

Permit

Environmental Protection Act 1994

Environmental authority BRID0068

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: BRID0068

Environmental authority takes effect on 12 February 2019

Environmental authority holder(s)

Name(s)	Registered address
Cooktown Earthmoving Pty Ltd	1654 Mulligan Hwy, COOKTOWN, QLD 4895

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16-(2a) – Extracting, other than dredging, in a year, 5000t to 100,000t of material	Lot 1 SP287786 – 41 Mt Amos Rd, COOKTOWN QLD 4895
ERA 16-(3a) – Screening, in a year, 5000t to 100,000t of material	
ERA 33 – Crushing, grinding, milling or screening more than 5000t of material in a year	

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days)

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'

Take effect

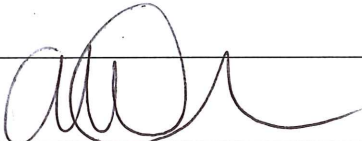
Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise - on the day the authority is issued.

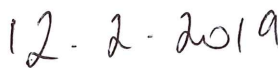
However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.



Signature



Date

Clancy Mackaway
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Energy and Extractive Resources
Department of Environment and Science
GPO Box 2454
Brisbane QLD 4001
Phone: (07) 3330 5715
Email: energyandextractive@des.qld.gov.au

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Natural Resources, Mines and Energy (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.dnrm.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

Conditions of environmental authority

Agency interest: General	
Condition number	Condition
G1	In carrying out an activity to which this approval relates, all reasonable and practicable measures must be taken to prevent and / or to minimise the likelihood of environmental harm being caused.
G2	The operator of an activity to which this approval relates must: (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and (b) maintain such measures, plant and equipment in a proper and efficient condition; and (c) operate such measures, plant and equipment in a proper and efficient manner.
G3	From the commencement of an activity to which this approval relates, a site based management plan (SBMP) must be implemented. The SBMP must identify all sources of environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental harm being caused. The SBMP must also provide for the review and 'continual improvement' in the overall environmental performance of all activities that are carried out. The SBMP must address the following matters: (a) Environmental commitments - a commitment by senior management to achieve specified and relevant environmental goals. (b) Identification of environmental issues and potential impacts. (c) Control measures for routine operations to minimise likelihood of environmental harm. (d) Contingency plans and emergency procedures for non-routine situations. (e) Organisational structure and responsibility. (f) Effective communication. (g) Monitoring of the disposal of contaminant. (h) Conducting environmental impact assessments. (i) Staff training. (j) Record keeping. (k) Periodic review of environmental performance and continual improvement.
G4	The site based management plan must not be implemented or amended in a way that contravenes any condition of this approval.
G5	Telephone the administering authority's Pollution Hotline or local office as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval.

G6	The operator of the Environmentally Relevant Activity (ERA) must record the following details for all complaints received and provide this information to the administering authority on request: (a) time, date, name and contact details of the complainant; (b) reasons for the complaint; (c) any investigations undertaken; (d) conclusions formed; and (e) any actions taken.
G7	Record, compile and keep all monitoring results required by this approval and present this information to the administering authority when requested.
G8	All records required by this approval must be kept for 5 years.
G9	A written notice detailing the following information must be provided to the administering authority within 14 days of any advice provided in accordance with condition G5: (a) the name of the operator, including their approval / registration number; (b) the name and telephone number of a designated contact person; (c) quantity and substance released; (d) vehicle and registration details; (e) person/s involved (driver and any others); (f) the location and time of the release; (g) the suspected cause of the release; (h) a description of the effects of the release; (i) the results of any sampling performed in relation to the release; (j) actions taken to mitigate any environmental harm caused by the release; and (k) proposed actions to prevent a recurrence of the release.
G10	A competent person(s) must conduct any monitoring required by this approval.
G11	An appropriate spill kit, personal protective equipment and relevant operator instructions/emergency procedure guides for the management of wastes and chemicals associated with the ERA must be kept at the site.
G12	Anyone operating under this approval must be trained in the use of the spill kit.
G13	The area of disturbance for screening, extractive and crushing activities must be within the boundaries outlined in the following drawings: • Drawing Number 10-002-05-SK06_03 Mt Amos Quarry — Clarke — Permit Area; • Drawing Number 10-002-06-01 Mt Amos Quarry — Clarke — Quarry Excavation Stages.

