	Update of responsible persons	30 March 2016
01	Compliance with PIRMP legislation	25 June 2015
Prepared by:	Andrew Doig	25 June 2015
Authorised for use by:	Karen Jones	

## 1. PURPOSE

This Pollution Incident Response Management Plan (PIRMP) is a legal requirement and has been prepared in accordance with the Environment Protection Authority's (EPA) documentation and legislation as outlined in Appendix 1.

The requirements also include that the following sections of the plan to be made publically available:

- Procedures for contacting the 'relevant authorities.
- Procedures for communicating with the community (excluding any personal information).

The Orora Ltd B9 Paper Mill (EPL 1594), B9 Site Emergency Plan (EP) complies in part with the requirements of a PIRMP. This document covers the remainder of the PIRMP requirements under the POEO Act 1997 and the POEO (General) Regulation 2009.

The EP is applicable to all Orora Botany Mill staff, visitors and contractors and sets out their responsibilities including notifying, responding and managing pollution incidents.

A copy of the full EP is maintained at the premises to which the relevant licence relates. It is readily available to the person responsible for implementing the EP, the emergency services and to an authorised EPA officer on request.

The plan is tested annually and is updated whenever new information becomes available.

## 2. POLLUTION INCIDENT DEFINITION

A Pollution Incident means an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises, but it does not include an incident or set of circumstances involving only the emission of any noise. Severe odour emissions are also considered a pollution incident.

A pollution incident is required to be notified if there is a risk of 'material harm to the environment', which is defined in Section 147 of the POEO Act as:

- a) *harm to the environment is material if:*
  - i. *it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or*
  - ii. *it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and*
- b) *loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.*

### 3. KEY PARTS IN EMERGENCY PLAN

#### 3.1. Actions to be taken after an environmental incident

This is covered under the Orora B9 Site Emergency Plan:

- Section 6: B9 Emergency Control Organisation (Wardens) Checklist
- Section 7: B9 Emergency Management Flow Chart
- Section 12: Gas Emergency (Biogas, Mains or LPG tank)
- Section 13: LPG/Flammable gas leaks
- Section 15: Environment Incidents
- Section 16: Hazardous Material Incident Alert

Additional procedures are also covered in this document including:

- Section 5: Immediate Notifications Of Incident To Relevant Authorities

#### 3.2. Coordination with Local Authorities

This is covered in Orora Site B9 Emergency Plan under Section 6: B9 Emergency Control Organisation (Wardens) Checklist.

#### 3.3. Maps

Maps of the site are located under Orora B9 Emergency Plan:

- Appendix 1 – B9 Site Map

### 4. HAZARD, LIKELIHOOD AND PRE-EMPTIVE ACTIONS TO PREVENT POLLUTION INCIDENT RISKS

#### 4.1. Overview

This chapter deals with the [POEO \(General\) Regulation 2009's sections 98\(a\) to 98\(f\)](#) and partially covers s98(j). These sections deal with the hazard, likelihood and pre-emptive actions which are similar processes to undertaking a risk assessment and providing appropriate control measures to proven or minimise these risks.

This Plan also considers both air and water based pollution incident impacts. Overall considerable design and environmental management plans are in place to effectively minimise the likelihood and impact of a pollution incident. However, such incidents despite the best design and management methods can occur. Such accidental events are also covered in the Plan by the use of incident response methods.

This Plan is based on a risk assessment process undertaken during the design of the B9 Site summarised in the following documents

- Orora B9 Hazard and Risk Register
- Orora B9 Site Risk Profile

#### 4.2. Summary of Pollution Types

A recycled paper mill by its nature has a limited list of typical pollution types which are required to be considered under the PIRMP. This list covers the main types found for Orora B9

