Licence No. SR1497

Section 45(1)

Under the provisions of the *Environmental Protection Act 1994* this environmental authority is issued:

To: Nixlaw Pty Ltd

Address: 8 Railway Street
BOONAH QLD 4310

in respect of carrying out the environmentally relevant activities at the following place(s):

ERA 83(b)(i) - Regulated waste transport - transporting regulated waste commercially or in quantities of more than 250 kg in a load for other regulated waste for 1 or more licensed vehicles but not more than 35 licensed vehicles.

And transporting regulated waste throughout the state of Queensland

This environmental authority is issued subject to the conditions set out in the schedules attached to this environmental authority.

This licence takes effect from 12 January 2000

signed .....

Alan Feely
Regional Service Director
Delegate of Administering Authority
Environmental Protection Act (1994)

date 24-12-99

This environmental authority consists of the following schedules -

Schedule A - General Conditions

Schedule B - Air

Schedule C - Water

Schedule D - Stormwater Management

Schedule E - Land Application

Schedule G - Waste Management

Schedule H - Monitoring and Reporting

Schedule I - Definitions

SCHEDULE A - GENERAL CONDITIONS

Maintenance of Plant and Equipment

(A1) The holder of this environmental authority must:

(a) install all plant and equipment necessary to ensure compliance with the conditions;
(b) maintain such plant and equipment in a proper and efficient condition; and
(c) operate such plant and equipment in a proper and efficient manner.

In this condition, "plant and equipment" includes:

(i) plant and equipment used to prevent and/or minimise the likelihood of environmental harm being caused;
(ii) devices and structures to contain foreseeable escapes of contaminants and waste;
(iii) vehicles used to transport waste;
(iv) devices and structures used to store, handle, treat and dispose of waste;
(v) monitoring equipment and associated alarms; and
(vi) backup systems that act in the event of failure of a primary system.

Display of Environmental Authority

(A2) A copy of this environmental authority must be kept in a location readily accessible to personnel carrying out the activity.

Records

(A3) Any record or document required to be kept by a condition of this environmental authority must be kept for a period of at least five (5) 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. (Where this environmental authority relates to a vehicle or vehicles, the records must be kept at the place of business.)

(A4) 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

(A5) 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 ten percent (10%) or more in the quantity of the contaminant to be released into the environment.

Calibration

(A6) 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.

Competency

(A7) All persons engaged in the conduct of the environmentally relevant activity, including but not limited to employees and contract staff, must be:

(i) trained in the procedures and practices necessary to:

(a) comply with the conditions of this environmental authority; and
(b) prevent environmental harm during normal operation and emergencies; or

(ii) under the close supervision of such a trained person.

End of Conditions for Schedule A

SCHEDULE B - AIR

Noxious or Offensive Odour

(B1) Notwithstanding any other condition of this environmental authority no odour determined to be noxious or offensive is to be released from the load being transported by the licensed vehicles.

End of Conditions for Schedule B

SCHEDULE C - WATER

Release of Contaminants to Waters

(C1) Contaminants, that will or may cause environmental harm must not be directly or indirectly released to any waters of bed and banks of any waters except to a sewer as permitted or otherwise agreed from time to time by the relevant Local Government.

End of Conditions for Schedule C

SCHEDULE D - STORMWATER MANAGEMENT

Clean Up of Spillages

(D1) Any spillage of wastes, contaminants or other materials must be cleaned up as quickly as practicable. Such spillages must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or material to any stormwater drainage system, roadside gutter or waters.

Maintenance and Cleaning of Plant, Equipment and Vehicles

(D2) The licensed vehicles and any other plant and equipment must be maintained in a clean state, to prevent and/or minimise the likelihood of stormwater contamination.

(D3) The maintenance and cleaning of vehicles and any other plant and equipment must be carried out in areas from where contaminants cannot be released into any waters, roadside gutter or stormwater drainage system.

End of Conditions for Schedule D

SCHEDULE E - LAND APPLICATION

(E1) The holder of this environmental authority must prevent and/or minimise the release of regulated waste to land.

End of Conditions for Schedule E

SCHEDULE G - WASTE MANAGEMENT

General

(G1) The holder of this environmental authority is permitted to transport regulated waste as specified in Schedule 7 of the *Environmental Protection Regulation (1998)* except for asbestos, infectious substances, material and equipment contaminated with infectious substances, cytotoxic wastes and lead.

(G2) The licensed vehicles used to transport regulated wastes must be of a suitable design for the regulated wastes being transported. In determining 'suitable design' the holder of this environmental authority must consider:

(a) the corrosive nature of the regulated waste being transported (for example sulphuric acid must be transported in acid resistant lined containers);
(b) the physical state of the regulated waste (for example liquid regulated waste, not stored in drums, must only be transported in tanks); and
(c) the practices and standards outlined in the "Australian Code for the Transport of Dangerous Goods by Road and Rail (ADG Code)", 6th edition prepared by the Federal Office of Road Safety, 1 January 1998 (or updated version thereof).