Agency interest: Air	
Condition number	Condition
A1	Activity (ERA) must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A2	The release of dust and/or particulate matter resulting from the Environmentally Relevant Activity (ERA) must not cause an environmental nuisance at any nuisance sensitive or commercial place.
A3	When requested by the administering authority, dust and particulate monitoring must be undertaken to investigate any complaint of environmental nuisance caused by dust and/or particulate matter, and the results notified within 14 days to the administering authority following the completion of monitoring. Monitoring must be carried out at a place(s) relevant to the potentially affected dust sensitive place and at upwind control sites and must include: (a) for a complaint alleging dust nuisance, dust deposition measurement; and (b) for a complaint alleging adverse health effects caused by dust, the concentration per cubic metre of particulate matter with an aerodynamic diameter of less than 10 micrometre (pm) (PM10) suspended in the atmosphere over a 24hr averaging time.
A4	Dust and particulate matter must not exceed a dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 of 2003 (or more recent editions), when measured at any nuisance sensitive or commercial place.
A5	Stockpiles must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust or particulate matter to the atmosphere. Reasonable and practicable measures may include but are not limited to: (a) use of waterspray as required during winds likely to generate such releases; (b) use of dust-suppressant shielding; (c) storage in bunkers; and (d) covering with tarpaulins.
A6	Trafficable areas must be maintained using all reasonable and practicable measures necessary to minimise the release of wind blown dust or traffic generated dust to the atmosphere. Reasonable and practicable measures may include but are not limited to: (a) keeping surfaces clean; (b) sealing with bitumen or other suitable material; (c) using water sprays; (d) wetting down the load prior to transport; (e) clearing of spillage from side rails, tail gates and draw bars of trucks prior to departure from the premises to which this approval relates; (f) adopting and adhering to speed limits; and (g) using dust suppressants and wind breaks.

A7	The holder of this approval must take all reasonable and practicable measures necessary to prevent spillage and/or loss of particulate matter or windblown dust from trucks used for transporting extracted material from the premises to which this approval relates.
A8	All trucks used for transporting materials must have loads covered with a tarpaulin or similar material for the duration of transport.
Agency interest: Land	
Condition number	Condition
L1	Contaminants must not be released to land.
L2	The site (including all disturbed areas such as slopes, borrow pits, stockpile and screening areas) must be rehabilitated in a manner so that: (a) suitable native species of vegetation are planted and established; (b) potential for erosion of the site is minimised; (c) the quality of stormwater, other water and seepage released from the site is such that releases of contaminants such as suspended solids, turbidity, total dissolved salts, pH, total iron, total aluminium, and total manganese are not likely to cause environmental harm; (d) the likelihood of environmental nuisance being caused by release of dust is minimised; (e) the water quality of any residual water body meets relevant criteria for subsequent uses and does not have potential to cause environmental harm; (f) the actions of natural events including, but not limited to, rainfall, bushfire and wind events, may not result in environmental harm; and (g) the final landform is stable and not subject to slumping
L3	Rehabilitation of disturbed areas must take place progressively as works are staged and new areas of extraction are commenced
C1	A Post Closure Report must be submitted to the administering authority for comment, within 30 days after the completion of Stage two. The Post Closure Report must contain the following: (a) Rehabilitation report for stages one and two; (b) Proposed rehabilitation plan for stages three and four; (c) Sedimentation and Erosion report for stages one and two; (d) Proposed Sedimentation and Erosion Control Plan for stages three and four; (e) Site based management plan.
Agency interest: Acoustic	
Condition number	Condition