**Table 2: List of Typical Main Pollutants in Paper Mill**

Description	Comments
<b>Air Based Emissions</b>	
Dust	Is only likely to occur during construction and demolition activities on the site
Fire	Fire is not considered an environmental incident unless it is large enough to threaten human health or neighbouring properties, but the smoke from the fire can be and can affect neighbours. Fire Management is covered under the Orora B9 Site Emergency Plan and other fire response procedures. A Fire Hazard analysis was undertaken for the site.
Noise	Emitted by plant and equipment. Noise is not considered a pollution incident and not covered further under this Plan.
Odour	<p>There are two main sources of odour associated with this site:</p> <ul style="list-style-type: none"> <li>• Biogas (source of hydrogen sulphide gas)</li> <li>• Paper machine evaporation exhaust.</li> </ul> <p>Odour generated by the release of a significant amount of biogas may trigger material environmental harm reporting requirements depending on the point of release, duration and gas flow.</p> <p>The types of odour incidents generated through the paper machine operations are unlikely to be considered of a magnitude to trigger material environmental harm as they are of low intensity and not considered to generate a health threat.</p>
<b>Spill type emissions</b>	
<p>Class 2.1 Flammable Gases:</p> <ul style="list-style-type: none"> <li>• LPG</li> <li>• Natural Gas</li> <li>• Biogas</li> <li>• Acetylene</li> <li>• Aerosols</li> </ul>	<p>Fuel for boilers, and other process heating, forklift vehicles, welding, biogas produced by anaerobic water treatment and used in gas engine. Covered under:</p> <ul style="list-style-type: none"> <li>• Orora B9 Dangerous goods notification</li> <li>• Orora B9 Site Emergency Plan</li> <li>• Site Risk Profile</li> <li>• Hazard Risk Register</li> <li>• Chemical Approval System</li> </ul>
<p>Class 2.2: Non-toxic non-flammable gases:</p> <ul style="list-style-type: none"> <li>• Argon</li> <li>• Oxygen</li> </ul>	<p>Gases used in welding and other maintenance activities. Covered under:</p> <ul style="list-style-type: none"> <li>• Orora B9 Dangerous goods notification</li> <li>• Orora B9 Site Emergency Plan</li> <li>• Site Risk Profile</li> <li>• Hazard Risk Register</li> <li>• Chemical Approval system</li> </ul>
<p>Class 3 flammable liquids e.g. Fuels including petrol based fuels, paints, solvents, formic acid, boiler treatment chemicals.</p>	<p>For plant and equipment operations. Covered under:</p> <ul style="list-style-type: none"> <li>• Orora B9 Dangerous goods notification</li> <li>• Orora B9 Site Emergency Plan</li> <li>• Site Risk Profile</li> <li>• Hazard Risk Register</li> <li>• Spill Control and Bund Management Procedure</li> <li>• Storm water management</li> <li>• Chemical Approval system</li> </ul>
<p>Combustible Liquids (C1 &amp; C2)</p>	<p>For plant and equipment operations. Covered under:</p> <ul style="list-style-type: none"> <li>• Orora B9 Dangerous goods notification</li> </ul>

<p>Diesel, lubricants, hydraulic oils and other oils and greases</p>	<ul style="list-style-type: none"> <li>• Orora B9 Site Emergency Plan</li> <li>• Site Risk Profile</li> <li>• Hazard Risk Register</li> <li>• Spill Control and Bund Management Procedure</li> <li>• Storm water management</li> </ul>
<p>Class 8 Corrosive substances</p> <ul style="list-style-type: none"> <li>• Sodium hydroxide</li> <li>• Potassium hydroxide</li> <li>• Hydrochloric acid</li> <li>• Sodium hypochlorite</li> <li>• Bisulphates solution</li> <li>• Phosphoric Acid</li> <li>• Ferric Chloride solution</li> <li>• Formic Acid</li> </ul>	<p>Use of other dangerous goods varies on site. Covered under:</p> <ul style="list-style-type: none"> <li>• Orora B9 Dangerous goods notification</li> <li>• Orora B9 Site Emergency Plan</li> <li>• Site Risk Profile</li> <li>• Hazard Risk Register</li> <li>• Spill Control and Bund Management Procedure</li> <li>• Storm water management</li> <li>• Chemical Approval system</li> </ul>
<p>Pesticides</p>	<p>Control of weeds and pests: For plant and equipment operations. Covered under:</p> <ul style="list-style-type: none"> <li>• Orora B9 Dangerous goods notification</li> <li>• Orora B9 Site Emergency Plan</li> <li>• Spill Control and Bund Management Procedure</li> <li>• Storm water management</li> <li>• Chemical Approval system</li> </ul> <p>Pesticides are not kept on site, only small quantities are brought in as they are used by a third party contractor</p>
<p>Aqueous wastes, wastewaters and aqueous potential pollutants</p>	<p>Management of aqueous liquids risks on site are covered under</p> <ul style="list-style-type: none"> <li>• Site Risk Profile</li> <li>• Hazard Risk Register</li> <li>• Spill Control and Bund Management Procedure</li> <li>• Storm water management</li> </ul> <p>Paper pulp products are stored and handled in large quantities at the site on a 24 hour 7 day per week basis.</p> <p>Wastewater and its treatment also comprises over 100 kL of liquid on site considered a pollutant.</p> <p>The site has its own stormwater system and a series of pits and traps to capture run off and spills. The B9 building is a self-contained bunded area.</p>
<p>Wastes [includes solid, liquid and hazardous wastes]</p>	<p>Storage of wastes and wastes containing chemicals. Covered under:</p> <ul style="list-style-type: none"> <li>• Orora B9 Site Emergency Plan</li> <li>• Site Risk Profile</li> <li>• Hazard Risk Register</li> <li>• Waste Management Procedure</li> </ul>

