# Permit

***Environmental Protection Act 1994***

## Environmental authority P-EA-100681083

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

### Environmental authority number: P-EA-100681083

**Environmental authority takes effect on** the date that your related development approval takes effect**.** This is the take effect date.

Within 5 business days of the environmental authority taking effect, the administering authority must be given written notice of the occurrence. Prior to the commencement of the activity, the administering authority must be given written notice of the proposed date of commencement.

The first annual fee is payable within 20 business days of the take effect date.

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

### Environmental authority holder(s)

| Name(s) | Registered address |
|---|---|
| Vital Chemical Pty Ltd | 170 Bellwood Street<br>DARRA QLD 4076 |

### Environmentally relevant activity and location details

| Environmentally relevant activity/activities | Location(s) |
|---|---|
| ERA 07 - Chemical manufacturing - 5(b) - manufacturing, in a year, more than 1,000t but not more than 10,000t of organic chemicals, other than organic chemicals to which items 1 to 4 apply.<br><br>ERA 07 - Chemical manufacturing - 6(b) - manufacturing, in a year, more than 1,000t but not more than 10,000t of inorganic chemicals, other than inorganic chemicals to which items 1 to 4 apply. | 1/ RP107159 |



Queensland Government

**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).

Mobile and temporary activities

If you operate a mobile and temporary environmentally relevant activity (ERA), other than regulated waste transport, you are required to maintain a work diary. You must:

- use the approved form for a work diary (ESR/2015/1696);
- keep the work diary records for 2 years after the last entry;
- inform the administering authority within 7 days of the work diary being lost or stolen;
- record the information required in the work diary for each location within 1 day of leaving the location.

Contaminated land

It is a requirement of the EP Act that an owner or occupier of land give written notice to the administering authority if they become aware of the following:

- the presence of, or happening of an event involving, a hazardous contaminant on the land that is causing, or is reasonably likely to cause, serious or material environmental harm (notice must be given within 24 hours); or
- if the land is contaminated land – a change in the condition of the land that is causing, or is reasonably likely to cause, serious or material environmental harm (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 land (notice must be given within 20 business days).

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term ‘duty to notify’.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority – on the nominated day; or

b) if the authority states a day or an event for it to take effect – on the stated day or when the stated event happens; or

c) otherwise – on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State*

*Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

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

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

| | |
|---|---|
|  | 8 July 2024 |
| Signature | Date |

Helena Braye
Department of Environment, Science and Innovation
Delegate of the administering authority
*Environmental Protection Act 1994*

**Enquiries:**
Energy and Extractive Industries Business Centre
GPO Box 2454, BRISBANE QLD 4001
Phone: (07) 3330 5715
Email: EnergyandExtractive@des.qld.gov.au

### 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. Please contact the Department of Environment, Science and Innovation to ensure that you have the most current version of the environmental authority relating to this site.

**Conditions of environmental authority**

| **Agency interest: General** | |
|---|---|
| **Condition number** | **Condition** |
| **G1** | Activities under this environmental authority must be conducted in accordance with the following limitations:<br>a) The quantity of chemicals permitted to be manufactured on site must not exceed 10,000 tonnes per year. |
| **G2** | All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activity. |
| **G3** | Unless specifically authorised by a condition of this environmental authority, details of any contravention of a condition of this environmental authority must:<br>a) be reported to the administering authority within 24 hours of becoming aware of the contravention; and<br>b) include the nature and circumstances of the contravention and any immediate actions taken. |
| **G4** | Unless specifically authorised by a condition of this environmental authority, this environmental authority does not authorise a relevant act which is:<br>a) an act that causes serious or material environmental harm or an environmental nuisance; or<br>b) an act that contravenes a noise standard; or<br>c) a deposit of a contaminant, or release of stormwater run-off, mentioned in section 440ZG of the Environmental Protection Act 1994. |
| **G4.1** | As soon as reasonably practicable but no later than 20 business days of a report made under condition G4 (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine:<br>a) the potential circumstances and actions that may have contributed to the contravention; and<br>b) reasonable and practicable measures that will be implemented to address the cause of the contravention to prevent future contraventions of this nature. |
| **G4.2** | As soon as reasonably practicable but no later than 20 business days of investigating a contravention under condition G4.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented. |
| **G4.3** | The outcome of the investigation carried out under condition G4.1 and the reasonable and practicable measures implemented under condition G4.2 must be recorded. |
| **G5** | The following details must be recorded for all complaints received and provided to the administering authority upon request:<br>a) date and time the complaint was received; and<br>b) if authorised by the person making the complaint, their name and contact details; and<br>c) nature and details of the complaint. |