(G3) All regulated waste must be marked in accordance with Chapter 7 of the "Australian Code for the Transport of Dangerous Goods by Road and Rail (ADG Code)" referred to in condition G2(c) and other relevant codes and regulations, where applicable.

(G4) Waste must not be released to the environment, stored, transferred or disposed of contrary to any condition of this environmental authority.

(G5) Records of trade waste agreements must be made available for inspection on request.

(G6) The holder of this environmental authority must ensure that permanent records are kept for every load of regulated waste transported on the highway, and must include the following information;

(a) date of pick up of waste;
(b) description of waste;
(c) cross reference to relevant waste transport documentation;
(d) quantity of waste;
(e) origin of the waste;
(f) destination of the waste; and
(g) method of waste treatment, reprocessing or disposal.

(Note: Records of documents maintained in compliance with a waste tracking system established under the *Environmental Protection Act 1994* or any other law for regulated waste will be deemed to satisfy this condition.)

(G7) The holder of this environmental authority must comply with all reasonable directions issued by the supervisor of the lawful waste facility at which waste is being disposed.

Notification of Improper Disposal of Regulated Waste

(G8) If the holder of this environmental authority becomes aware that a person has disposed of the regulated waste in a manner which is not authorised by this environmental authority or is 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.

Regulated Waste Transport Vehicles

(G9) Regulated waste must only be transported by vehicles identified in Schedule G - Table 1.

Schedule G - Table 1

REGISTRATION NUMBER	MAKE	BODY TYPE
873 FAC	Scania	Prime Mover/Suction tank
312 EHW	Ford	Truck
075 DSD	Mercedes Benz	Prime Mover/Suction tank

(G10) The holder of this environmental authority must on request by an authorised person -

(a) make the vehicle available for inspection; and
(b) produce a copy of the pages of this environmental authority that include conditions relevant to the vehicle.

(G11) Where the regulated waste is transported to a place in Queensland, that regulated waste must only be transported to a facility licensed under the *Environmental Protection Act 1994*:

(i) to dispose of that regulated waste; or
(ii) to recycle or reprocess or recondition that regulated waste; or
(iii) as a waste transfer station that can receive that waste; or
(iv) to receive and store that regulated waste; or
(v) to receive and treat that regulated waste; or
(vi) to compost that regulated waste; or
(vii) to incinerate that regulated waste.

(G12) When regulated waste is transported on a highway the holder of this environmental authority must cause -

(a) written instructions as to clean up to be available in the cabin of the vehicle in case of any escape, spill or leak of regulated waste from the vehicle;
(b) the administering authority to be immediately advised of any escape, spill or leak of regulated waste from the vehicle;
(c) any escape, spill or leak of regulated waste to be immediately cleaned up, if possible;
(d) a spill kit suitable for the waste being carried to be available with the vehicle;
(e) safety equipment to be available with the vehicle;
(f) an Emergency Procedure Guide(s) to be carried in the cabin of the vehicle when required for the vehicle; and
(g) the vehicle to be marked with the appropriate Dangerous Goods Class Label for the regulated waste.

(G13) The holder of this environmental authority must take all reasonable precautions necessary to prevent the spillage of wastes during loading/unloading and transportation.

(G14) The holder of this environmental authority must cause the driver of the vehicle to be aware of all conditions of this licence.

Insurance Conditions

(G15) The holder of this environmental authority must hold a current insurance policy with a third party property clause to cover each vehicle for the sum of not less than -

(a) $1,000,000 if the vehicle is used to transport regulated waste in bulk which can be assigned a UN number; or
(b) $500,000 if the vehicle is used to transport regulated waste in packages which can be assigned a UN number; or
(c) $100,000 if the vehicle is used to transport regulated waste that is not classified as dangerous goods.

(G16) The third party property clause referred to in condition G15 of this schedule must be in respect of loss or damage that arises and costs of clean up or removal incurred by or on behalf of the administering authority as a result of fire, explosion, leakage or spillage of regulated waste as a result of the vehicle transporting the regulated waste in the state of Queensland.

(G17) A copy of the insurance policy referred to in condition G15 of this schedule must be made available upon request of an authorised person who shall be permitted to make copies thereof.

Tank (RORO)/Tanker Conditions

(G18) The tanks used for the purpose of transporting regulated wastes must be fixed securely to the vehicle.

(G19) The tank fixed to the vehicle for the purpose of transporting regulated wastes must be -

(a) constructed so as to prevent spillage or leakage of the regulated wastes;
(b) maintained in a sound condition at all times;
(c) mounted in a proper and efficient manner; and
(d) provided with a sampling point of an appropriate type for the waste carried; and
(e) fitted with roll-over protection.

(G20) The roll-over protection referred to in condition (G19)(e) of this schedule must provide protection to all fittings on the upper surface of the tank in the event of the vehicle becoming inverted.

(G21) The sampling point provided in accordance with condition G19(d) of this schedule must allow for a representative sample of the regulated waste being transported to be obtained.

(G22) The holder of this environmental authority must cause all waste transfer hoses on the vehicle to be:

(i) maintained in good condition so as to prevent spillage or leakage of regulated waste; and
(ii) fixed securely to the vehicle.

