



Aargus
AUSTRALIA

Environmental - Remediation - Engineering - Laboratories - Drilling

ENVIRONMENTAL MANAGEMENT PLAN

Blackwell Brothers Building Supplies and Recycling

Prepared by

Aargus Pty Ltd

May 2010

HEAD OFFICE: PO Box 398 Drummoyne NSW 1470

Telephone: 1300 137 038 Facsimile: 1300 136 038 Email: admin@aargus.net Website: www.aargus.net

Aargus Pty Ltd ACN 063 579 313 Aargus Engineering Pty Ltd ACN 050 212 710 Aargus Laboratories Pty Ltd ACN 086 993 937

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DOCUMENT HISTORY

Revision No.	Revision Date	Description
0	26/05/10	Initial Issue

Issued By:

Date:

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ABBREVIATIONS

AIP	Australian Institute of Petroleum Ltd
ANZECC	Australian and New Zealand Environment and Conservation Council
AST	Aboveground Storage Tank
BTEX	Benzene, Toluene, Ethyl benzene and Xylene
COC	Chain of Custody
DQOs	Data Quality Objectives
EPA	Environment Protection Authority
ESA	Environmental Site Assessment
DLWC	Department of Land and Water Conservation
HIL	NSW EPA Health-Based Soil Investigation Level
LGA	Local Government Area
NEHF	National Environmental Health Forum
NEPC	National Environmental Protection Measure
NHMRC	National Health and Medical Research Council
OCP	Organochlorine Pesticides
OPP	Organophosphate Pesticides
PAH	Polycyclic Aromatic Hydrocarbon
PCB	Polychlorinated Biphenyl
PID	Photo Ionisation Detector
PQL	Practical Quantitation Limit
QA/QC	Quality Assurance, Quality Control
RAC	Remediation Acceptance Criteria
RAP	Remediation Action Plan
RPD	Relative Percentage Difference
SAC	Soil Assessment Criteria
SVC	Site Validation Criteria
TCLP	Toxicity Characteristics Leaching Procedure
TPH	Total Petroleum Hydrocarbons
UCL	Upper Confidence Limit
UST	Underground Storage Tank
VOC	Volatile Organic Compounds

EXECUTIVE SUMMARY

This Environmental Management Plan (EMP) was devised to be used in conjunction with Blackwell Bros existing resource recovery management program for site at 159 Walker Street, Helensburgh. This document provides the environmental procedures to be followed during operation of the waste management program, and includes an additional Occupation Health & Safety (OH&S) plan, which is to be used in conjunction with Blackwell Bros existing Occupation Health & Safety plan.

Blackwell Bros resource recovery operations are located at 159 Walker Street, Helensburgh, which is located on the eastern boundary of Walker Street and has an area of approximately 5 hectares, however, the recycling yard only covers an area of approximately 1-2 hectares.

To ensure that the operation of the resource recovery program does not pose any risks to human health and the environment, an Environmental Management Plan is required to safeguard future site users and the ways waste resources are managed.

The scope of works of the site will take place in stages as follows:

1. The Environmental Management Plan and Occupational Health & Safety Plan will be communicated with all relevant staff and managers. This includes the site induction program and management methodologies in conjunction with the site managers.
2. To implement the plan including testing regime, fencing, warning signs, silt fences, hay bales, sediment controls, wheel wash facilities, etc.

ENVIRONMENTAL MANAGEMENT PLAN

1.0 Introduction

The resource recovery program of waste materials will be undertaken with all due regard to the environment and to statutory requirements.

All relevant regulations are covered by the EP&O Act. All due care is ensured so that the following conditions were specifically complied with:

- Minimal wind borne dust leaves the confines of the site;
- Water containing any suspended matter or contaminants is managed within the confines of the site in such a manner that minimal pollution of adjacent sites, including waterways, occurs;
- Vehicles will be controlled such that minimal mud, soil or water will fall or be deposited on any public or private roadway or adjacent areas;
- Noise levels at the site boundary will comply with the required legislative requirements.
- All approvals for site works are under regulatory framework (i.e. approvals for remedial works, etc). SEPP55 forms the basis of the remedial scope that council abides by.
- All environmental controls are adhered to as set by the Environmental Representative.