### 4.3. Use and Storage of Hazardous Chemicals Safety Issues

Storage and handling of substances which may cause pollution are divided into two areas:

- Hazardous Chemicals – covered by occupational health and safety requirements
- Non-hazardous and aqueous based substances

Hazardous chemicals are documented and itemized in accordance to the *Workplace Health and Safety Regulation 2011*. The specific hazardous and non-hazardous chemicals documents are identified in Table 3:

**Table 3 Reference Documents to Inventory of Pollutants**

Document Name	Relation to this Plan
Orora B9 Health Safety and Environment Management Plan	Provides: <ul style="list-style-type: none"> <li>• Overarching management of safety including for all pollutants on site</li> <li>• Management of environmental issues for the site including preemptive measures</li> </ul>
Orora B9 Site Emergency Plan	Provides: <ul style="list-style-type: none"> <li>• Key contacts regarding OH&amp;S issues and incidents</li> <li>• Hazardous chemicals register</li> <li>• Storage and handling requirements</li> <li>• Plant maintenance records</li> <li>• Emergency procedures</li> <li>• Training and record keeping</li> <li>• Handling of hazardous materials and dangerous goods</li> </ul>
Orora B9 Dangerous goods notification	<ul style="list-style-type: none"> <li>• Quantities of dangerous goods on site</li> <li>• Site maps</li> <li>• Location of dangerous goods</li> </ul>

#### 4.4. Risk assessment and Control Measures (pre-emptive actions)

Assessment analysis and control measures to minimise or prevent any risk of harm to human health or the environment arising out of the relevant activity are required under the overarching documents:

- Orora B9 Hazard and Risk Register
- Orora B9 Site Risk Profile

**Table 4 List of Documents Covering Environmental Risk Assessment and Control Measures**

Document Name	Relation to this Plan
Orora B9 Hazard and Risk Register	Provides: <ul style="list-style-type: none"> <li>• Register of business aspects &amp; environmental impacts</li> <li>• Scoring system for assessing risk</li> <li>• Control measures</li> <li>• References &amp; links to procedures, policies, records etc</li> </ul>
Orora B9 Site Risk Profile	Provides in relation to PIRMP requirements: <ul style="list-style-type: none"> <li>• A high level assessment of the major risks posed by the site and its operations</li> <li>• Includes environmental risks</li> </ul>
Procedures, factsheets and guides relating to PIRMP requirements	Orora B9 Site Emergency Plan
Storm water Management Procedure	Management and monitoring of storm water pollution risks
Waste Management Procedure	Management of waste generation and correct disposal.
Spill Control and Bund Management	Management of uncontained and contained spills on site.

Chemical Approvals and Purchasing	Risk assessment for each chemical brought onto site.
Environmental Aspects & Impacts Register & Procedure	Scoring system for assessing risk Register of Environmental Aspects & Impacts Significant Aspects & Impacts

#### 4.5. Hazard Assessment, Inventory, Early Warnings and Pre-Emptive Actions

Table 5 provides a breakdown of the coverage of the regulatory requirements according to the *POEO (General) Regulation 2009* by section to this part.

