Permit[1]

Environmental Protection Act 1994

Environmental authority

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

Permit[1] number: EPPR02214214

Environmental authority takes effect on 24 September 2014

The anniversary date of this environmental authority is 24 September. An annual return and the annual fee will be due each year on this date.

Environmental authority holder

Name	Registered address
Viva Energy Australia Ltd	GPO Box 872 MELBOURNE VIC 3001

Environmentally relevant activities and locations

Environmentally relevant activities	Locations
8(3) Chemical storage - storing 500m^3 or more of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3 subsection (1)(c). 50(2) Bulk material handling - loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials.	2 Toots Holzeimer Road WEIPA QLD 4874 Evans Landing - Lot 10, Plan MP39693 & Lorim Point - Lot 705, Plan MP39694

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation

Additional information for applicants

Environmentally relevant activities

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

An environmental authority authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the authority 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 if an owner or occupier of land becomes aware a notifiable activity (as defined in Schedule 3 and Schedule 4) is being carried out on the land, or that the land has been, or is being, contaminated by a hazardous contaminant, the owner or occupier must, within 22 business days after becoming so aware, give written notice to the chief executive.

TGibbs	24/09/2014
Signature	Date

Teale Gibbs
Delegate of the administering authority
Environmental Protection Act 1994

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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)

Environmentally relevant activities authorised under this environmental authority

ERA Number	ERA Description (refer to Schedule 2, *Environmental Protection Regulation 2008)*	Aggregate Environmental Score
8(3)	Chemical storage - storing more than 500m^3 of chemicals of class C1 or C2 combustible liquids under AS 1940 or dangerous goods class 3 under subsection (1)(c).	85
50(2)	Bulk material handling - loading or unloading 100t or more of bulk materials in a day or stockpiling bulk materials.	73

Conditions of environmental authority

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

- Schedule A - General
- Schedule B - Air & Noise
- Schedule C - Water
- Schedule D - Waste
- Schedule E - Land
- Schedule F - Definitions
- Schedule G - Maps/Plans

Schedule A – General

Activity

A1 This environmental authority authorises environmental harm referred to in the conditions. Where there is no condition or this environmental authority is silent on a matter, the lack of a condition or silence does not authorise environmental harm.

A2 In carrying out the environmentally relevant activity authorised by this environmental authority, the holder of this environmental authority must comply with Schedule G, Figure 1 – General Arrangement - Evans Landing and Figure 2 – General Arrangement - Lorim Point.

A3 The activity must be undertaken in accordance with written procedures that:

(a) identify potential risks to the environment from the activity during routine operations and emergencies;
(b) establish and maintain control measures that minimise the potential for environmental harm;
(c) ensure plant, equipment and measures are maintained in a proper and effective condition;
(d) ensure plant, equipment and measures are operated in a proper and effective manner;
(e) ensure that staff are trained in and aware of their obligations under the *Environmental Protection Act 1994*; and
(f) ensure that reviews of environmental performance are undertaken at least annually.

A4 Storage of chemicals and fuels in bulk or in containers of greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.

Monitoring and Reporting

A5 All information and records that are required by the conditions of this environmental authority must be kept for a period of at least 5 years and provided to the administering authority upon request.

A6 An appropriately qualified person(s) must monitor, interpret and record all quality indicators required under this environmental authority.

Notification of Emergencies, Incidents and Exceedences

A7 The holder of this environmental authority must notify the administering authority by written notification within 24 hours after becoming aware of any emergency, incident or exceedence 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.

A8 Within 10 business days following the initial notification of an emergency, incident or exceedence or receipt of monitoring results, whichever is the latter, further written advice must be provided to the administering authority including the following:

(a) results and interpretation of any samples taken and analysed;
(b) outcomes of actions taken at the time to prevent or minimise unlawful environmental harm; and
(c) proposed actions to prevent a recurrence of the emergency, incident or exceedence.