The principal's environmental representative will ensure that the operator's site manager/foreman is conversant with the contents of the EMP & OH&S plan and that he will ensure that each employee or sub-contractor employed by the operator is familiarised with the requirements of the EMP & OH&S plan. Works conducted on site will be

conducted in accordance with Workcover standards and that an appropriate community consultation programme is implemented if or when required.

2.0 Distribution of Waste

The following table provides the existing processes used for waste distribution from this site.

Waste Category	Process	Testing	Landfill
Recovered Waste Fines	Waste	Yes	Recycled on site
VENM/ENM	Recycling	Yes	Recycled on site
Brick	Recycling	Yes	Recycled on site
Concrete	Recycling	Yes	Recycled on site
Wood	Recycling	Yes	Recycled on site
Ferrous metals	Waste	n/a	Taken to Metal Recycler

3.0 Traffic Management

All loads leaving and entering the depots will be required to be maintained moist and/or covered to ensure no materials derived from the site are dropped, spilled, leaked or otherwise deposited on any public or private roadway or adjacent areas.

4.0 Control of Dust & Noise

The generation of dust will be kept to a minimum. Water sprays will be used to ensure suppression of dust on all exposed areas and whilst loading or unloading of waste type materials. Water used for dust suppression will not be allowed to escape off-site by the stormwater system, sewer, or any other means.

The operator will keep noise levels to a minimum and levels will not exceed limits indicated in AS 2436 1981.

5.0 Control of surface waters

The site operator must control surface waters on and adjacent to the site as follows:

- Divert stormwater runoff outside the site so that it does not flow through the site;
- Control drainage on the site by interception and redirecting runoff in a controlled manner;
- Stormwater collected from the site in trenches and sumps will be appropriately managed;
- Any Remedial Stockpiles will be appropriately bunded so as not to allow contaminants to escape into other areas;

6.0 Containment of potential contaminants

The operator will ensure that no substances capable of giving rise to contamination are permitted to migrate outside the site boundary, whether by means of wind, stormwater drains, sewer or any other means. There will be the requirement to protect any excavated material from rainfall and stormwater runoff. Stockpiled contaminated material will be bunded, covered and/or piled in an appropriate manner to reduce runoff offsite. A perimeter will be set around stockpiled soils with only staff appropriately inducted and wearing appropriate PPE equipment allowed to work if contaminants are found.

7.0 Odour control

In the event that malodorous compounds are encountered, the contractor shall take all precautions to ensure that minimal obnoxious odours migrate from the site boundaries. To minimise odours if encountered, it is proposed to excavate/deposit only small volumes of filling at any one time. Any filling containing significant quantities of odorous compounds would be placed as soon as possible in a bunded area and covered with HDPE sheeting and sprayed with an Aargus approved odour suppressant.

8.0 Fire and explosion hazard

Where any petroleum products or other potentially flammable or explosive substance are encountered or when petrol and diesel powered equipment is used on site, explosive atmospheres may be present, and the operator will put into place methods to prevent fire and explosion taking place. Such measures include:

- prevention of access to the site by any unauthorised persons;
- no smoking to be permitted in certain areas;
- erection of signs stating that smoking is prohibited in certain areas;
- cutting of concrete to be carried out under a blanket of water in proximity to any underground storage tanks;
- approved fire extinguishers to be maintained in proximity to all excavations;
- ensuring that no free product or fuel used for any equipment enters any confined space or drainage or sewer system;
- use of certified flameproof equipment in proximity to any location where free petroleum fuel is present or is expected to be present.