N1	Noise from the activity must not cause an environmental nuisance at any nuisance sensitive place or commercial place.																																																						
N2	All noise from the licensed activities must not exceed the levels specified in <i>Table 1— Noise limits</i> at a nuisance sensitive or commercial place. Table 1— Noise limits <table><tr><th rowspan="3">Noise level dB(A) measured as</th><th colspan="3">Monday to Saturday</th><th colspan="3">Sundays and public holidays</th></tr><tr><th>7am - 6pm</th><th>6pm - 10pm</th><th>10pm - 7am</th><th>9am - 6pm</th><th>6pm - 10pm</th><th>10pm - 9am</th></tr><tr><th colspan="6">Noise measured at a 'nuisance sensitive place'</th></tr><tr><td>LA10, adj, 10 mins</td><td>55</td><td>50</td><td>40</td><td>55</td><td>50</td><td>40</td></tr><tr><td>LA1, adj, 10 mins</td><td>60</td><td>55</td><td>45</td><td>60</td><td>55</td><td>45</td></tr><tr><th></th><th colspan="6">Noise measured, at a 'Commercial place'</th></tr><tr><td>LA10, adj, 10 mins</td><td>60</td><td>55</td><td>45</td><td>60</td><td>55</td><td>45</td></tr><tr><td>LA1, adj, 10 mins</td><td>65</td><td>60</td><td>50</td><td>65</td><td>60</td><td>50</td></tr></table>	Noise level dB(A) measured as	Monday to Saturday			Sundays and public holidays			7am - 6pm	6pm - 10pm	10pm - 7am	9am - 6pm	6pm - 10pm	10pm - 9am	Noise measured at a 'nuisance sensitive place'						LA10, adj, 10 mins	55	50	40	55	50	40	LA1, adj, 10 mins	60	55	45	60	55	45		Noise measured, at a 'Commercial place'						LA10, adj, 10 mins	60	55	45	60	55	45	LA1, adj, 10 mins	65	60	50	65	60	50
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N3	Noise mitigation measures must be implemented where required to ensure noise emissions from all the stages of operations are within the limits set by this approval.																																																						
N4	Noise mitigation measures must be incorporated into the site based management plan.																																																						
N5	In the event of a complaint about noise that is in the opinion of an Authorised Officer a complaint, and at the request of the administering authority, the Registered Operator must, within two (2) weeks, develop and implement a noise management plan. The noise management plan must address at least, but not be limited to, the following matters: (a) identification of component noise sources and activities at the place(s) which impact on nuisance sensitive places; (b) the measured and/or predicted level of these noise sources and activities at nuisance sensitive places; (c) the control or abatement measures that can be undertaken to reduce identified intrusive noise sources; (d) the level of noise at nuisance sensitive places that would be achieved from implementing these measures. (e) the handling of future noise complaints; (f) community liaison and consultation; and (g) training of staff in noise management practices.																																																						
N6	When requested by the administering authority, noise monitoring must be undertaken by the applicant to investigate any complaint of noise nuisance, and the results notified within 14 days to the administering authority.																																																						