**Table 5: Risk Module Coverage of the POEO (General) Regulation 2009**

Section	Item heading	Covered by
98C(a)	Hazard assessment:	Hazard and Likelihood Risk assessment and Corrective Control Measures tables
98C(b)	Likelihood assessment:	Hazard and Likelihood Risk assessment and Corrective Control Measures tables
98C(c)	Pre-Emptive Action:	Hazard and Likelihood Risk assessment and Corrective Control Measures – Control measures and corrective action
98C(d)	Pollutant Inventory Types:	List Of Polluting Substance Storages/Uses At Site Initial Assessment – Name/description, Covered under Hazardous Chemicals
98C(e)	Pollutant Inventory Quantities:	List Of Polluting Substance Storages/Uses At Site Initial Assessment – Amount Stored (maximum or estimated Maximums stored)
98C(f)	Safety Equipment:	List Of Polluting Substance Storages/Uses At Site Initial Assessment- Ref to Safety Coverage
98C(i)	Early Warnings Neighbours:	List Of Polluting Substance Storages/Uses At Site Initial Assessment – Need for early warnings to neighbours
98C(j)	Staff Safety:	List Of Polluting Substance Storages/Uses At Site Initial Assessment – Ref to Safety Coverage
98C(k)	Maps location of pollutants:	List Of Polluting Substance Storages/Uses At Site Initial Assessment Location of Storage, Map reference (supports section 4 Maps)

The above legal requirements are covered under the following documents:

- Orora B9 Emergency Response Plan
- Orora B9 Site Risk Profile
- Orora B9 Hazard Risk Register

## 5. IMMEDIATE NOTIFICATIONS OF INCIDENT TO RELEVANT AUTHORITIES

The Protection of the Environment Operations Act has specified new requirements relating to the notification of pollution incidents. We must notify the following people ***immediately*** when a pollution incident occurs and material harm to the environment is caused or threatened. “Immediately” replaces “as soon as practicable” (section 148 POEO Act) and means without delay. Material harm is harm that is **not trivial** or incurs a **cleanup cost** of more than **\$10,000**.

If the environmental incident presents an **immediate threat to human health or property** and or **suspected material harm** the EC is to call:

- Environment and Document Control Manager or
- Production Manager and
- General Manager Operations (GMO) or delegate is required to:

After becoming aware of material environmental harm to immediately report all material harm pollution incidents to the relevant authorities listed in the tables below.

**Table 1**

**If the environmental incident presents an immediate threat to human health or property and or suspected material harm the GMO is to call:**

Relevant authorities	Contact
NSW Fire and Rescue	000
Environment Protection Authority (EPA)	131 555
Ministry of Health (Randwick Office)	9382 8333, or 9382 2222 (after hours ask for public health nurse)
SafeWork NSW	13 10 50
Randwick Council	1300 722 542
<b>Additional agencies to be contacted if required</b>	
Sydney Water	13 20 90
Ambulance Service	000

**Table 2**

**If the incident is NOT an immediate threat to human health or property, but is suspected material harm the GMO is to call:**

Relevant authorities	Contact
Environment Protection Authority (EPA)	131 555
Randwick Council	1300 722 542
Ministry of Health (Randwick Office)	9382 8333, or 9382 2222 (after hours ask for public health nurse)
SafeWork NSW	13 10 50
NSW Fire and Rescue	1300 729 579
<b>Additional agencies to be contacted if required</b>	
Sydney Water	13 20 90
Ambulance Service	000

The information required to be provided as part of the notification process includes:

- 1) The time, date, nature, duration and location of the incident.
- 2) The location of the place where pollution is occurring or is likely to occur.
- 3) The nature, the estimated quantity or volume and the concentration of any pollutants involved, if known.
- 4) The circumstances in which the incident occurred (including the cause of the incident, if known).
- 5) The action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known.



6) Other information prescribed by the regulations.

Lack of any of the above information should not prevent the GMO or delegate from making an immediate notification. As additional information becomes available, it would be communicated to all the relevant agencies immediately.

## 6. COMMUNITY NOTIFICATION

Orora will advise its neighbours if a pollution incident occurs of the magnitude that may impact on them. The Hazard Risk Register lists only a few incidents where this is not an extremely rare event.