9.0 Transport

Details of all materials imported and exported from the site will be recorded and kept for public record if required.

As outlined above, measures will be implemented to ensure minimal contaminated materials are spilled onto roadways and tracked off-site on vehicle wheels.

10.0 Disposal of Stockpiled material

From the distribution of recovered materials, Virgin Natural Excavated Material (VENM), concrete/brick materials and wood are required to be sampled either before entering the site or after leaving the site or both.

Sampling will be undertaken in accordance with Blackwell Brothers sampling management plan and all materials that will be dealt with in accordance to this plan and current regulatory guidelines. All contaminated materials taken from the site, with the exception of free oil or contaminated water will be disposed of at a landfill licensed to accept such wastes.

A contractor licensed by the NSW EPA to collect such materials must be used to collect contaminated water and free oil (if encountered).

11.0 Occupational Health & Safety

Personnel working on the site are required to read and understand the Occupational Health and Safety Plan. All staff working on the site must be inducted and must sign the relevant authority form provided by Aargus Pty Ltd. The operator is to comply with all statutory requirements for safety. All accidents must be reported to the site safety officer.

12.0 Work Method Statement for Site procedures

The following procedures will be used and documented for the waste management program.

1. Five areas of concern have been identified requiring periodic sampling. These areas are
 - a. VENM
 - b. ENM

- c. Recovered waste fines
 - d. Concrete and brick aggregates
 - e. Wood
2. As all source sites are required to be free from contamination, quality testing is required to be performed in order to enable confirmation that source sites are in fact clean and free of contamination. It is therefore recommended that fines be sampled at as per the sampling management plan.
3. Samples will be taken by an independent suitably qualified environmental representative using protocols outlined in the appendix. Appropriate sampling equipment, chain of custody forms and methodologies will be employed.
4. Samples will be supplied to a NATA registered laboratory for analysis and a letter report will be supplied outlining the waste classification in accordance with NSW DECCW regulatory criteria.
5. Wastes will then be handled according to their ultimate classification and disposed of at the appropriate landfill end site.
6. A record of all analyses will be held by the operator to confirm the standard operating procedures and results. If results are found to exceed criteria on a regular basis, the timeline between sampling event will be shortened and appropriate management procedures put in place to minimise the risk of accepting contaminated materials.

13.0 Actions for breaches of environmental compliance

If a breach of environmental compliance is apparent to the on-site environmental representative, they should report to the principal's environmental representative, but if an immediate action is require they should first report this matter immediately to the contractor for action to stop the breach. Immediate action should be initiated under any of the following circumstances:

- injury to any person due to exposure to any materials buried or previously buried on the site;

- release of any materials into any off-site location;
- detection of any other circumstance that the environmental scientist believes could give rise to unacceptable risk to human health or to adverse impact to any off-site location.

14.0 Contact for Environmental Concerns

The contact details for principal environmental representatives are as follows:

<i>Site Office:</i>	159 Walker Street, Helensburgh NSW
<i>On site manager</i>	Adam Blackwell
<i>Off site representative</i>	Aargus Pty Ltd, PO Box 398 Drummoyne NSW 2047
<i>Telephone/Facsimile:</i>	1300 137 038 (ph), 1300 136 038 (fax)
<i>24hour Contact number</i>	0425 344 389 (mobile)
<i>Email:</i>	mark.kelly@aargus.net
<i>Contact:</i>	Mark Kelly

OCCUPATIONAL HEALTH & SAFETY PLAN FOR WASTE MANAGEMENT

159 Walker Street, Helensburgh NSW

1.0 Introduction

This OH&S policy is to be used in addition with any existing safety measures and OH&S plans for the site. This policy is not intended to disqualify existing safety measures but is recommended as an additional measure.