Complaints

A9 The holder of this environmental authority must record all environmental complaints received about the environmentally relevant activity including:
(a) name, address and contact number for of the complainant;
(b) time and date of complaint;
(c) reasons for the complaint;
(d) investigations undertaken;
(e) conclusions formed;
(f) actions taken to resolve the complaint;
(g) any abatement measures implemented; and
(h) person responsible for resolving the complaint.

A10 The holder of this environmental authority must, when requested by the administering authority, undertake relevant specified monitoring within a reasonable timeframe nominated or agreed to by the administering authority to investigate any complaint of environmental harm. The results of the investigation (including an analysis and interpretation of the monitoring results) and abatement measures, where implemented, must be provided to the administering authority within 10 business days of completion of the investigation or no later than 10 business days after the end of the timeframe nominated by the administering authority to undertake the investigation.

Transition to New Standards

A11 Where a condition of this environmental authority requires compliance with a standard, policy or guideline published externally to this environmental authority and the standard is amended or changed subsequent to the issue of this environmental authority, the holder of this environmental authority must:
(a) comply with the amended or changed standard, policy or guideline within 2 years of the amendment or change being made, unless a different period is specified in the amended standard or relevant legislation; and
(b) until compliance with the amended or changed standard, policy or guideline is achieved, continue to remain in compliance with the corresponding provision that was current immediately prior to the relevant amendment or change.

Risk Management

A12 The holder of this environmental authority must develop and implement a risk management system for environmentally relevant activities which mirrors the content requirement of the Standard for Risk Management (ISO31000:2009), or the latest edition of an Australian standard for risk management, to the extent relevant to environmental management, by 24 June 2015.

Regard for Comment

A13 Where comments are provided by the administering authority with respect to any plans, systems or programs required to be developed by a condition of this environmental authority, the holder of this environmental authority must have due regard for these comments.

END OF CONDITIONS FOR SCHEDULE A

Schedule B – Air & Noise

Nuisance

B1 Odours or airborne contaminants must not cause environmental nuisance at any sensitive or commercial place.

B2 Release of contaminants to air from the activity, other than dust and particulate matter addressed in Condition B3, must be prevented or minimised by applying best practice environmental management measures.

B3 Dust and particulate matter emissions must not exceed the following concentrations at any sensitive or commercial place:

(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); or

(b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM_{10}) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 of 2003 (or more recent editions).

B4 Noise and vibration must not cause a nuisance at any sensitive place or commercial place.

END OF CONDITIONS FOR SCHEDULE B

Schedule C – Water

General

C1 All water and wastewater quality sampling must be undertaken in accordance with methods prescribed in the latest edition of the administering authority's Water Quality Sampling Manual.

C2 All analysis and tests required under this approval must be carried out by a laboratory that has NATA or equivalent certification for such analysis and tests. The only exception to this condition is for the in-situ monitoring of hydrocarbons.

Release to Waters

C3 Other than as permitted within this environmental authority, contaminants must not be released from the licensed place to any waters or the bed and banks of any waters.

C4 Contaminants must not be released to groundwater.

C5 Release to waters must only occur from the release points specified in Table C1 - Water Release Point /Monitoring Point Locations, and depicted in Schedule G, Figure 1 – General Arrangement - Evans Landing and Figure 2 – General Arrangement - Lorim Point.

Table C1 – Water Release Point / Monitoring Point Locations

Release Point/ Monitoring Point	Description of Release Point/Monitoring Point and Release Waters	Description of Receiving Environment	Coordinates (GDA94 Zone 54)	
			Easting	Northing
W1	Treated stormwater released from the Evans Landing northern triple interceptor	Undefined drainage in ecosystem adjacent to release point	591915	8600145
W2	Treated stormwater released from the Evans Landing eastern triple interceptor		591969	8600065
B1	Stormwater released from the Evans Landing tank diversion valve A		591910	8600106
B2	Stormwater released from the Evans Landing tank diversion valve B		591913	8600135
B3	Stormwater released from the Evans Landing tank diversion valve C		591939	8600008
W3	Treated stormwater released from the Lorim Point triple interceptor		594893	8599232
B4	Stormwater released from the Lorim Point tank diversion valve		594884	8599282
B5			594877	8599222

