Permit

Environmental Protection Act 1994

Environmental authority EPPR00431213

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

Environmental authority number: EPPR00431213

Environmental authority takes effect on 1 September 2021.

Environmental authority holder(s)

Name(s)	Registered address
The Smith's Snackfood Company Ltd	1331 Wynnum Road TINGALPA QLD 4173

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 15 - Fuel burning - Using fuel burning equipment that is capable of burning at least 500kg of fuel in an hour	1/SP224771

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

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- 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 original take effect date unless you apply to change the anniversary day. 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.

	**1 September 2021**
Signature	Date

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

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Privacy statement

Pursuant to section 540 of the EP Act, the Department is required to maintain a register of certain documents and information authorised under the EP Act. A copy of this document will be kept on the public register. The register is available for inspection by members of the public who are able take extracts, or copies of the documents from the register. Documents that are required to be kept on the register are published in their entirety, unless alteration is required by the EP Act. There is no general discretion allowing the Department to withhold documents or information required to be kept on the public register. For more information on the Department's public register, search 'public register' at www.qld.gov.au. For queries about privacy matters please email privacy@des.qld.gov.au or telephone 13 74 68.

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 Resources (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

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. If you are unsure that you have the most current version of the environmental authority relating to this site please visit https://apps.des.qld.gov.au/env-authorities/ to access all environmental authorities currently approved.

Conditions of environmental authority

General	
Condition number	**Condition**
Prevent and/or minimise likelihood of environmental harm	
(G1)	In carrying out the environmentally relevant activity (ERA), the registered operator must take all reasonable and practicable measures to prevent and/or to minimise the likelihood of environmental harm being caused.
Display of Environmental Authority	
(G2)	A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.
(G3)	Any record or document required to be kept by a condition of this environmental authority must be kept at the place to which this environmental authority relates for a period of at least five years and be available for examination by an authorised person. 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.
(G4)	Copies of any record or document required to be kept by a condition of this environmental authority must be provided to any authorised person or the administering authority on request.
Alterations	
(G5)	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.
Calibration	
(G6)	All instruments and devices used for the measurement or monitoring of any parameter under any condition of this environmental authority must be calibrated, and appropriately operated and maintained.
Maintenance of Measures, Plant and Equipment	
(G7)	The operator of an ERA to which this permit relates must: (a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this permit; 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.
Trained / Experienced Operator(s)	

(G8)	The daily operation of the waste water treatment system and pollution control equipment must be carried out by a person(s) with appropriate experience and/or qualifications to ensure the effective operation of that treatment system and control equipment.
Monitoring	
(G9)	A competent person(s) must conduct any monitoring required by this permit.
Nuisance	
(G10)	Notwithstanding any other condition of this environmental authority, this environmental authority does not authorise any release of contaminants which cause or are likely to cause an environmental nuisance beyond the boundaries of the place to which this environmental authority relates.
Site Based Management Plan	
(G11)	A site based management plan (SBMP) must be implemented for the activity. 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 ERAs 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 contaminant releases. (h) Conducting environmental impact assessments. (i) Staff training. (j) Record keeping. (k) Periodic review of environmental performance and continual improvement.
(G12)	The site based management plan must not be implemented or amended in a way that contravenes any condition of this permit.
Complaint Recording	
(G13)	All complaints received by the holder of this environmental authority relating to releases of contaminants from operations at the place to which this environmental authority relates must be recorded and kept in a log book with the following details: (a) time, date and nature of complaint; (b) type of communication (telephone, letter, personal etc.);

	(c) 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); (d) response and investigation undertaken as a result of the complaint; (e) name of person responsible for investigating complaint; and (f) action taken as a result of the complaint investigation and signature of responsible person.
Notification of Emergencies and Incidents	
(G14)	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.
(G15)	The notification of emergencies or incidents as required by condition number (G14) must include but not be limited to the following: i. the name of registered operator; 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 registered operator became aware of the release; vii. the suspected cause of the release; viii. the environmental harm and or environmental nuisance caused, threatened, or suspected 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.
(G16)	Not more than 14 days following the initial notification of an emergency or incident, the registered operator must provide written advice of the information supplied in accordance with condition number (G15) 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.
(G17)	As soon as practicable, but not more than 6 weeks following the conduct of any environmental monitoring performed in relation to the emergency or incident, the registered operator must provide written advice of the results of any such environmental monitoring performed.
Report Submission	
(G18)	The registered operator must ensure that the results of all monitoring performed in accordance with this environmental authority for the period covered by the return are submitted with the annual return.