A decision to notify neighbours and the local community will be made in consultation with regulatory authorities based on an initial risk assessment (for example, considering the type of pollutant, concentration of emission, prevailing wind and height of the emission).

Orora's Botany Mill site operates an Environmental Hotline which can be used by any party to report environmental disturbances or other complaints relating to onsite operations.

The Environmental Hotline phone number is **1800 072 734** and is available 24 hours per day 7 days per week.

Calls are monitored by communications services and if urgent action is required are referred immediately to the site Shift Manager for attention. If immediate action is not requested they are followed up on the next business day. The public are made aware of this service by the signs that are placed prominently at the site boundary, community information flyers distributed regularly to local residents and via community liaison meetings.

Any press releases issued to the media will be done so through Orora's General Manager Operations and are to contain the following information. Releases must be approved by the General Manager Operations.

- Description of the nature of the emergency.
- The corrective action taken and its effectiveness.
- When the emergency is expected to be over.
- The investigative action that will or has been taken.
- Any assistance that can be given by the media.

### 6.1. Website information

This Pollution Incident Response Management Plan (PIRMP or Plan) Website Information has been written to comply with the legislative requirements under the *Protection of the Environment Operations Act 1997* (POEO Act) and the *Protection of the Environment Operations (General) Regulation 2009 s98D*:

*(2) A plan is also to be made publicly available in the following manner within 14 days after it is prepared:*

- (a) in a prominent position on a publicly accessible website of the person who is required to prepare the plan,
- (b) if the person does not have such a website--by providing a copy of the plan, without charge, to any person who makes a written request for a copy.
- (3) Subclause (2) applies only in relation to that part of a plan that includes the information required under:
- (a) section 153C(a) of the Act, and
- (b) clause 98C (1) (h) and (i) or (2) (b) and (c) (as the case requires).

Unlike the EPL this Plan is to only be available to those who are to implement the Plan. This is made clear by The POEO (General) Regulation 2009 s98D(3) which States:

- 4) Any personal information within the meaning of the Privacy and Personal Information Protection Act 1998 is not required to be included in a plan that is made available to any person other than a person referred to in subclause (1).

If components of the Plan are considered to contain sensitive private information then only those cleared should be permitted access to the full Plan. Alternative Plans with such sensitive information removed (e.g. contact phone numbers and names) can be more widely distributed. Full plans will be made available to the relevant government agencies, on request or during an incident response activity.

## **7. NOTIFICATION TO THE NSW DEPARTMENT OF PLANNING**

Condition 33 of the B9 Development Approval (05\_0120) states that:

*Within seven days of detecting an exceedance of the limits/performance criteria in this approval, or an incident causing (or threatening to cause) material harm to the environment, the Proponent shall report the exceedance/incident to the Department, and any relevant agency. The report must:*

- a) Describe the date, time and nature of the exceedance/incident;
- b) Identify the cause (or likely cause) of the exceedance/incident;
- c) Describe what action has been taken to date; and
- d) Describe the proposed measure to address the exceedance/incident.

## **8. AVAILABILITY AND LOCATION OF THIS PLAN**

The POEO (General) Regulation 2009 s98D(1) states:

- (1) A plan is to be made readily available:
- (a) to an authorised officer on request, and
  - (b) at the premises to which the relevant licence relates, or where the relevant activity takes place, to any person who is responsible for implementing the plan.

The availability of this Plan will be made available by locating printed copies in the same locations as the Environment Protection Licence 1594 (EPL) is located with the:

- Environment and Document Control Manager
- Shift Manager

Unlike the EPL this Plan is to only be available to those who are to implement the Plan. This is made clear by The POEO (General) Regulation 2009 s98D(3) which States:

4) Any personal information within the meaning of the Privacy and Personal Information Protection Act 1998 is not required to be included in a plan that is made available to any person other than a person referred to in subclause (1).

If components of the Plan are considered to contain sensitive private information then only those cleared should be permitted access to the full Plan. Alternative Plans with such sensitive information removed (e.g. contact phone numbers and names) can be more widely distributed. Full plans will be made available to the relevant government agencies, on request or during an incident response activity.