C6 Release to waters from the release points specified in Table C1 - Water Release Points and depicted in Schedule G, Figure 1 – General Arrangement - Evans Landing and Figure 2 – General Arrangement - Lorim Point , must be monitored at the monitoring points:

(a) W1, W2 and W3 for each quality characteristic at the frequency specified in Table C2 - Water Release Limits; and

(b) B1, B2, B3, B4 and B5 for hydrocarbons only at the relevant monitoring frequency identified in Table C2 - Water Release Limits.

C7 The release of contaminants to waters from the release points specified in Table C1 - Water Release Points, must:

(a) not exceed the contaminant limits identified in Table C2 - Water Release Limits, when measured at the monitoring points W1, W2 and W3; and

(b) not exceed the contaminant limit for hydrocarbons only when measured at the monitoring points B1, B2, B3, B4 and B5.

Table C2 – Water Release Limits

Quality Characteristic	Contaminant Limit	Monitoring Frequency
5 day Biochemical Oxygen Demand (mg/L)	20	For all water releases diverted around the interceptor from a bund valve, release waters must be continuously monitored for hydrocarbons only. Sampling of quality characteristics must occur not less than monthly, providing a discharge occurs.
Total Suspended Solids (mg/L)	TBD[1]	
Benzene (µg/L) BTEX Compound	950[2]	
Hydrocarbons (in-situ)	No visible film	

1 Reference value for TSS to be sourced from RTAW REMP.
2 Default contaminant limit derived from ANZECC (2000) Default trigger values for toxicants indicative of typical slightly–moderately disturbed ecosystems.

C8 Waters must not be released from the interceptor or bund valve if there is a visible film of hydrocarbons.

Groundwater Monitoring

C9 The holder of this environmental authority must develop and implement a Groundwater Monitoring Program (GMP). The Groundwater Monitoring must include but not necessarily limited to:

a) be able to determine the impacts of the licensed activity on groundwater quality;

b) include a sufficient number of bores installed at locations and depths which yield representative ground water samples from at least the uppermost aquifer so as to:
   i. establish the quality of groundwater that has not been affected by any seepage of contaminants to groundwater from the licensed place; and
   ii. detect any seepage of contaminants to groundwater from the licensed place;

c) include six monthly monitoring of the quality of groundwater to detect any possible release(s) of contaminants; and

d) groundwater monitoring must be undertaken for at least the following water quality characteristics:
   a. BTEX compound (Benzene, Toluene, Ethylbenzene, Xylene)
   b. Total petroleum hydrocarbons.

Groundwater Monitoring Analysis Reporting

C10 The holder of this environmental authority must ensure that the groundwater monitoring data gathered in accordance with this environmental authority is analysed and interpreted to assess the nature and extent of any environmental impact of the environmentally relevant activity.

C11 The construction, maintenance and management of groundwater monitoring bores must be undertaken in a manner that prevents or minimises impacts to the environment and ensures the integrity of the bores to obtain accurate monitoring.

Receiving Environment Monitoring Program

C12 The environmental authority holder must develop and implement a Receiving Environment Monitoring Program (REMP) to monitor, identify and describe any adverse impacts to surface water and groundwater environmental values and quality due to the authorised environmentally relevant activity. This must include monitoring the effects of the activities on the receiving environment periodically while potentially contaminated water is being released from the licensed place. For the purposes of the REMP, the receiving environment are groundwaters (as per the existing bore network) and the waters or drainage in bushland downstream of the release points as described in Table C1 - Water Release Points. The REMP should encompass any sensitive receiving waters or environmental values downstream of the authorised environmentally relevant activity that will potentially be directly affected by an authorised release of potentially contaminated water.

C13 A REMP Design Document that addresses the requirements of the REMP must be prepared and made available to the administering authority upon request.

