Permit

Environmental Protection Act 1994

Environmental authority EA0002448

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

Environmental authority number: EA0002448

Environmental authority takes effect on the date it is issued.

The anniversary date of this environmental authority remains the 12th August. The payment of the annual fee will be due each year on this day.

Environmental authority holder

Name	Registered address
CARROLL ENGINEERING SERVICES PTY LTD	U3/9 Christensen Road South STAPYLTON QLD 4207

Environmentally relevant activity and location details

Environmentally relevant activity	Location
ERA 54 - Mechanical waste reprocessing 3: Operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 2 regulated waste- (a) 5,000t or less ERA 57 - Regulated Waste Transport: Transporting end-of-life tyres	Mobile and temporary within the State of Queensland

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).

Queensland Government

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.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day.

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.

Scott Blanchard
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Waste Assessment
Department of Environment and Science
Phone: 1300 130 372
Email: palm@des.qld.gov.au

Date of issue: 30 March 2021

Legislative requirements and conditions of environmental authority

Legislative requirements

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.

Requirement to keep work diary

The environmental authority holder is required under section 318X of the *Environmental Protection Act 1994* to maintain a work diary.

1) A registered suitable operator must keep a work diary in the approved form for a mobile and temporary environmentally relevant activity carried out by the operator.
2) The approved form must provide for the inclusion of the following—
    (a) details of each location at which the mobile and temporary environmentally relevant activity is carried out by the registered suitable operator;
    (b) the days on which the activity is carried out by the operator.
3) The registered suitable operator must record the information required under the approved form within 1 day after the day the operator vacates each location at which the mobile and temporary environmentally relevant activity is carried out, unless the operator has a reasonable excuse.
4) The registered suitable operator must keep the work diary for 2 years after the day on which the operator vacates the last location at which the mobile and temporary environmentally relevant activity is carried out, unless the operator has a reasonable excuse.
5) The work diary form is available at www.qld.gov.au using the publication number ESR/2015/1696 as a search term.

Conditions of environmental authority

Part 1 – Common Conditions for ALL activities

Environmentally Relevant Activities	Locations
ERA 54-3 - Operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 2 regulated waste— (a) 5,000t or less. ERA 57 Regulated waste transport - transporting end-of-life tyres.	Mobile and temporary within the State of Queensland

The environmentally relevant activities conducted at the locations as described above must be conducted in accordance with the following conditions of approval:

Agency interest: General	
Condition number	**Condition**
P1-G1	All reasonable and practicable **measures** must be taken to prevent or minimise environmental harm caused by the **activities**.
P1-G2	Any breach of a condition of this environmental authority must be reported to the **administering authority** as soon as practicable and within 24 hours of becoming aware of the breach. **Records** must be kept including full details of the breach and any subsequent actions taken.
P1-G3	All **records** must be kept for a period of at least five years and provided to the **administering authority** upon request.
P1-G4	Written procedures that meet the following requirements must be developed within 3 months of the environmental authority taking effect: a) Identify all potential risks to the environment from the **activity**, including when the activity is not in operation and in an emergency; and b) Establish and maintain control **measures** for potential risks identified that prevent and/or minimise the potential for environmental harm; and c) Detail an inspection and maintenance program that includes calibration and servicing that ensures all plant and equipment are maintained in a proper and effective condition; and d) Ensure plant and equipment are operated in a proper and effective manner; and e) Detail how and when staff training is to be conducted (at least annually) to ensure awareness of their obligations under the environmental authority and the *Environmental Protection Act 1994*; and f) Detail how reviews of environmental risks and environmental performance, including complaints, are undertaken at regular intervals (at least annually).

P1-G5	Written procedures required by condition P1-G4 must be: a) implemented; and b) reviewed at least annually; and c) provided to the **administering authority** upon request at the time and in the format requested.
P1-G6	For plant and equipment, all **measures** necessary to comply with the conditions of this environmental authority must be: a) installed, operated and maintained in a proper and effective manner; and b) in accordance with condition P1-G4.
P1-G7	When required by the **administering authority**, monitoring must be undertaken in the manner prescribed by the **administering authority** to investigate a complaint of environmental harm, which includes **environmental nuisance**, arising from the **activity**. The monitoring data and an analysis of the results must be provided within 10 business days to the **administering authority** upon its request.

PART 2 – Conditions for mechanically processing end-of-life tyres

Environmentally Relevant Activities	Locations
ERA 54-3 - Operating a facility for receiving and mechanically reprocessing, in a year, the following quantity of category 2 regulated waste— (a) 5,000t or less.	Mobile and temporary within the State of Queensland

The environmentally relevant activity conducted at the locations as described above must be conducted in accordance with the following conditions of approval:

Agency interest: General	
Condition number	**Condition**
P2-G1	**Activities** under this environmental authority must be conducted in accordance with the following limitations: a) Mechanical processing of waste must be limited to end-of-life tyres only.
P2-G2	Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.
Agency interest: Waste	
P2-W1	All waste generated in carrying out the **activity** must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
Agency interest: Acoustic	
P2-N1	Noise generated by the **activity** must not cause **environmental nuisance** to any **sensitive place** or **commercial place.**
Agency interest: Air	
P2-A1	Odours or airborne contaminants must not cause **environmental nuisance** to any **sensitive place** or **commercial place**.
Agency interest: Land	
P2-L1	**Contaminants** must not be released to **land**.
Agency interest: Water	
P2-WT1	**Contaminants** must not be released to any **waters** in a manner that causes or is likely to cause environmental harm.