Exception Reporting	
(G19)	The registered operator must notify the administering authority in writing of any monitoring result which indicates an exceedance of any permit limit within 14 days of completion of analysis.
(G20)	The written notification required by condition (G19) above must include: i. the full analysis results; ii. details of investigation or corrective actions taken; and iii. any subsequent analysis.
Agency interest: Air	
Condition number	**Condition**
(A1)	The release of contaminants to the atmosphere from a point source must only occur from a point source which is identified in the application for development approval, or listed in Table 1 Air emission.
Release of Contaminants to the Atmosphere	
(A3)	Contaminants released from each release point specified in Table 1 Air emissions must be directed vertically upwards without any impedance or hindrance.
(A4)	Contaminants must be released to the atmosphere from a release point at a height not less than the corresponding height stated for that release point in Table 1 Air emissions.
(A5)	Contaminants must be released to the atmosphere from a release point at a velocity not less than the corresponding velocity stated for that release point in Table 1 Air emissions, when emissions are expected to be at maximum rates.
(A6)	Monitoring of any releases to the atmosphere required by a condition of this permit must be carried out in accordance with the following requirements: (a) Monitoring provisions for the release of contaminant release limits to air must comply with the Australian Standard AS 4323.1 - 1995 (Reconfirmed) 2014-10-14 'Stationary source emissions Method 1: Selection of sampling positions' (or more recent editions). (b) Where practicable, samples must be taken when emissions are expected to be at maximum rates. (c) During the sampling period the following additional information must be gathered: i. wastewater treatment rate at the time of sampling, i.e. diurnal peak; ii. any atypical factors that may influence emissions; and ii. reference to the actual test methods and accuracy of the methods.
(A7)	An indicator or device must be installed to alarm the operator when the biogas collection bag releases biogas other than as permitted in the air schedule and waste management schedule of this environmental authority.

Ground Based Flare Operation	
(A8)	There must be no visible smoke emissions from the ground based flare.
(A9)	The ground based flare must be fitted with a continuously burning pilot or other automatic ignition system with an incorporated back-up power supply that assures gas ignition and provides immediate notification of appropriate personnel when the ignition system ceases to function.
(A10)	The flare must be designed to handle large fluctuations in both the volume and the chemical content of gases.
(A11)	The flare must meet Volatile Organic Compound removal efficiency of not less than 98 percent.
(A12)	The combustion air supply to the flare should be controlled to achieve temperature no less than 800C, and a continuous vent gas flow device (measuring the volume of gas that is sent to a flare during a given period) must be installed and be operated to monitor the volume flow rate for the gases sent to the flare.
(A13)	The ground based flare must be fitted with an automatic control system which: (a) senses the flow of gas to the flare and automatically controls the supply of air to prevent smoke; (b) provides the operator in charge of the flare with a visual warning that flaring is occurring; and (c) provides the operator in charge of the flare with a visual warning that the flare has been extinguished.
(A14)	In the event the ground based flare is unable to meet the conditions of this environmental authority, no emissions are to be released through the ground based flare.
Fuel Burning	
(A15)	The quantity of fuel burned in any one hour period is not to exceed 1600 kilograms.
(A16)	The only type of fuel must be burned in the industrial boiler, oven, fryer and water heating equipment is natural gas.
Activated Carbon Filter	
(A17)	The registered operator must operate and maintain all source equipment and control devices as specified in manufacturer's specifications and in a manner to prevent or minimise the release of contaminants to the atmosphere.
(A18)	The odour producing areas must be covered and operated under negative pressure to collect and to direct the odorous gases to the treatment units.
(A19)	The activated carbon filters must be installed on sludge handling, screening and balance tank areas with the removal efficiency of not less than 98 percent in respect to the release of odorous gases and volatile organic compounds.
(A20)	The activated carbon filters must be replaced when they are saturated with volatile organic compounds and efficiency is reduced below the manufacturer's specifications.