C14 A report outlining the findings of the REMP, including all monitoring results and interpretations must be prepared annually and made available on request to the administering authority. This must include an assessment of background reference water quality which will be consistent with the quality characteristics outlined in Table C2 for surface water,the condition of downstream water quality compared against water quality objectives and the suitability of current release limits to protect downstream environmental values.

END OF CONDITIONS FOR SCHEDULE C

Schedule D – Waste

Waste Management

D1 Waste must only be removed from the licensed place by a transporter lawfully able to transport it to a place lawfully able to receive it.

END OF CONDITIONS FOR SCHEDULE D

Schedule E – Land

Release to Land

E1 Contaminants must not be released to land.

Contaminated land

E2 The holder of this environmental authority must minimise the potential for contamination of land by hazardous contaminants.

E3 Before applying for surrender of this environmental authority, the holder must provide to the administering authority a site investigation report under the Act, in relation to any part of the licensed place which has been used for notifiable activities or which the holder is aware is likely to be contaminated land, and also carry out any further work that is required as a result of that report to ensure that the land is suitable for its final land use.

END OF CONDITIONS FOR SCHEDULE E

Schedule F – Definitions

Key terms and phrases used throughout this environmental authority are defined below. Where a definition for a term used in this environmental authority is sought and the term is not defined within this environmental authority, the definitions in the *Environmental Protection Act 1994*, its Regulations and Environmental Protection Policies must be used.

Word Definitions

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

ANZECC (2000) means *the Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2000)* published by the *Australian and New Zealand Environment and Conservation Council* and *the Agriculture and Resource Management Council of Australia and New Zealand* or any equivalent update/replacement guidelines.

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 means -

(a) a gas, liquid or solid; or
(b) an odour; or
(c) an organism (whether alive or dead), including a virus; or
(d) energy, including noise, heat, radioactivity and electromagnetic radiation; or
(e) a combination of contaminants.

suitably qualified person means a person who has professional qualifications, training, skills and/or experience relevant to the nominated subject matter, who can give authoritative assessment, advice and analysis on performance relative to the subject matter using relevant protocols, standards, methods or literature.

environmental authority means a licence or approval issued pursuant to the *Environmental Protection Act 1994*.

Environmental nuisance (the Act) is unreasonable interference or likely interference with an **environmental value** caused by—

(a) aerosols, fumes, light, noise, odour, particles or smoke; or
(b) an unhealthy, **offensive** or unsightly condition because of contamination; or
(c) another way prescribed by regulation.

infrastructure means dams, roads and tracks, buildings and other structures built for the purpose of mining activities but does not include facilities required for the long-term management of mining impacts or the protection of potential resources. Such facilities include dams containing hazardous waste, waste rock dumps, voids, or ore stockpiles and buildings or other structures whose ownership can be transferred and which have a residual beneficial use for the next owner of the operational land or the background land owner.

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

mg/L means milligrams per Litre.

NATA means National Association of Testing Authorities, Australia

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

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

QWQG (2009) means *the Queensland Water Quality Guidelines 2009* published by the *Queensland Government* or any equivalent update/replacement guidelines.

receiving environment in relation to an activity that causes or may cause environmental harm, means the part of the environment to which the harm is, or may be, caused. In relation to releases as defined in this environmental authority, the receiving environment can be further defined as any waters beyond the boundary of the licensed place.

release means the discharge of water (whether intentional or due to failure to prevent) to the receiving environment from any area, structure or feature located on a mining lease listed on this environmental authority.