	Monitoring must include: (a) airblast overpressure (dB (Lin) Peak); (b) LA eq, adj, 1hr (c) LA 10 adj, 1hr (d) LA 1, adj, 1hr (e) LA 90,T (f) the level and frequency of occurrence of impulsive or tonal noise; (g) atmospheric conditions including wind speed and direction; (h) effects due to extraneous factors such as traffic noise; (i) location, date and time of recording; (j) background noise level; and (k) a Noise Management plan.						
N7	The method of measurement and reporting of noise levels must comply with the latest edition of the administering authority's Noise Measurement Manual.						
N8	Vibration emitted from the activity must not cause an environmental nuisance at any nuisance sensitive place or commercial place.						
N9	When requested by the administering authority, vibration monitoring and recording must be undertaken to investigate any complaint of vibration nuisance, and the results notified within 14 days to the administering authority. Monitoring must include: (a) peak particle velocity (mm/s); (b) location of the blasts within the site (including which bench level); (c) atmospheric conditions including temperature, relative humidity and wind speed and direction; (d) the level and frequency of occurrence of impulsive or tonal noise; (e) atmospheric conditions including wind speed and direction; (f) effects due to extraneous factors; and (g) location, date and time of recording.						
N10	Blasting is only permitted during the hours of 9am to 3pm, Monday to Friday, and from 9am to 1pm on Saturdays, and will not take place on Sundays or public holidays.						
N11	All blasting will be carried out by a registered, and suitably qualified contractor, and be in accordance with a blast management plan and limits set in <i>Table 2 - Airblast Overpressure and Ground Vibration Monitoring</i>. Table 2 - Airblast Overpressure and Ground Vibration Monitoring <table><tr><th>Location</th><th>Monday to Friday 9am - 3pm Saturday 9am - 1pm</th><th>Sundays and public holidays</th></tr><tr><td colspan="3">Air Blast Overpressure Level</td></tr></table>	Location	Monday to Friday 9am - 3pm Saturday 9am - 1pm	Sundays and public holidays	Air Blast Overpressure Level		
Location	Monday to Friday 9am - 3pm Saturday 9am - 1pm	Sundays and public holidays					
Air Blast Overpressure Level							

	Nuisance sensitive Place — Houses and low rise residential buildings	The air blast overpressure must not be more than 115dB (linear) peak for nine out of any ten consecutive blasts initiated, regardless of the interval between blasts. The airblast overpressure must not exceed 120dB(linear) peak for any blast.	No blasting to occur
	Nuisance sensitive Place — Commercial and industrial buildings or structures of reinforced concrete or steel construction.		
	Vibration limits		
	Nuisance sensitive Place — Houses and low rise residential buildings	The ground-borne vibration must not exceed a peak particle velocity of 5mm per second for nine out of any 10 consecutive blasts initiated. The ground-borne vibration must not exceed a peak particle velocity of 10mm per second for any blast.	No blasting to occur
	Nuisance sensitive Place — Commercial and industrial buildings or structures of reinforced concrete or steel construction.		
N12	A Blast Management Plan is to be designed and implemented prior to any blasting occurring on site.		
N13	When requested by the administering authority for the purposes of investigating complaints of noise and vibration annoyance that in the opinion of an Authorised Officer are a complaint, monitoring must be undertaken (and results notified within 14 days to the administering authority) and at least the following descriptors, characteristics and conditions determined: (a) maximum instantaneous charge (MIC) in kg; (b) location of the blast within the quarry (including which bench level); (c) airblast overpressure level, dB (linear) peak; (d) peak particle velocity (mms ⁻¹); (e) location, date and time of recording; (f) meteorological conditions (including temperature, relative humidity, temperature gradient, cloud cover, wind speed and direction); and (g) distance/s from the blast site to noise-affected building/s, structure/s, or the boundary of any noise sensitive place.		
N14	Air Blast Over pressure Level, Vibration limits and blast timings must comply with the levels specified in Table 2.		
Agency interest: Waste			
Condition number	Condition		
W1	All waste generated must be lawfully transported and disposed of to a facility which can lawfully accept such waste.		

W2	A record of all waste, including trackable wastes must be kept detailing the following information: (a) date of pick up of waste; (b) description of waste; (c) quantity of waste; (d) origin of the waste; and (e) destination of the waste.
Agency interest: Water	
Condition number	Condition
WA1	Contaminants must not be directly or indirectly released to any waters, including groundwater, or to the bed or banks of any waters.
WA2	Erosion protection measures and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.
WA3	An Erosion and Sediment Control Plan must be prepared and implemented within 30 days from the date of this approval for all land disturbances associated with the extractive industry.
WA5	The size of any sedimentation dam must be sufficient to contain the run-off expected from a 24 hour storm with an average recurrence interval of 1 in 5 years.
WA5	All activities related to this approval, including extraction, screening, crushing, stockpiling and any other form a site disturbance, must not occur within 25 metres of any watercourse.
WA6	The holder of this approval, and any associated operators, must not build a sedimentation dam within any watercourse, gully or stream.

