

POLLUTION INCIDENT RESPONSE MANAGEMENT PLAN (PIRMP)

**PROCEDURES FOR CONTACTING AUTHORITIES AND
COMMUNICATING WITH THE COMMUNITY**



PIRMP Revision Log				
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01	01/12/2016	Draft new document	Mark Hutcheson	Ian Collier
02	20/11/2017	Annual Review	Mark Hutcheson	Ian Collier
03	24/08/2018	Annual Review	Alycia Campbell	Ian Collier
04	13/12/2019	Annual Review	Alycia Campbell	Mick Williams
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07	08/08/2022	Annual Review	Alycia O'Brien	Mick Williams

The legislation

The requirement to implement PIRMPs operates from 1 September 2012. The elements of the Plan that relate to risk and hazard identification as well as the development, maintenance and review of protocols and controls have been addressed by the Site Manager and WHS Advisor.

One of the most important elements introduced by the new legislation is the requirement to report pollution incidents to appropriate authorities and the community. This legislation was enacted in response to Orica chemical plant incidents on Kooragang Island where chemical and gas leaks occurred in 2011 and impacted residential areas.

There is now a duty to report pollution incidents that cause or threaten material harm to the environment.

The definition of 'pollution incident' is:

Pollution incident means an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises, but it does not include an incident or set of circumstances involving only the emission of any noise.

A pollution incident is required to be notified if there is a risk of 'material harm to the environment', which is defined in section 147 of the POEO Act as:

(a) harm to the environment is material if:

- (i) it involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or
- (ii) it results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and

(b) loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.

Authorities to be contacted

The following authorities need to be contacted in the event of a notifiable pollution incident as per the attached *Initial Response Procedure Flowchart*:

- the EPA
- local Council
- NSW Ministry of Health
- Safework NSW
- Fire and Rescue NSW

So what needs to be reported?

Based on the legislative definitions, staff are advised the following pollution incidents must be reported:

A leak, spill or emission (say gas or fumes from a fire) which is not trivial (i.e. not of small value or importance – must be over \$10,000) and involves actual potential harm to the environment or human health

In relation to our operations, these pollution incidents are most likely to result from large fuel spills or acts of vandalism/arson to our equipment. If there is doubt, contact your site manager immediately. Immediately means immediately.

These examples are provided as a guide:

Scenario	Likely Status
Jerry can of fuel spilling	Not reportable
Jerry can of fuel spilling and starting large fire	Reportable – assuming that fire causes damage in excess of \$10,000 e.g. destroys a piece of plant
5,000 litre diesel fuel spill from storage tank that is contained within safety bund	Not reportable provided no discharge from bund and spill is contained
5,000 litre diesel fuel spill from storage tank that is NOT contained within safety bund	Reportable, damage is in excess of \$10,000 and clean-up costs need to also be included.
Vehicle hydraulic hose leak or failure resulting in small spill	Not reportable provided there is no escape to waterways

Procedures for Communicating with the Community

In the event of an environmental incident occurring at the site, impacts on the neighbouring business and local community will be variable and depend on location, volume of spills or other factors such as wind direction and velocity.

If an environmental incident on site is likely to impact neighbouring businesses or the local community, surrounding neighbours will usually be contacted face to face, by telephone or through information left at the place of residence by a Benedict representative to notify them of the situation. This notification should include any possible impacts to the neighbour as well as the procedures that have been put in place to rectify the situation.

Communication methods will be used on a case by case basis, but in all situations Benedict will attempt to provide early warnings to those neighbours likely to be directly affected. Early warnings would typically include details of the nature of the incident and how those likely to be affected can best prepare and respond to the incident.

Ongoing communication with the neighbouring businesses/residents will be maintained until such time as the incident is rectified.

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