For the duration of any resource recovery management, an environmental representative will be present and will carry out inspections of the site to ensure OH&S compliance. The onsite environmental representative will ensure that the operator's site manager and the senior representative of each sub-contractor is informed as to the requirements of the plan. Each company and sub-contractor representative will comprehend the following:

- Summarise the contents of the Plan to every member of his workforce;
- Ensure that every member of the workforce understands all conditions of the Plan.

In addition to the contractor's Occupational Health and Safety Plan (OH&SP), specific tasks to be attained by the on-site environmental scientist are outlined below:

2.0 Site briefing

Safety procedures prevalent on the site will be informed to every member of the contractor's staff and every person working onsite sign an induction sheet.

3.0 General Refuse

As part of any operation, waste material and other general refuse accumulate in the general working areas. These must be maintained to avoid nuisance and health concerns.

4.0 Unusual materials

Personnel will be informed that if they become observant of any unusual materials, either visually or by odour, then excavation in that section will discontinue. Without delay, the onsite environmental representative is to be advised and at the earliest moment will make known to the principal's environmental representative to decide what subsequent action to adopt.

Characteristic steps would involve collection of samples of soil and chemical analysis. The succeeding action taken will depend upon the chemical analysis figures which will determine the relevant disposal procedures.

5.0 Accidents/Incidents & Emergency Response

Refer to Contractors standard OH&S Plan.

6.0 Potential Hazard Sources on the Site

6.1 Asbestos

Asbestos fragments may be encountered during sorting of material. Exposure to the asbestos dust will occur primarily during a disturbance of the material when dust is formed and dispersed as airborne contamination. Drilling, sawing, sanding, grinding and cracking of the materials will generally provide enough disturbances to create harmful dust.

If this is encountered, any additional loads of this material should be refused entry to the site. Existing contaminated stockpiles should be removed in accordance with NSW Workcover requirements wearing appropriate PPE. The contaminated soils are to be placed into trucks for disposal to suitable landfill, noting dust control measures mentioned

above. The trucks should then be sealed airtight with plastic sheeting before leaving the site. Vehicle operators transporting contaminated fill will be licensed by the EPA to transport such material

6.2 Heavy metals

Heavy metals may be encountered with contaminated soil. It should be noted that prolonged exposure of smaller amounts of contaminants bio-accumulate into various ecological systems such as humans. For this reason, care should be taken in limiting exposure to contaminated soils by appropriate PPE.

6.3 Other hazards

PAHs are considered toxicologically significant with respect to the benzo(a)pyrene component which portrays carcinogenic properties. Other hazards present on the site during daily operation will include earthmoving machinery, and trucks and sorting machinery.

7.0 Personal Protective Equipment

For the earthworks period all operator's personnel working at any time in the vicinity of excavated materials shall wear the following personal protective equipment (PPE):

- Safety boots meeting AS 2210
- Hard hats meeting AS 1801 (when working near equipment)
- Gloves meeting AS 2162 (when appropriate)
- Hearing protection meeting AS 1270 (when working near equipment)
- Long sleeved shirts, buttoned to the wrist, and long trousers (when working near excavated materials)
- Disposable Tyvec Suits (chemical resistant) to be worn for persons coming into physical contact to exposed contaminated fill/soils as determined by Aargus
- Where a risk is present to sight, safety eyewear and shields meeting AS 1337 as determined by Aargus

Operational staff who do not come into contact with stockpiled materials do not need to wear long sleeved shirts or long trousers, but must adhere to the other applicable site requirements, as listed above.

When the above PPE is used, full protection from the above-mentioned Potential Hazard Sources is maintained. If a worker is not certain about his/her exposure, the site environmental representative should be contacted for advice on PPE. Always wear PPE in areas where exposure is unknown.

Given the work methodology to be used no highly toxic compounds are known to exist in concentrations, which will eventuate in an unacceptable risk to health.

Decontamination procedures for the site works entail washing of any contaminated fill materials from clothing or skin and scrubbing with soap in running water. Hands must be thoroughly washed with soap before any smoke, toilet or meal breaks.