In general full PIRMPs will remain for internal use only, except for sharing with appropriate government agencies.

## 9. TRAINING

Necessary environmental management competencies have been determined for each of the broad positions in Orora B9 site including:

- Emergency response team
- Management involved in the PIRMP
- Others as considered appropriate

Training of Orora B9 site staff falls into several categories:

- Formal External Training
- Formal Internal Training
- Project / Site Training Information provided on site such as inductions and toolbox talks

Details of the training material to be provided in PIRMP training sessions will be kept on record.

As a minimum PIRMP the training is to also include:

- Awareness of the PIRMP
- Where this Plan and other referenced documents can be accessed
- Pollution incident classification (material harm), alarm raising and reporting under this plan
- Spill response actions under this plan
- Early warnings internally and to neighbours where appropriate
- Specific procedures in dealing with potential pollution incidents e.g. spill response procedure
- Other information as considered appropriate

Records of training will be kept.

## 10. UPDATING OF PLAN

**Effective date:** 21/01/2019

**Review date** This Plan will be updated according to the following:

- 12 months from the last update;
- Within one month of a material harm Incident
- As identified after testing of the Plan (see section 10).

## 11. TESTING

The POEO (General) Regulation 2009 98E states for testing of the Plan:

*1) The testing of a plan is to be carried out in such a manner as to ensure that the information included in the plan is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.*

*2) Any such test is to be carried out:*

*(a) routinely at least once every 12 months, and*

*(b) within 1 month of any pollution incident occurring in the course of an activity to which the licence relates so as to assess, in the light of that incident, whether the information included in the plan is accurate and up to date and the plan is still capable of being implemented in a workable and effective manner*

Testing of the Plan will be integrated into other emergency and incident testing and training programs where possible.

Records of the testing will be kept by Environment and Document Control Manager or in the staff members' human resources records.

### Testing dates

This Plan will be tested according to the following:

- 12 months from the last test, or
- Within one month after a material harm Incident.

### Recording of Testing

A record of the testing of the Plan will be prepared after each testing of the plan is undertaken. If the test identifies any shortcomings in the Plan, especially the implementation of the spill response procedures, the Plan will be updated and or other appropriate non-conformance actions will be undertaken.

## 12. IMPLEMENTATION OF THE PLAN

The POEO Act 1997 s 153F requires the Plan be implemented if a pollution incident occurs. \$2 million maximum fines apply for failing to implement the Plan.

Hence if a material harm pollution incident occurs:

- It must be responded to according to this Plan and its reference documents.
- An incident response report be completed

## 13. APPENDIX 1 – REGULATORY REQUIREMENTS

### PIRMP Legislation

#### POEO Act Part 5.7

##### 153A Duty of licence holder to prepare pollution incident response management plan

The holder of an environment protection licence must prepare a pollution incident response management plan that complies with this Part in relation to the activity to which the licence relates.

##### 153C Information to be included in plan

A pollution incident response management plan must be in the form required by the regulations and must include the following:

(a) the procedures to be followed by the holder of the relevant environment protection licence, or the occupier of the relevant premises, in notifying a pollution incident to:

(i) the owners or occupiers of premises in the vicinity of the premises to which the environment protection licence or the direction under section 153B relates, and

(ii) the local authority for the area in which the premises to which the environment protection licence or the direction under section 153B relates are located and any area affected, or potentially affected, by the pollution, and

(iii) any persons or authorities required to be notified by Part 5.7,

(b) a detailed description of the action to be taken, immediately after a pollution incident, by the holder of the relevant environment protection licence, or the occupier of the relevant premises, to reduce or control any pollution,

(c) the procedures to be followed for co-ordinating, with the authorities or persons that have been notified, any action taken in combating the pollution caused by the incident and, in particular, the persons through whom all communications are to be made,

(d) any other matter required by the regulations.

##### 153D Keeping of plan

A person who is required to prepare a pollution incident response management plan under this Part must ensure that it is kept at the premises to which the relevant environment protection licence relates, or where the relevant activity takes place, and is made available in accordance with the regulations.

##### 153E Testing of plan

A person who is required to prepare a pollution incident response management plan under this Part must ensure that it is tested in accordance with the regulations.