(G23) The holder of this environmental authority must ensure that the waste discharge outlet is provided with protection to prevent damage.

(G24) The holder of this environmental authority must ensure that a load measuring device is available on the vehicle at all times.

(G25) The holder of this environmental authority must cause all waste transfer points, hatches and discharge outlets fitted to the tank to be effectively closed at all times to prevent the spillage or leakage of regulated waste whilst the vehicle is in transit.

(G26) The holder of this environmental authority must ensure that equipment used to access inspection points on the tank, eg. a ladder, is maintained in a sound condition at all times.

(G27) The holder of this environmental authority must ensure that all controls fitted to the vehicle for the purpose of the transfer of regulated waste are clearly marked as to their operation.

(G28) The holder of this environmental authority must cause the resultant waste from the cleaning of the hoses to be disposed of at a facility that can lawfully accept such waste or to sewer with the approval of the relevant Local Government authority in accordance with a trade waste permit.

Use of Other Vehicles

(G29) Notwithstanding any other conditions of this environmental authority, the holder of this environmental authority may use another vehicle to transport the regulated waste permitted to be transported by this environmental authority subject to compliance with the following conditions:

(i) the vehicle must be a replacement for an existing vehicle;
(ii) the vehicle must be of a type identical to a type of vehicle permitted to transport regulated waste under the conditions of this environmental authority and must only be used to transport the specific type of regulated waste so permitted to be transported by the type of vehicle;
(iii) the vehicle must be owned or leased by the holder of this environmental authority;
(iv) in carrying out the environmentally relevant activity, all other conditions of this environmental authority must be complied with and be likely to be complied with; and
(v) prior to any use of the vehicle to transport any regulated waste, a written notification must be given by the holder of the environmental authority to the administering authority advising of:

(a) the intention to use the vehicle commencing not before a stated date;
(b) the type of vehicle;
(c) the make, model, year of manufacture and registration number of the vehicle;
(d) a copy of a current insurance policy applicable to the vehicle with a third party property clause for a sum not less than the sum required to be provided by the conditions of this environmental authority;
(e) the area(s) in which the vehicle is intended to be used;
(f) the depot(s) (if any) from which the vehicle will be operated;
(g) any other matters that the holder of this environmental authority believes appropriate,

(vi) not later than the date on which the next annual return must be given, the holder of this environmental authority must apply for an amendment of this environmental authority under section 49 of the Act to incorporate the details of the vehicle.

End of Conditions for Schedule G

SCHEDULE H - MONITORING AND REPORTING

Complaint Recording

(H1) All complaints received by the holder of this environmental authority relating to releases of contaminants from the environmentally relevant activity 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.

Incident Recording

(H2) A record must be maintained of events including but not limited to:

(i) the time, date and duration of any malfunctions of plant and equipment which caused or is likely to cause environmental harm;
(ii) any release of wastes and contaminants to the environment not likely to be in accordance with the conditions of this environmental authority.

(H3) The record required by condition number H2 must be maintained for a period of not less than five (5) years.

Notification of Emergencies and Incidents

(H4) 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 immediately by telephone and in writing, either by facsimile or letter, within two (2) days of becoming aware of the emergency or incident.

(H5) The notification of emergencies or incidents as required by condition number H4 must include but not be limited to the following:

(i) the name of 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 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.

(H6) Not more than fourteen (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 H5 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.

End of Conditions for Schedule H

SCHEDULE I - DEFINITIONS

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

(I1) "Act" means the Environmental Protection Act 1994.

(I2) "administering authority" means the Environmental Protection Agency or its successor.

(I3) "effectively closed" means closed with a liquid tight closure.

(I4) "regulated waste" means non-domestic waste mentioned in Schedule 7 [of the *Environmental Protection Regulation 1998*] (whether or not it has been treated or immobilised), and includes-

(a) for an element - any chemical compound containing the element; and
(b) anything that has contained waste.

(I5) "dangerous goods" means the substances and items classified as dangerous goods under Section 2 and listed in Appendices 1, 2, 3, 4, 5, 6, 7 and 9 of the Australian Code for the Transport of Dangerous Goods by Road and Rail, 6th edition, endorsed by the Australian Transport Advisory Council and Ministerial Council on Road Transport (1 January 1998) and prepared by the Federal Office of Road Safety (or updated version thereof).

(I6) "tanker" means a transport vehicle which has a tank that is permanently attached to the chassis of the transport vehicle.

(I7) "leased" means the hiring of a vehicle based on a written agreement between the owner of the vehicle and the holder of this environmental authority.

(I8) "licensed", means the person operating the facility mentioned in that condition, holds a relevant licence under the *Environmental Protection Act 1994* to carry out an environmentally relevant activity mentioned in that condition.

(I9) "licensed vehicle", for a licence to transport regulated waste, means a vehicle authorised to be used under the licence.

(I10) "noxious" means harmful or injurious to health or physical well-being.

(I11) "offensive" means causing offence or displeasure; is disagreeable to the sense; is disgusting, nauseous or repulsive.

(I12) "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 runoff, and any underground water, or any part thereof.

End of Conditions for Schedule I