8.0 Key personnel and contact phone numbers

Principal's environmental representative	Aargus Pty Ltd - 1300 137 038 Mark Kelly - 0425 344 389
On-site environmental representative	to be announced
Emergency procedures and contacts	Emergency 000
Nearest hospitals	Coledale Hospital Lawrence Hargrave Drive, Wombarra
Poisons Information Centre (National)	13 1126

We would be pleased to provide further information on any aspects of this report.

For and on behalf of
Aargus Pty Ltd



Ben Buckley
Environmental Forensic Scientist

Reviewed By



Mark Kelly
Environmental Manager

DRAFT

Non-Conformance Report - Corrective Action Request

NCR/CAR Number: _____

(This section is to be filled out by the person discovering the nonconformance/requesting corrective action. Or, if this is a complaint, the person in contact with the person complaining).

Name: _____ Company: _____
Date: _____ Contact Details: _____

Complaint (if applicable)

Name: _____ Location: _____
Company (if applicable): _____ Phone: _____
Complaint: _____

Nonconformance/Problem Description

Details/Explanation: _____

Problem Resolution (attach appropriate supporting documents)

“Root Cause” Investigation and Impact Analysis: _____

Action(s) taken to resolve and prevent recurrence: _____

Nonconformance/Complaint Closed (to be completed by authorised officer)

Was follow-up performed: Yes _____ Date: ____/____/____ None Needed _____
Closed by: _____ Date: ____/____/____

ISSUE:	WASTE MANAGEMENT
Legislation:	<i>Protection of the Environment Operations (Waste) Regulation 1996, Protection of the Environment Operations Act 1997.</i>
Administered by:	NSW EPA and Local Government Authorities
PRINCIPAL OBLIGATIONS: Protection of the Environment Operations Act <ul style="list-style-type: none"> • Not to willfully or negligently dispose of waste in a manner, which harms or is likely to harm the environment. • Not to willfully or negligently cause any substance to leak, spill or otherwise escape in a manner that harms or is likely to harm the environment. • Not to cause or permit any waters to be polluted. • Not to cause air pollution or noise pollution due to improper and/or inefficient management of materials on a site. • To notify a pollution incident even though to do so might incriminate the person or make the person liable to a penalty. Protection of the Environment Operations (Waste) Regulation 1996 <ul style="list-style-type: none"> • Ensure all reporting requirements for non licenced landfills are adhered to. See Regulation for more details. • Ensure compliance with requirements fo activities relating to non-licenced waste activities. 	
DEFINITIONS: Protection of the Environment Operations Act <ul style="list-style-type: none"> • Waste – includes any unwanted or surplus substance (whether solid, liquid or gaseous). A substance is not precluded from being waste merely because it may be reprocessed, re-used or recycled. • Harm – to the environment includes any direct or indirect alteration of the environment that has the effect of degrading the environment and, without limiting the generality of the above, includes any act or omission that results in pollution. • Dispose – of waste includes to dump, abandon, deposit, discard, reject, discharge or emit anything that constitutes waste, and also includes to cause or permit the disposal of waste. • Owner of waste - includes, in relation to waste that has been disposed of, the person who was the owner of the waste immediately before it was disposed of. • Container – includes anything used for the purpose of storing, transporting or handling the substance concerned. • Owner of a substance – includes, in relation to a substance that has leaked, spilled or otherwise escaped, the person who was the owner of the substance immediately before it leaked, spilled or otherwise escaped. • Pollute waters - includes cause or permit any waters to be polluted. • Deal with materials – means process, handle, move, store or dispose of the materials • Materials – includes raw materials, materials in the process of manufacture, manufactured 	

materials, by-products or waste materials.

- **Approved Notice** – means a notice, in a form approved by the EPA: Stating that the place to which the notice relates can lawfully be used as a waste facility for the waste specified in the notice, and that contains a certification by the owner or occupier of the place that the statement is correct.
- **Authorised Officer** – means a person appointed by an appropriate regulatory authority
- **Enforcement Officer** – is a reference to a person belonging to a class of officers or employees prescribed by the regulations in relation to the offence.