##### 153F Implementation of plan

If a pollution incident occurs in the course of an activity so that material harm to the environment (within the meaning of section 147) is caused or threatened, the person carrying on the activity must immediately implement any pollution incident response management plan in relation to the activity required by this Part.

#### POEO (General) Regulation 2009

##### 98C(a) Hazards:

A description of the hazards to human health or the environment associated with the activity to which the licence relates

##### 98C(b) Likelihood:

the likelihood of any such hazards occurring, including details of any conditions or events that could, or would, increase that likelihood,

- 98C(c) **Pre-Emptive Action:**  
details of the pre-emptive action to be taken to minimise or prevent any risk of harm to human health or the environment arising out of the relevant activity,
- 98C(d) **Pollutant Inventory Types:**  
an inventory of potential pollutants on the premises or used in carrying out the relevant activity,
- 98C(e) **Pollutant Inventory Quantities:**  
the maximum quantity of any pollutant that is likely to be stored or held at particular locations (including underground tanks) at or on the premises to which the licence relates,
- 98C(f) **Safety Equipment:**  
a description of the safety equipment or other devices that are used to minimise the risks to human health or the environment and to contain or control a pollution incident,
- 98C(g) **Staff Contacts:**  
the names, positions and 24-hour contact details of those key individuals who:  
are responsible for activating the plan, and  
are authorised to notify relevant authorities under section 148 of the Act, and  
are responsible for managing the response to a pollution incident,
- 98C(h) **Authority Contact:**  
the contact details of each relevant authority referred to in section 148 of the Act,
- 98C(i) **Early Warnings Neighbours:**  
details of the mechanisms for providing early warnings and regular updates to the owners and occupiers of premises in the vicinity of the premises to which the licence relates or where the scheduled activity is carried on,
- 98C(j) **Staff Safety:**  
the arrangements for minimising the risk of harm to any persons who are on the premises or who are present where the scheduled activity is being carried on,
- 98C(k) **Maps:**  
a detailed map (or set of maps) showing the location of the premises to which the licence relates, the surrounding area that is likely to be affected by a pollution incident, the location of potential pollutants on the premises and the location of any stormwater drains on the premises,
- 98C(l) **Early Warnings General:**  
a detailed description of how any identified risk of harm to human health will be reduced, including (as a minimum) by means of early warnings, updates and the action to be taken during or immediately after a pollution incident to reduce that risk,
- 98C(m) **Training of Staff:**  
the nature and objectives of any staff training program in relation to the plan,
- 98C(n) **Timing of Testing:**  
The dates on which the plan has been tested and the name of the person who carried out the test,
- 98C(o) **Updating of Plan:**  
the dates on which the plan is updated,
- 98C(p) **Plan Testing**  
the manner in which the plan is to be tested and maintained.
- 98D(1) **Availability of plan:**  
(1) A plan is to be made readily available:  
(a) to an authorised officer on request, and

(b) at the premises to which the relevant licence relates, or where the relevant activity takes place, to any person who is responsible for implementing the plan.

98D(2) **Publishing Plan Parts:**

(2) A plan is also to be made publicly available in the following manner within 14 days after it is prepared:

(a) in a prominent position on a publicly accessible website of the person who is required to prepare the plan,

(b) if the person does not have such a website--by providing a copy of the plan, without charge, to any person who makes a written request for a copy.

98D(3) **Procedures under Act:**

3) Subclause (2) applies only in relation to that part of a plan that includes the information required under:

(a) section 153C(a) of the Act, and

(b) clause 98C (1) (h) and (i) or (2) (b) and (c) (as the case requires).

98D(4) **Privacy Protection:**

(4) Any personal information within the meaning of the *Privacy and Personal Information Protection Act 1998* is not required to be included in a plan that is made available to any person other than a person referred to in subclause (1).

98E(1) **Testing of the Plan - 1)** The testing of a plan is to be carried out in such a manner as to ensure that the information included in the plan is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.

98E(2) **Minimum Testing:**

2) Any such test is to be carried out:

(a) routinely at least once every 12 months, and

(b) within 1 month of any pollution incident occurring in the course of an activity to which the licence relates so as to assess, in the light of that incident, whether the information included in the plan is accurate and up to date and the plan is still capable of being implemented in a workable and effective manner