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|---|---|
| **G5.1** | As soon as reasonably practicable but no later than 5 business days of receiving a complaint (or a longer period agreed to in writing by the administering authority), an investigation must be undertaken to determine:<br>a) the potential circumstances and actions on site that may have contributed to the basis of the complaint; and<br>b) reasonable and practicable measures that will be implemented to address the complaint. |
| **G5.2** | As soon as reasonably practicable but no later than 5 business days of investigating a complaint under condition G5.1 (or a longer period agreed to in writing by the administering authority), the reasonable and practicable measures identified in the investigation must be implemented. |
| **G5.3** | The outcome of the investigation carried out under condition G5.1 and the reasonable and practicable measures implemented under condition G5.2 must be recorded. |
| **G6** | Prior to commencement of the activity, written procedures must be developed that:<br>a) identify all potential risks to the environment from the activity, including during and outside routine operations, during closure and in an emergency; and<br>b) identify measures to prevent or minimise the potential for environmental harm for each of the potential risks identified; and<br>c) establish an inspection and maintenance program for plant and equipment including calibration and servicing that is in accordance with manufacturer's instructions; and<br>d) establish a staff training program on obligations under this environmental authority and the Environmental Protection Act 1994 to be conducted as part of staff inductions and at least annually; and<br>e) establish processes to review environmental risks, incidents, performance and complaints. |
| **G6.1** | Written procedures required by condition G6 must be:<br>a) implemented;<br>b) kept in a location readily accessible to personnel carrying out the activity; and<br>c) reviewed at least annually or following any amendments made to the environmental authority. |
| **G7** | Plant and all equipment must be installed, operated and maintained in a proper and effective manner. |
| **G8** | All records must be kept for a period of at least five years and provided to the administering authority upon request, within the timeframe and in the format specified in the request. |
| **G9** | An appropriately qualified person(s) must:<br>a) monitor and record all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority; and<br>b) analyse and interpret the results of all monitoring required by this environmental authority, and document the analysis and interpretation. |
| **G10** | All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities (NATA) certification, or an equivalent certification, for such analyses. The only exceptions to this condition are:<br>a) the in-situ monitoring of turbidity, pH, electrical conductivity and dissolved oxygen. |

| | |
|---|---|
| **G11** | Chemicals and fuels in containers of greater than 15 litres must be stored within a secondary containment system.<br><br>Note: for the purposes of compliance with this condition a 'first flush' or other similar diversion system is not considered sufficient to comply with this requirement. |
| **G12** | When requested by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority to investigate potential or actual environmental harm arising from the activity. The results of monitoring must be provided to the administering authority within the timeframe and in the format specified in the request. |
| **G13** | Measures for detecting seepage or leaks from storage tanks and storage areas must be installed and implemented. |
| **G14** | Any detection of a leak or seepage from storage tanks and storage areas must be reported to the administering authority within 24 hours. |
| **Agency Interest: Waste** | |
| **Condition number** | **Condition** |
| **WA1** | All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste. |
| **WA2** | Incompatible wastes must not be mixed in the same container or waste storage area |
| **Agency Interest: Acoustic** | |
| **Condition number** | **Condition** |
| **N1** | Other than as permitted within the environmental authority, noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place**.** |
| **N2** | Noise from the activity must not exceed the levels identified in **Table N1 – Noise limits** at any nuisance sensitive place or *commercial* place when measured in accordance with the associated monitoring requirements. |