(A21)	Carbon filters must have regular monitoring and emission detectors at the outlet to alarm the operator when the carbon is required to be replaced. This device must be maintained to the manufacturer's specifications.
Noxious or Offensive Odour	
(A22)	Notwithstanding any other condition of this environmental authority no release of contaminants from the place to which this environmental authority relates is to cause a noxious or offensive odour beyond the boundaries of the place to which this environmental authority relates.
Agency interest: Land	
Condition number	**Condition**
Release of Contaminants to Land	
(L1)	There must be no release nor likelihood of release of any contaminants to land.
Acid Sulphate Soils	
(L2)	The latest edition of the Queensland Environmental Protection Agency's INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULFATE SOILS, 2001, ('the Instructions') must be complied with when treating and managing acid sulphate soils.
Agency interest: Noise	
Condition number	**Condition**
Emission of Noise	
(N1)	The environmentally relevant activity must be carried out by such practicable means necessary to prevent the emission or likelihood of emission of noise that constitutes annoyance.
(N2)	In the event of a complaint about noise that constitutes annoyance being made to the administering authority, that the administering authority considers is not frivolous or vexatious, then the emission of noise from the place to which this environmental authority relates must not result in levels greater than those specified in Table 2 - Noise emission.
(N3)	For the purposes of checking compliance with condition (N2) monitoring and recording of the noise levels from the activity must be undertaken for the following descriptors, characteristics and conditions: i. $L_{Amax, adj\ T}$; ii. L_{Abg}, -r or $L_{A90, T}$; iii. $L_{AN, T}$ (where N equals statistical levels of 1, 10, 50, 90 and 99); iv. $L_{pA\ T}$; v. $L_{Aeq, T}$; vi. The level and frequency of occurrence of impulsive or tonal noise;

	vii. Atmospheric conditions including temperature, relative humidity and wind speed and direction; and viii. Effects due to extraneous factors such as traffic noise.
(N4)	In conjunction with the measurement and recording of the noise, the location(s), date(s) and time(s) of sampling must be recorded.
(N5)	The registered operator must monitor and record the noise levels as often as is necessary to check compliance with the conditions of this permit but not less frequently than upon receipt of complaints.
(N6)	In addition to monitoring at the frequency prescribed in condition (N5), monitoring must also be undertaken upon receipt of a written request from the administering authority to carry out such monitoring.
(N7)	The method of measurement and reporting of noise levels must comply with the Noise Measurement Manual.
(N8)	The measurement and reporting of noise levels must be undertaken by a person or body possessing appropriate experience and qualifications to perform the required measurements.
Agency interest: Waste Management	
Condition number	**Condition**
General	
(WM1)	All disposal of waste generated in carrying out the environmentally relevant activity must be to a proper and appropriately approved waste disposal facility that can lawfully accept such waste or to a facility that can lawfully and appropriately reuse and/or recycle such waste, except as specifically provided for under the conditions of this environmental authority.
(WM2)	The registered operator must not: i. burn waste at or on the place to which this environmental authority relates; nor ii. allow waste to burn or be burnt at or on the place to which this environmental authority relates; nor iii. remove waste from the place to which this environmental authority relates and burn such waste elsewhere. (Note: For the purpose of this condition waste does not include excess biogas produced as a bi-product from the tertiary waste water treatment plant burnt from the flare emission point specified in Table 1 — Air Emissions).
Off Site Movement	
(WM3)	Where regulated waste is removed from the place to which this environmental authority relates (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 (c) the intended treatment/disposal destination of the waste.
(WM4)	Records of trade waste agreements must be made available for inspection on request.
Agency interest: Water	
Condition number	**Condition**
Release of Contaminants to Waters	
(W1)	Contaminants must not be directly or indirectly released from the place to which this environmental authority relates to any waters or the bed and banks of any waters except: i. as permitted under the water schedule; or ii. as permitted under the stormwater management schedule; or iii. to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.
Release of Contaminated Stormwater Runoff	
(W2)	Contaminants that will, or have the potential to cause environmental harm must not be released directly or indirectly to any waters as a result of the authorised activities, except as permitted under the conditions of this environmental authority.
(W3)	Stormwater contaminated by the activity must be managed to firstly prevent, then minimise the release of contaminants to the receiving environment.
(W4)	Spillage of all chemicals and fuels must be contained within an on-site containment system and controlled in a manner that prevents environmental harm.
Spill Kit	
(W5)	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.
Spill Kit Training	
(W6)	Anyone operating under this permit must be trained in the use of the spill kit.