Definitions – PART 1 and PART 2

Key terms and/or phrases used in this document are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities to which the environmental authority relates.

Administering authority means the Department of Environment and Science or its successors or predecessors.

Commercial place means 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.

Contaminant(s) as defined in Section 11 of the *Environmental Protection Act 1994*.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Land does not include **waters**.

Measures have the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters.

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

- 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 2004* or a World Heritage Area; or
- a park or garden; or
- for noise, a place listed as a sensitive receptor in Schedule 1 of the Environmental Protection (Noise) Policy 2019.

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.

PART 3 – Conditions for transporting end-of-life tyres

Environmentally Relevant Activities	Locations
ERA 57 Regulated waste transport - transporting end-of-life tyres.	Mobile and temporary within the State of Queensland

The environmentally relevant activity conducted at the locations as described above must be conducted in accordance with the following conditions of approval:

Conditions of environmental authority

Condition number	Condition
General	
P3-G1	The activity must only be limited to transporting of end-of-life tyres in a vehicle.
P3-G2	The **activity** must be undertaken by **vehicles** whose registration details must be provided to the administering authority before commencing the activity. The administering authority must be notified within 10 business days of any change to the **vehicle** registration details.
P3-G3	The activity is undertaken by **vehicles** which are covered by a policy of insurance or other form of indemnity, for a sum that is not less than $100,000, in respect of: a) personal injury, death, property damage and other damage (except consequential economic loss) arising out of fire, explosion, leakage or spillage of dangerous goods in, on or from the **vehicle** or a container on the **vehicle**; and b) costs incurred by or on behalf of a Commonwealth, State or Territory government authority in a clean-up resulting from any event of the kind referred to in subparagraph a) of this condition.
P3-G4	All **vehicles** used to transport **regulated waste** must be: a) maintained at all times to prevent any release of regulated waste or other contaminants; and b) kept free of regulated waste residues at all times when not in use; and c) must be effectively cleaned.

Condition number	Condition
P3-G5	At all times, a copy of: a) this environmental authority issued by the **administering authority** for **regulated waste** transport activities; and b) the appropriate emergency guides in relation to the waste transported must be carried in the cabin of each **vehicle** used to transport **regulated waste** and when requested, be presented to an authorised officer of the **administering authority** or relevant **regulatory agency** of the State or Territory in which the **vehicle** is travelling. ***Note:*** *Standards Australia publish numerous guides including HB 76-2004 Dangerous Goods – Initial emergency response guide, and emergency procedure guides (AS1678 Series) which are available from SAI Global Business Publishing. Further, when developing emergency guides in relation to PCB's, reference should be made to the United States Environmental Protection Agency 40CFP Part 761: Polychlorinated biphenyls: notification and manifesting for PCB waste activities: clause number 761.125.*
P3-G6	When transporting **regulated waste**, all regulated waste must be mounted securely to the vehicle and contained within the tray of the vehicle.
Waste	
P3-W1	Waste transported under the **activity** must be contained within a suitably designed waste containment structure that is constructed, operated and maintained in accordance with accepted engineering standards currently appropriate for the purpose for which the structure is intended to be used.
P3-W2	**Regulated waste** must not be removed or released from the **vehicle** other than: a) for the purpose of consolidating waste; or b) at a facility that can lawfully accept the waste.
P3-W3	**Incompatible wastes** must not be placed in the same container or transported in such a way that mixing may occur.
P3-W4	A record of all **regulated waste** (excluding trackable waste) must be kept detailing the following information for every load of waste transported: a) date of pickup of waste, including where loads are consolidated; b) description of waste; c) quantity of waste; d) origin of the waste; and e) destination of the waste. ***Note:*** *Additional waste tracking requirements apply to the transportation of trackable waste in accordance with the Environmental Protection Regulation 2019.*
P3-W5	**Vehicles** and load compartments must be locked when unattended.

Definitions – PART 3

Key terms and/or phrases bolded in this environmental authority are defined in this section. Where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activity to which this environmental authority relates. An activity may be undertaken on the whole or a part of a site.

Administering authority means the Department of Environment and Science or its successors or predecessors..

Combination vehicle means a road vehicle that includes one or more trailers.

Contaminant(s) as defined in Section 11 of the Environmental Protection Act 1994.

Incompatible waste means waste that may chemically react when:

a) placed in proximity to other wastes; and/or

b) mixed with other wastes.

Regulated waste as defined in Section 42 of the Environmental Protection Regulation 2019.

Regulatory agency means the agency of a State or Territory that has responsibility for regulating the transport of regulated wastes in that State or Territory.

Vehicle means a road vehicle including an articulated or combination vehicle, and does not include a train, boat or aircraft.

END OF ENVIRONMENTAL AUTHORITY