**Table N1 – Noise limits expressed as (dB(A))**

| **Noise level** | **Monday to Saturday** | | | **Sunday and Public Holidays** | | |
|---|---|---|---|---|---|---|
| | **7am–6pm** | **6pm–10pm** | **10pm–7am** | **9am–6pm** | **6pm–10pm** | **10pm–9am** |
| | **Noise measured at the nearest sensitive place** | | | | | |
| **$L_{Aeq\ adj,\ 1\ hr}$** | 41 | 40 | | 40 | | |
| | **Noise measured at a commercial place** | | | | | |
| **$L_{Aeq\ adj,\ 1\ hr}$** | 55 | 45 | | 40 | | |

| | |
|---|---|
| **N3** | All monitoring of noise emissions from the activity must be undertaken when the activity is in operation. |

<table>
<tr><td>N4</td><td>The following must be recorded when undertaking monitoring of noise emissions from the activity:<br>a) All equipment in operation at the time of the noise measurement; and<br>b) The mode of operation at the time of the noise measurement.<br><br><u>Note</u>: results and monitoring reports are records that must be kept in accordance with condition G8.</td></tr>
<tr><td>N5</td><td>Noise measurements must be taken using a class 1 sound level meter as classified under AS IEC 61672.</td></tr>
<tr><td>N6</td><td>All monitoring of noise emissions from the activity must be undertaken in accordance with the latest edition of the Noise measurement manual (available on the Queensland government website), the relevant Australian Standard and the Environmental Protection Regulation 2019 (Chapter 5, Part 4).</td></tr>
<tr><td colspan="2">Agency interest: Air</td></tr>
<tr><td>Condition number</td><td>Condition number</td></tr>
<tr><td>A1</td><td>Odours or airborne contaminants must not cause environmental nuisance to any sensitive place or commercial place.</td></tr>
<tr><td>A2</td><td>Contaminants must only be released to air from the release points and in accordance with the criteria specified in Table A1—Release points, Table A2—Contaminant limits for boiler stack and the associated requirements.<br>Table A1 – Release points
<table>
<tr><th rowspan="2">Release Point Description</th><th colspan="2">Location (GDA94, Zone 56)</th><th rowspan="2">Minimum release height (m)</th><th rowspan="2">Minimum velocity (m/sec)</th></tr>
<tr><th>Easting</th><th>Northing</th></tr>
<tr><td>Wet Scrubber</td><td>494692</td><td>6951996</td><td>11.5</td><td>10</td></tr>
<tr><td>Boiler Stack</td><td>494694</td><td>6952002</td><td>20.0</td><td>12</td></tr>
<tr><td colspan="5">Note:<br>The locations of air emission release points are identified on Appendix 1 – Air emission release point locations</td></tr>
</table></td></tr>
</table>