Protection of the Environment Operations (Waste) Regulation 1996

- **Licensed waste activity** – means an activity that is carried on for business or other commercial purposes, and involves the generating or storage of any one or more of the following types of waste hazardous, industrial, Group A waste and waste that is licensed under the Act.
- **Non licensed waste activity** – means an activity that is carried on for business or other commercial purposes, and involves the generating or storage of any one or more of the following, and involves the generating or storage of any one or more of the following types of waste: hazardous waste. Industrial waste, Group A waste, and is not licensed under the Act
- **Transporter** – of waste means the person transporting waste from the consignor of the waste to the consignee.
- **Authorised contractor** – means a person who is licensed under the Act to transport waste and is specifically authorised under that licence to transport waste from premises on which non-licensed waste activities are carried on, and to perform the requirements set out in the Regulation, on behalf of the person carrying on the non-licensed waste activity concerned.

ENFORCEMENT

Protection of the Environment Operations Act

- A court may issue an injunction to stop or prevent any breach or anticipated breach of environmental legislation which may give rise to unlawful waste disposal which may or is likely to harm the environment.
- Every authorised officer or enforcement officer is to be provided with an identification card by the regulatory authority that appointed that officer. In the course of exercising their functions they must show this if requested to do so.
- The EPA and regulatory authorities (in matters which the authority is the appropriate authority) and authorized officers, may by notice in writing given to a person, require the person to furnish

OFFENCES AND PENALTIES

Protection of the Environment Operations Act

- Tier 1 Offence: Offence to willfully or negligently dispose of waste in a manner which harms or is likely to harm the environment. Maximum penalty of \$1 million (corporations) and \$250,000 or up to 7 years imprisonment (natural person).
- Tier 1 Offence: Offence to willfully or negligently causes any substance to leak, spill or otherwise escape (whether or not from a container) in a manner that harms or is likely to harm the environment.
- It is a defence in any proceedings against a person for a tier 1 offence if the person establishes that the incident occurred with lawful authority; the commission of the offence was due to causes over which the person had no control; and that the person took reasonable precautions and exercised due diligence to prevent the commission of the offence.

