

Permit

Environmental Protection Act 1994

Environmental authority EPPR00367313

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

Environmental authority number: EPPR00367313

Environmental authority takes effect on 04-02-2021

Environmental authority holder(s)

Name(s)	Registered address
AMPOL AUSTRALIA PETROLEUM PTY LTD	Level 24 2 Market St SYDNEY NSW 2000 Australia

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 08 - Chemical Storage 3: Storing more than 500 cubic metres of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3 under subsection (1)(c)	Lot 2 on RP809370
ERA 08 - Chemical Storage 3: Storing more than 500 cubic metres of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3 under subsection (1)(c)	Lot 197 on MH552

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.

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

Date issued: 05 February 2021

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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)

This environmental authority consists of the following schedules-

Schedule A – General Conditions

Schedule C – Water

Schedule D – Stormwater Management

Schedule G – Waste Management

Schedule- H – Monitoring and Reporting

Schedule I - Definitions

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Schedule A: General Conditions	
Condition number	Condition
A3	Access to Copy of Environmental Authority A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.
A4	Records Any record or document required to be kept by a condition of this environmental authority must be kept at the licensed place for a period of at least five years and be available for examination by an authorised person. For daily and weekly records, the record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.
A6	Alterations No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this environmental authority. An example of a substantial increase in the risk of environmental harm is an increase of 10% or more in the quantity of the contaminant to be released into the environment.
A 25	Monitoring and Measurements All determinations of the quality of contaminants released to the environment and all measurement and reporting of noise levels that are required by this environmental authority must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required determinations and the required measurements.
A10	Integrated Environmental Management System (IEMS) A copy of the Integrated Environmental Management System must be kept at the licensed places.
Schedule C : Water	
Condition number	Condition
C9	Quality Characteristics Of Release to Waters The release of contaminants to waters must comply, at the sampling and in situ measurement point/s specified in Schedule H, with each of the limits specified in Schedule C Table 1 for each quality characteristic.

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C14	Quality Characteristics Of Release to Waters			
	The release must not produce any slick or other visible evidence of oil or grease, nor contain visible floating oil, grease, scum, litter or other objectionable matter.			
	SCHEDULE C TABLE 1 - RELEASE QUALITY CHARACTERISTIC LIMITS			
	QUALITY CHARCTERISTICS	RELEASE POINT NUMBER	RELEASE LIMIT	LIMIT TYPE
	5-day Biochemical Oxygen Demand. (mg/l)	W1 ¹	20	maximum
	Suspended Solids. (mg/l)	W1 ¹	30	maximum
	pH. (pH Units)	W1 ¹	6.5 - 8.5	range
	Dissolved Oxygen. (mg/l)	W1 ¹	2	minimum
Oil and Grease. (mg/l)	W1 ¹	10	maximum	
¹ Where Release Point Number – W1 is the oil-water separator outfall.				
Schedule D - Stormwater Management				
Condition number	Condition			
NSC15	All bunding is to be designed, constructed and maintained as per Australian Standard 1940-1993, section 5.9 (Bunds and Compounds).			
Schedule G – Waste Management				
Condition number	Condition			
G4	Off Site Movement Where regulated waste is removed from the licensed place (other than by a release as permitted under another schedule of this environmental authority), the holder of this environmental authority must monitor and keep records of the following: a. the date, quantity and type of waste removed; and b. name of the waste transporter and/or disposal operator that removed the waste; and the intended treatment/disposal destination of the waste.			

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G18	Notification of Improper Disposal Of Regulated Waste If the holder of this environmental authority becomes aware that a person has removed regulated waste from the licensed place and disposed of the regulated waste in a manner which is not authorised by this environmental authority or improper or unlawful, then the holder of this environmental authority must, as soon as practicable, notify the administering authority of all relevant facts, matters and circumstances known concerning the disposal.
Schedule H – Monitoring and Reporting	
Condition number	Condition
H1	Complaint Recording All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the licensed place must be recorded and kept in a log book with the following details: . i. time, date and nature of complaint; ii. type of communication (telephone, letter, personal etc.); iii. name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded); iv. response and investigation undertaken as a result of the complaint; v. name of person responsible for investigating complaint; and vi. action taken as a result of the complaint investigation and signature of responsible person.
H3	Monitoring of Contaminant Releases to Waters The holder of this environmental authority is responsible for the making of determinations and keeping of records of the quality of the contaminants released for the release points, quality characteristics, and at the frequency specified in Schedule H Table 2
H16	Incident Recording A record must be maintained of at least the following events: i. the time, date and duration of equipment malfunctions where the failure of the equipment resulted in the release of contaminants reasonably likely to cause environmental harm; ii. any uncontrolled release of contaminants reasonably likely to cause environmental harm and iii. any emergency involving the release of contaminants reasonably likely to cause material or serious environmental harm requiring the use of fire fighting equipment.
H18	Notification of Emergencies and Incidents As soon as practicable after becoming aware of any emergency or incident which results in the release of contaminants not in accordance, or reasonably expected to be not in accordance with the conditions of this environmental authority, the holder of this environmental authority must notify the administering authority of the release by telephone or facsimile.