Definitions

Words and phrases used throughout this permit are defined below. Where a definition for a term used in this permit is sought and the term is not defined within this permit the definitions provided in the relevant legislation shall be used.

"administering authority" means the Department of Environment and Science or its successor.

"annual return" means the return required by the annual notice (under section 316 of the *Environment Protection Act 1994*) for the section 73F registration certificate that applies to the development approval.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Integrated Planning Act 1997*.

"approved plans" means the plans and documents listed in the approved plans section in the notice attached to this development approval.

"authorised place" means the place authorised under this development approval for the carrying out of the specified environmentally relevant activities.

"commercial place" means a place used as an office or for business or commercial purposes.

"dwelling" means any of the following structures or vehicles that is principally used as a residence —

- a house, unit, motel, nursing home or other building or part of a building;
- a caravan, mobile home or other vehicle or structure on land;
- a water craft in a marina.

"the Department" means the Department of Environmental and Science

"Department of Environment and Science" means the department or agency (whatever called) administering the *Coastal Protection and Management Act 1995* or the *Environmental Protection Act 1994*.

"intrusive noise" means noise that, because of its frequency, duration, level, tonal characteristics, impulsiveness or vibration —

- is clearly audible to, or can be felt by, an individual; and
- annoys the individual.
- In determining whether a noise annoys an individual and is unreasonably intrusive, regard must be given to Australian Standard 1055.2 —1997 Acoustics — Description and Measurement of Environmental Noise Part 2 Application to Specific Situations.

" L_{A10} , adj,10 mins" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10% of any 10 minute measurement period, using Fast response.

" L_{A1} adj,10 mins" means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute measurement period, using Fast response.

" $L_{A, \text{max adj, T}}$ " means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over any 10 minute period, using Fast response.

"land" in the "land schedule" of this document means land excluding waters and the atmosphere.

"mg/L" means milligrams per litre.

"noxious" means harmful or injurious to health or physical well being.

"nuisance sensitive place" includes —

- a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
- a motel, hotel or hostel; or
- a kindergarten, school, university or other educational institution; or
- a medical centre or hospital; or

- a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
 - a public thoroughfare, park or gardens; or
 - a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

"offensive" means causing offence or displeasure; is disagreeable to the sense; disgusting, nauseous or repulsive.

"quarry material" means material on State coastal land, other than a mineral within the meaning of any Act relating to mining. Material includes for example stone, gravel, sand, rock, clay, mud, silt and soil, unless it is removed from a culvert, stormwater drain or other drainage infrastructure as waste material.

"site" means land or tidal waters on or in which it is proposed to carry out the development approved under this development approval.

"tidal water" means the sea and any part of a harbour or watercourse ordinarily within the ebb and flow of the tide at spring tides.

"watercourse" means a river, creek or stream in which water flows permanently or intermittently-

- in a natural channel, whether artificially improved or not; or
- in an artificial channel that has changed the course of the watercourse.