<p>to it such information or records (or both) as it requires by the notice in connection with any matter relating to its responsibilities or functions under this Act.</p> <ul style="list-style-type: none"> • An authorized officer may enter any premises which is reasonably suspected of industrial, agricultural or commercial activities are being carried out at the time the work is being carried out; any premises which is or is suspected of causing pollution at any time; or any other premises at any reasonable time. • An authorized officer may, at any premises lawfully entered may take and remove samples, examine vehicles or plant, take photographs and film, require records to be produced for inspection, seize anything believed to be connected with an offence. • An authorized officer may require a person, or a corporation's representative to answer questions. Answers by the corporation's representative bind the corporation. • An authorized officer may require a person whom the officer suspects on reasonable grounds to have offended or to be offending against the Act or the regulations to state his or her full name and residential address. A person may be arrested by the authorized officer if they refuse to give this information. • A person who refused to comply with the above requirements is guilty of an offence. • A person who furnishes any information or does any other thing in purported compliance with a requirement, knowing it is false or misleading is guilty of an offence/ • A person who willfully delays or obstructs an authorized officer in the exercise of the authorized officer's powers is guilty of an offence. • Enforcement for non compliance with 	<ul style="list-style-type: none"> • Directors and Managers are deemed to have committed the same Tier 1 offence as the corporation. There is a defense if the officer can prove he/she did not have knowledge of the offence, was not in a position to influence the conduct of the corporation in respect of the offence, or if in such a position, used all due diligence to prevent the offence. • Tier 2 Offences: It is a Tier 2 Offence under this Act to breach certain provisions under this Act. Those most relevant to waste management are shown below. See Protection of the Environment Operations Act 1997 for more details. Maximum penalty is \$250,000 (corporations), and in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues and \$120,000 (individual), and in the case of a continuing offence, \$60,000 for each day the offence continues • Offence to pollute waters. It is a defence in proceedings against a person for an offence as such if the person establishes that the pollution was regulated by an environment protection licence held by a person or another person; and the conditions to which that licence was subject relating to the pollution of waters were not contravened. General penalties for Tier 2 offences apply. • Offence for the occupier of any premises who deals with materials in or on those premises to cause air pollution from those premises, if the air pollution or part of the air pollution so caused, is caused by the occupier's failure to deal with those materials in a proper and efficient manner. General penalties for Tier 2 offences apply. • Offence for the occupier of any premises who deals with materials in or on premises to cause the emission of noise from those premises due to the occupier's failure to deal with those materials in a proper and efficient manner. The penalty for this offence in the case of a corporation is a maximum of \$60,000 and in the case of a continuing offence, a further maximum of \$6,000 for each day the offence continues; and for an individual, a maximum penalty of \$30,000 and in the case of a continuing offence, a further maximum of \$600 for each day the offence continues.
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<p>the Act may be dealt with by an environmental protection notice. These may be in the form of a clean-up notice, a prevention notice or a prohibition notice.</p> <ul style="list-style-type: none"> • A clean up notice given by an appropriate regulatory authority may, by notice in writing, do wither or both of the following: Direct an occupier of premises at or from which the authority reasonably suspects that a pollution incident has occurred or is occurring or Direct a person who is reasonably suspected by the authority of causing or having caused a pollution incident, to take such action as is specified in the notice and within such period as is specified in the notice. • A prevention notice may be given by the appropriate regulatory to direct the occupier of the premises, or direct the person carrying out the activity to take such action as is specified in the notice, to ensure that the activity is carried on in future in an environmentally satisfactory manner. • The Minister may, by notice in writing, direct the occupier of the premises or direct the person carrying on an activity to cease carrying on the activity, or any specified aspect of it for such period as is specified in the notice. 	<ul style="list-style-type: none"> • It is an offence for a person to transport waste to a place that cannot lawfully be used as a waste facility for that waste. The general penalties for Tier 2 offences apply. The defendant bears the onus of proving that the facility was licenced to accept the waste in question. It is a defence in proceedings against an owner of waste for this offence if the owner did not transport the waste and established: that the commission of the offence was due to causes over which the owner had no control, and that the owner took reasonable precautions and exercised due diligence to prevent the commission of the offence. It is also a defence if the defendant establishes that: an approved notice was, at the time of the alleged defence, given to the defendant by the owner or occupier of the place to which the waste was transported or was displayed at the place, and the approved notice stated that the place could lawfully be used as a waste facility for the waste, and the defendant had no reason to believe that the place could not lawfully be used as a waste facility for the waste. It is also a defence if the defendant can establish that the waste transported by the defendant was not deposited by the defendant or any other person at the place to which it was transported. • It is an offence for the owner or occupier of any land that cannot lawfully be used as a waste facility and who permits the land to be used as a waste facility. General penalties for Tier 2 offences apply. • Tier 3 Offences: A penalty notice may be issued where an offence listed under Schedule 2 of the Act is committed.
<p>LICENCES/PERMITS/CONSENTS</p> <ul style="list-style-type: none"> • See Protection of the Environment Operations (Waste) Regulation 1996 for more details. 	<p>OBLIGATION TO REPORT</p> <p>Protection of the Environment Operations Act 1997</p> <ul style="list-style-type: none"> • A person is required to notify a pollution incident even though to do so might incriminate the person or make the person liable to a penalty • Any notification given by a person noted above is not admissible in evidence against the person for an offence or for the imposition of a penalty. Although this does not apply to evidence obtained following or a result of the notification.