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

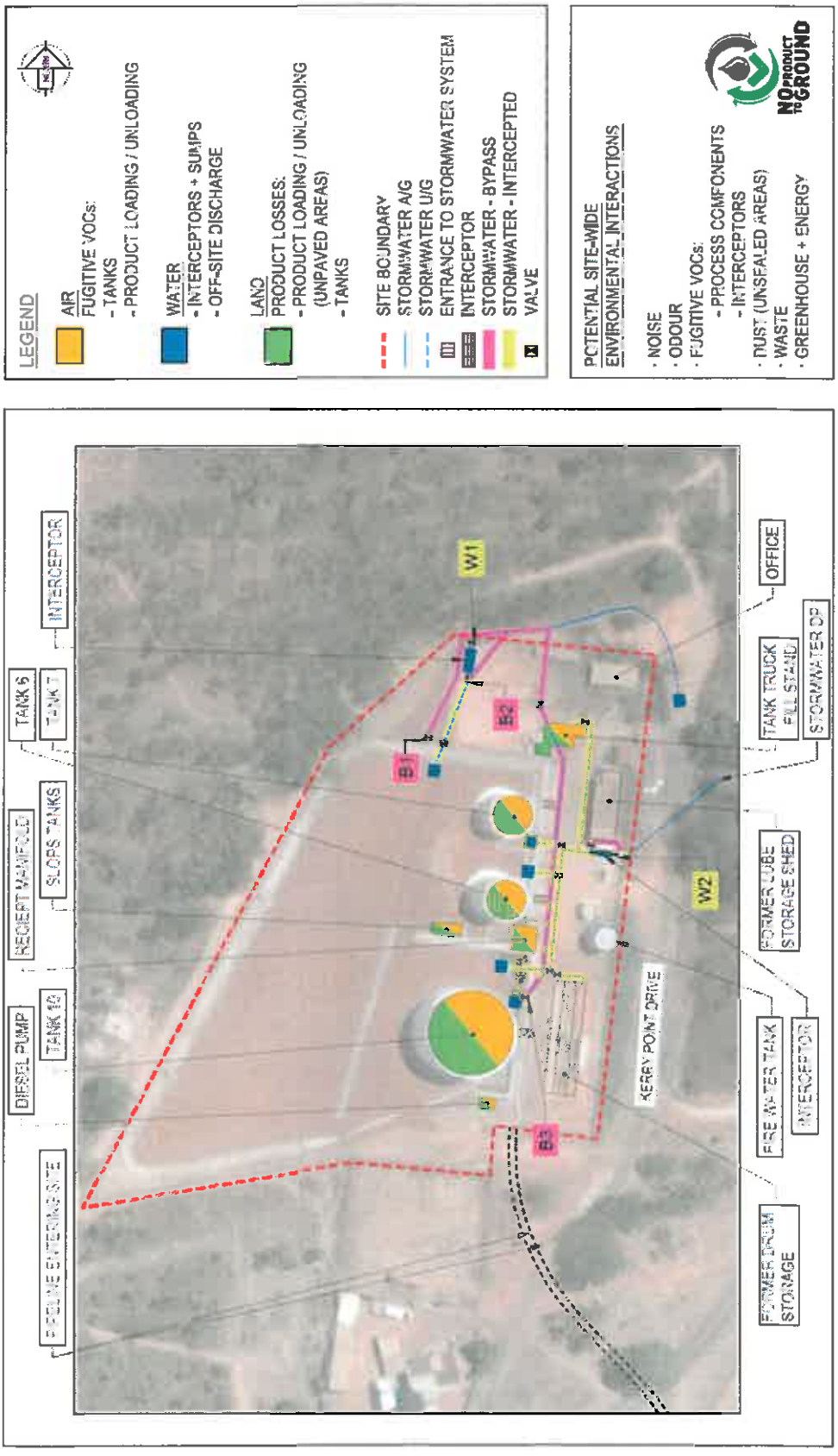
(d) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
(e) a motel, hotel or hostel; or
(f) a kindergarten, school, university or other educational institution; or
(g) a medical centre or hospital; or
(h) a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 1992* or a World Heritage Area; or
(i) a public thoroughfare, park or gardens; or
(j) 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. Excludes waters discharged to as part of a re-use scheme.