<table>
<tr><td>A3</td><td>Contaminants released from the release points must not exceed the contaminant release limit specified in Table A2 – Contaminant limits for boiler stack.<br><br>Table A2 - Contaminant limits for boiler stack<br><table><tr><th>Contaminants</th><th>Maximum allowable emission rate (g/sec)</th></tr><tr><td>Carbon Monoxide</td><td>0.190</td></tr><tr><td>Oxides of Nitrogen</td><td>0.190</td></tr><tr><td>Particulate Matter ≤10 µm</td><td>0.060</td></tr><tr><td>Total Suspended Particulates</td><td>0.060</td></tr><tr><td>Particulate Matter ≤2.5 µm</td><td>0.033</td></tr><tr><td>Sulphur dioxide</td><td>0.088</td></tr><tr><td>Polychlorinated dioxins and furans (TEQ)</td><td>$2.5x10^{-11}$</td></tr><tr><td colspan="2">Frequency of monitoring:<br>1. Quarterly for 12 months from commencement of use, or if an exceedance of a release limit is detected during ‘Quarterly’ or ‘Biannually’ sampling.<br>2. Biannually if 12 months of ‘Quarterly’ monitoring results are compliant with the release limits, or if exceedance of a release limit is detected during ‘Annually’ sampling.<br>3. Annually if 12 months of ‘Biannually’ monitoring results are compliant with the release limits.</td></tr></table></td></tr>
<tr><td>A4</td><td>The release of contaminants from all point sources in condition A2 must be directed vertically upwards without any impedance or hindrance</td></tr>
<tr><td>A5</td><td>Monitoring must be undertaken for each release authorised under condition A2:<br>a) at the frequency in Table A2 - Contaminant limits for boiler stack;<br>b) for the contaminants specified in Table A2 - Contaminant limits for boiler stack; and<br>c) when emissions are expected to be representative of normal process operating conditions for the plant.</td></tr>
<tr><td>A6</td><td>Monitoring position for the release points listed in Table A2 - Contaminant limits for boiler stack must comply with the latest edition of the Australian Standard AS 4323.1 Stationary source emissions, Method 1: Selection of sampling positions and measurements of velocity in stacks.</td></tr>
<tr><td>A7</td><td>The following must be recorded for each sample collected in accordance with Table A2 - Contaminant limits for boiler stack:<br>a) gas velocity and volume flow rate; and<br>b) temperature and oxygen content; and<br>c) water vapour concentration; and<br>d) plant throughput rate at the time of sampling; and<br>e) any typical factors that may influence air pollutant emissions.</td></tr>
</table>

| **Agency interest: Land** | |
|---|---|
| **Condition number** | **Condition** |
| **L1** | Contaminants must not be released to land**.** |
| **L2** | Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment to waters. |
| **Agency interest: Water** | |
| **Condition number** | **Condition** |
| **W1** | Contaminants must not be released to any waters. |
| **W2** | Contaminants must not be released to groundwaters. |
| **W3** | **Stormwater**<br>Stormwater must be managed to:<br>a) prevent stormwater from being contaminated by the activity; or<br>b) direct stormwater that is contaminated by the activity to stormwater treatment and retention measures. |
| **W4** | Stormwater treatment and retention measures must have capacity to retain stormwater runoff from disturbed areas generated by a rainfall event up to and including a 24-hour rainfall event with an Annual Exceedance Probability (AEP) of 10%. |
| **W5** | Stormwater may only be released to waters where:<br>a) beneficial reuse of contained stormwater runoff on site is not viable; and<br>b) the release is necessary to maintain stormwater retention capacity required by condition W4; and<br>c) the release is in accordance with **conditions W1, W2 and W3** |
| **W6** | The following information must be recorded in relation to all water monitoring required under the conditions of this environmental authority:<br>a) the date on which the sample was taken; and<br>b) the time at which the sample was taken; and<br>c) the monitoring point at which the sample was taken; and<br>d) the measured or estimated daily quantity of water released from each release points; and<br>e) the release flow rate at the time of sampling for each release point; and<br>f) the results of all monitoring and details of any exceedances of the conditions of this environmental authority. |
| **W7** | The information recorded under **condition 6** must be submitted to the administering authority. |

**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.

**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, Science and Innovation or its successors or predecessors.

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

**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.

**Compliance bore** means a bore, constructed in accordance with the relevant standard, and used to monitor compliance with the groundwater quality limits.

**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*.

**Incompatible waste** means waste that may chemically react when:
1. placed in proximity to other wastes; and/or
2. mixed with other wastes.

**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.

**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 *National Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. A public park or garden; or
7. For noise, a place defined as a sensitive receptor for the purposes of the *Environmental*

*Protection (Noise) Policy 2019*.

**Waters** includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

**You** means the holder of the environmental authority.

**Year** means a 12 month period from 1st January – 31st December.

**Appendix 1 – Air emission release point locations**




**END OF ENVIRONMENTAL AUTHORITY**