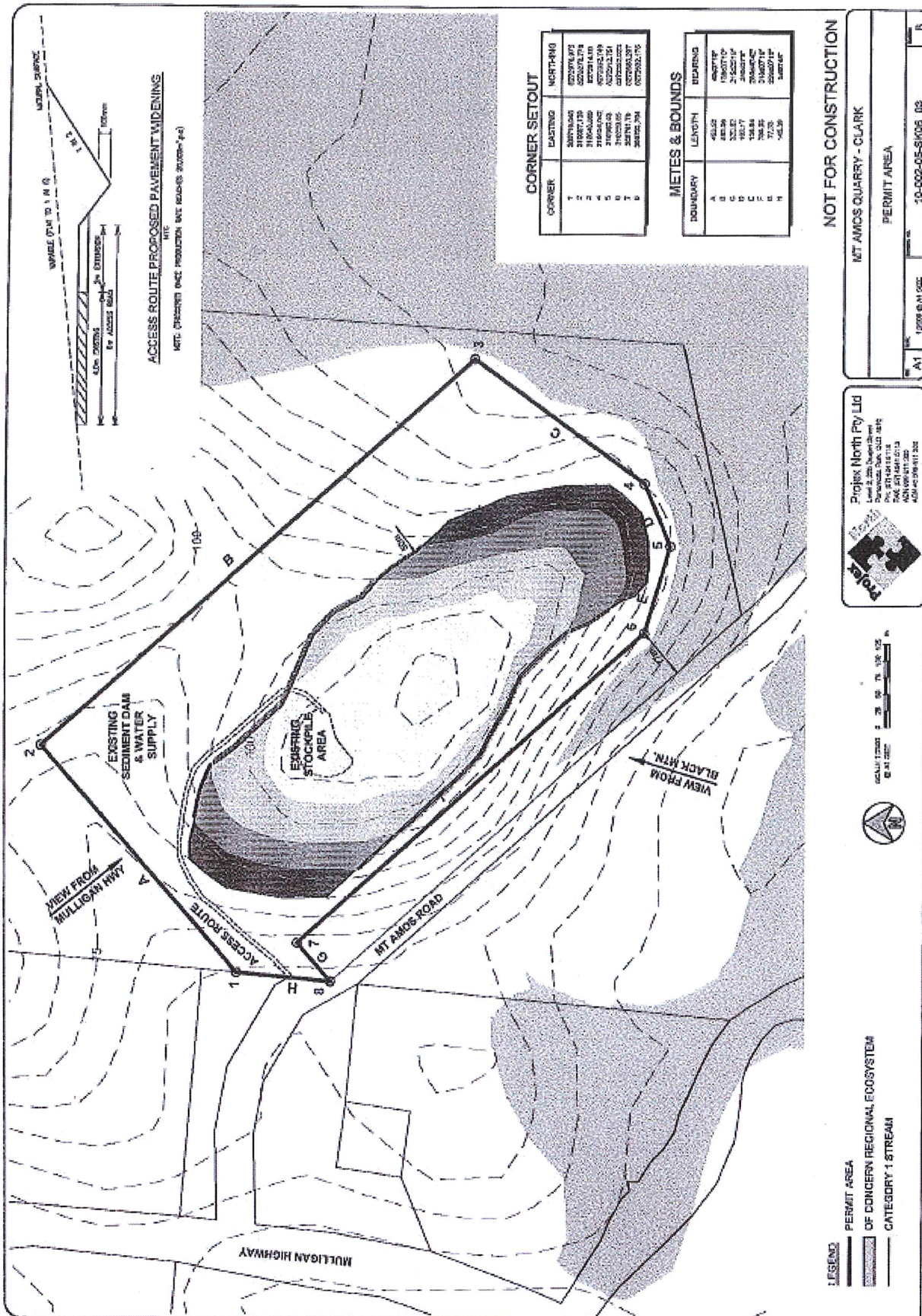
"waters" includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