END OF SCHEDULE F

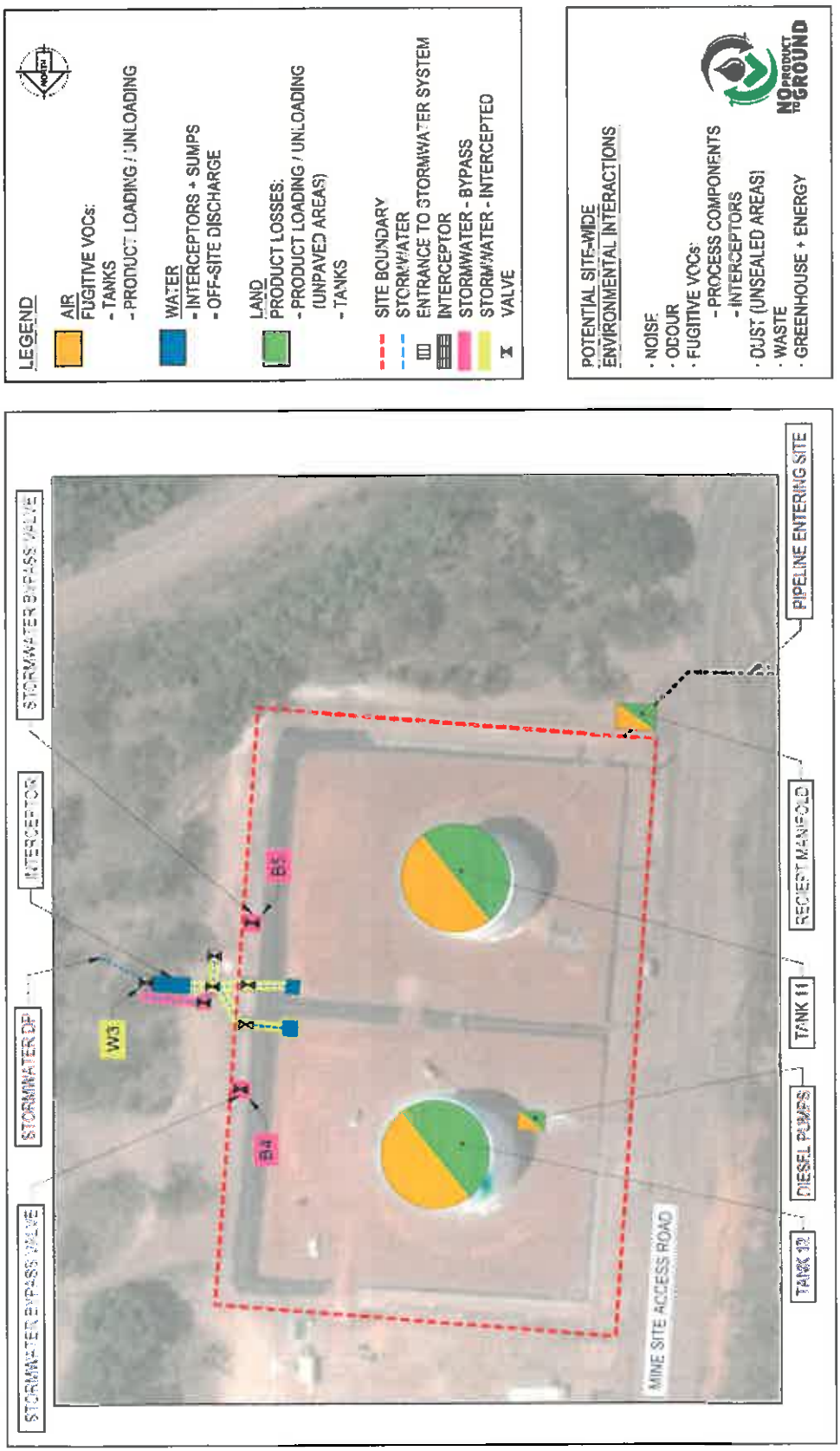
Schedule G – Maps / Plans

Figure 1 – General Arrangement - Evans Landing



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Figure 2 – General Arrangement - Lorim Point



END OF PERMIT