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H19	Where the licensee has not given notification to the administering authority under section 37 of the Environmental Protection Act, the notification of emergencies or incidents as required by condition number H18 must include but not be limited to the following: i. The holder of the environmental authority; ii. the location of the emergency or incident; iii. the number of the environmental authority; iv. the name and telephone number of the designated contact person; v. the time of the release; vi. the time the holder of the environmental authority became aware of the release; vii. the suspected cause of the release; viii. the environmental harm and or environmental nuisance caused, threatened, or to be caused by the release; and ix. actions taken to prevent further any release and mitigate any environmental harm and or environmental nuisance caused by the release.
H20	Where the licensee has not given notification to the administering authority under section 37 of the Environmental Protection Act, not more than 14 days following the initial notification of an emergency or incident, the holder of the environmental authority must provide written advice of the information supplied in accordance with condition number H18 in addition to: i. proposed actions to prevent a recurrence of the emergency or incident; ii. outcomes of actions taken at the time to prevent or minimise environmental harm and or environmental nuisance, and iii. the results of any environmental monitoring performed.

Schedule H – Table 2

QUALITY CHARACTERISTIC DETERMINATION	RELEASE POINTS	FREQUENCY
5-day Biochemical Oxygen Demand.	W1 ¹	Quarterly, after a significant rain event
Suspended Solids. (mg/l)	W1 ¹	As above
pH. (pH Units)	W1 ¹	As above
Dissolved Oxygen. (mg/l)	W1 ¹	As above
Oil and Grease. (mg/l)	W1 ¹	As above
5-day Biochemical Oxygen Demand.	W1 ¹	Quarterly, after a significant rain event

Where Release Point Number - W1 is the oil-water separator outfall.

² For the purposes of this condition, the times of sampling shall, if possible, be when the flow rate through the oil water separator is approximately equal to its design capacity

Schedule I – Definitions

For the purposes of this environmental authority the following definitions apply:

(I12) "mg/l" means milligrams per litre.

(I13) "maximum" means that the measured value of the quality characteristic or contaminant must not be greater than the release limit stated.

- (I14) "minimum" means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.
- (I15) "range" means that the measured value of the quality characteristic or contaminant must not be greater than the higher release limit stated nor lower than the lower release limit stated.

END OF LICENCE CONDITIONS

Definitions

Key terms and/or phrases in this environmental authority are defined in this section and **bolded** throughout this document. Applicants should note that 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, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Heritage or its successor or predecessors.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirements using the relevant protocols, standards, methods or literature.

Background means noise, measured in the absence of the noise under investigation, as $L_{A90,T}$ being the A-weighted sound pressure level exceeded for 90 per cent of the time period of not less than 15 minutes, using Fast response.

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.

Disturbed areas includes areas:

1. that are susceptible to erosion;
2. that are contaminated by the activity; and/or
3. upon which stockpiles of soil or other materials are located.

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

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

$L_{A10, \text{adj}, 10 \text{ mins}}$ means the A-weighted sound pressure level, (adjusted for tonal character and impulsiveness of the sound) exceeded for 10 per cent of any 10 minute measurement period, using fast response.

$L_{A1, \text{adj}, 10 \text{ mins}}$ means A-weighted sound pressure level. (adjusted for tonal character and impulsiveness of the sound) exceeded for 1% of any 10 minute.

Land does not include **waters**.

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

NATA means National Association of Testing Authorities.

Noxious means harmful or injurious to health or physical well-being.

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:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public thoroughfare, park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

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.

You means the holder of the environmental authority.

24 hour storm event with an average recurrence interval of 1 in 10 years means the maximum rainfall depth from a 24-hour duration precipitation event with an average recurrence interval of once in 10 years. For example, an Intensity—Frequency—Duration table for a 24-hour duration event with an average recurrence interval of 1 in 10 years, identifies a rainfall intensity of 8.2mm/hour. The rainfall depth for this event is therefore 24 hour x 8.2mm/hour = 196.8mm.

END OF PERMIT