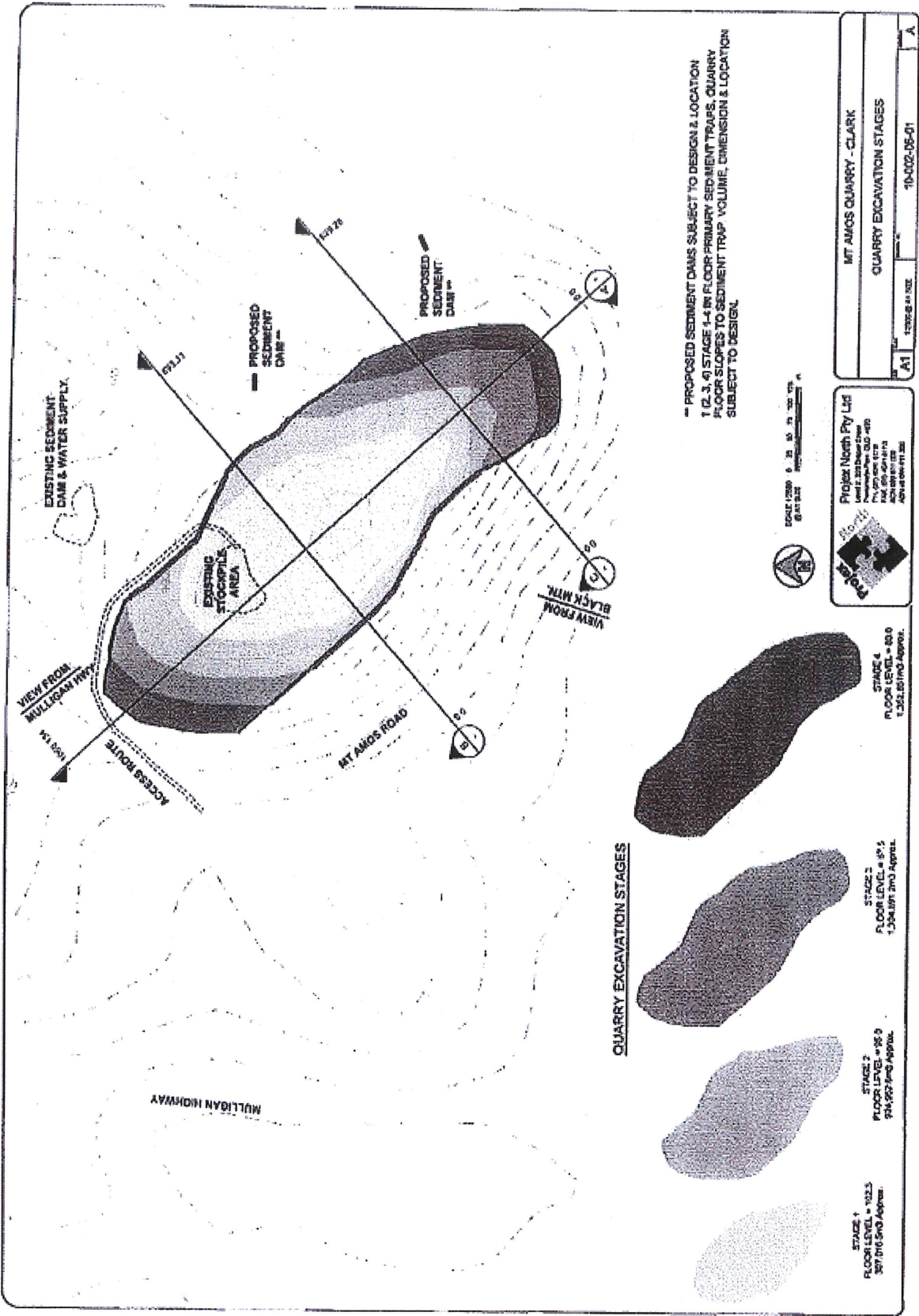
"works" or "operation" means the development approved under this development approval.

"you" means the holder of this development approval or owner / occupier of the land which is the subject of this development approval.

"50th percentile" means not more than three (3) of the measured values of the quality characteristic are to exceed the stated release limit for any six (6) consecutive samples for a release/monitoring point at any time during the environmental activity(ies) works.

"80th percentile" means not more than one (1) of the measured values of the quality characteristic is to exceed the stated release limit for any five (5) consecutive samples for a sampling point at any time during the environmental activity(ies) works





END OF ENVIRONMENTAL AUTHORITY