Table 1 – Air Emissions

Source Description	Release Point Number and Stack description	Minimum Release Height	Minimum Efflux Velocity (metres/second)
Boiler	ADP2	4 metres above roof height	6
Boiler	ADP3	4 metres above roof height	6
Corn Oil Heat Exchanger	ADP4	4 metres above roof height	6
Extrusion Oven	ADP5	4 metres above roof height	6
Twisties Oven	ADP6	4 metres above roof height	1.8
Corn Oven	ADP7a	4 metres above roof height	0.13
	ADP7b	4 metres above roof height	0.13
RCR Easteel Energy Systems 4MWWater tube	ADP11	4 metres above roof height	6
Ground Based Flare	ADP12	6.5 metres above ground level	5
Grainwaves Heat Exchanger	ADP13	4 metres above roof height	6

Table 2 — Noise Limits

Noise level at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level L_{A}MAX.Adj, T	**Period**
Background noise level plus 5dB(A)	7am — 6pm
Background noise level plus 5 dB(A)	6pm — 10 pm
Background noise level plus 3 dB(A)	10 pm — 7am
Noise Limits at a Commercial Place Measured as the Adjusted Maximum Sound Pressure level L_{A}MAX.Adj, T	**Period**
Background noise level plus 10 dB(A)	7am — 6 pm
Background noise level plus 10 dB(A)	6 pm — 10 pm
Background noise level plus 8 dB(A)	10 pm — 7 am

Definitions

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.

Agency interest: Definitions For the purposes of this environmental authority the following definitions apply:	
Condition number	**Condition**
Air Definitions	
(D1)	"minimum" means that the measured value of the quality characteristic or contaminant must not be less than the release limit stated.
Noise Definitions	
(D2)	"$L_{Amax\ adj,\ T}$" means the average maximum A-weighted sound pressure level, adjusted for noise character and measured over a time period of not less than 15 minutes, using Fast response.
(D3)	"background noise level" means either: $L_{A9o,\ T}$ being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response, or $L_{Abg,\ T}$ being the arithmetic average of the minimum readings measured in the absence of the noise under investigation during a representative time period of not less than 15 minutes, using Fast response.
(D4)	"Max $L_{pA,\ T}$" means the maximum A-weighted sound pressure level measured over a time period of not less than 15 minutes, using Fast response.
(D5)	"noise sensitive place" means - (a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or (b) a motel, hotel or hostel; or (c) a kindergarten, school, university or other educational institution; or (d) medical centre or hospital; or (e) a protected area; or (f) a park or gardens.
(D6)	"commercial place" means a place used as an office or for business or commercial purposes.
(D7)	"annoyance". In determining what constitutes "annoyance" regard must be had to Australian Standard 1055.2 – 1997. Acoustics - Description and Measurement of Environmental Noise Part 2 Application to specific situations.
(D8)	Land in the Land Application Schedule means land excluding atmosphere and waters.

(D9)	"Normal cubic metre (Nm^3)" means the volume of dry gaseous contaminant which occupies one cubic metre at a temperature of zero degrees Celsius and at an absolute pressure of 101.3 kilopascals.
(D10)	"Noise Measurement Manual" refers to the Department of Environment and Science Noise Measurement Manual, 4th version, August 2013, or more recent additions or supplements to that document as become available.

END OF ENVIRONMENTAL AUTHORITY