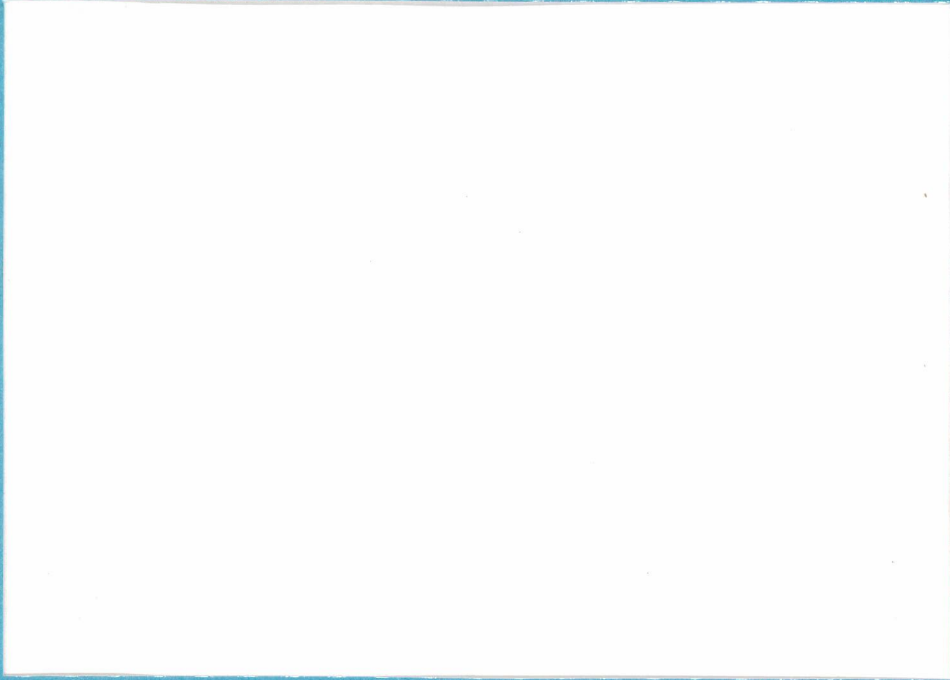


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COMPLIANCE AUDIT PROGRAM



ENVIRONMENT PROTECTION AUTHORITY

Environment
Protection
Authority
New South Wales

ENVIRONMENT PROTECTION AUTHORITY

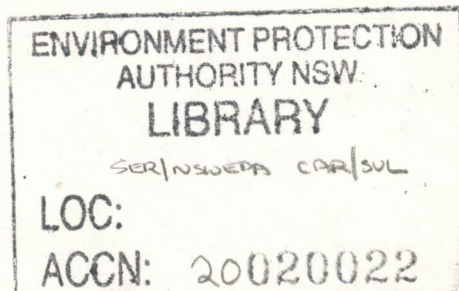
COMPLIANCE AUDIT REPORT

SULLIVANS TRANSPORT AND GENERAL SERVICES

MASCOT

NSW 2020

November 2001



EXECUTIVE SUMMARY

An EPA Compliance Audit was undertaken at the Dangerous Goods Store at the Sullivans Transport and General Services on Church Avenue, Mascot, as part of a statewide program of compliance audit. The main objectives of the audit were to assess compliance with the statutory requirements administered by the EPA and make recommendations for an action program to address non-compliances in relation to Polychlorinated Biphenyl (PCB) waste identified during the audit.

Assessment of compliance was undertaken by a detailed site inspection, information supplied by employees of the enterprise, and a review of records and documentation relating to the premises. The procedures and protocols for conducting compliance audits are detailed in the EPA Compliance Audit Handbook. The site inspection was carried out by officers of the EPA on 2 August 2001 and a follow up site visit was carried out on 16 August 2001.

The findings of the audit indicate that the enterprise was not complying with some of the requirements attached to the statutory instruments administered by the EPA:

- Licence 11206 (issued under the Protection of the Environment Operations (POEO) Act 1997),
- Licence 16 (issued under the Environmentally Hazardous Chemicals (EHC) Act 1985) and
- Polychlorinated Biphenyl (PCB) Chemical Control Order 1997.

Issues of concern include the following:

- **Inappropriate waste stored at the facility**
- **Inadequate reporting to the EPA**
- **Inadequate labelling of containers containing PCB materials and PCB wastes**
- **Inadequate record-keeping**
- **Inadequate emergency management procedures**

An action program has been developed for the enterprise follow to address these issues.

Issues of concern identified through further observations include:

- **Inadequate signage at the premises**
- **Inadequate waste tracking procedures**

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A	EHC Act Licence No. 16
B	Environment Protection Licence No. 011206
C	Polychlorinated Biphenyl (PCB) Chemical Control Order 1997
D	Enterprise Response to Draft Report

1.0 INTRODUCTION

1.1 Purpose of the Report

This report has been prepared to present the scope and findings of the compliance audit carried out at the licensed premises of Sullivans Transport and General Services on Church Avenue, Mascot. The report also outlines a time frame for follow-up action to address non-compliance and improve environmental performance in relation to Polychlorinated Biphenyl ('PCB') waste.

The findings presented in this report are based on information from the EPA's files, information supplied by employees of the enterprise and observations made during the site inspections on 2 and 16 August 2001. Matters of non-compliance with environmental legislation beyond the scope of this audit are not addressed in this report.

This report has been prepared for the purpose described and no responsibility is accepted for its use in any other context or for any other purpose.

1.2 Scope of the Audit

The scope of the audit was limited to a review of the enterprise's compliance with the Environmentally Hazardous Chemicals ('EHC') Act 1985, and statutory instruments issued by the EPA relating to the PCB-waste-related activities being carried out at the Sullivans Transport and General Services depot at Mascot.

Activities that were examined included the following:

- Storage of PCBs
- Conveying of PCBs
- Management Procedures in relation to PCBs
- Reporting requirements in relation to PCBs to EPA

The objectives of the audit were:

- to determine whether the enterprise is complying with the statutory instruments administered by the EPA
- to determine whether the enterprise has the appropriate statutory instruments
- to outline a time frame for follow-up action to address non-compliance.

1.3 Premises and Process Description

Sullivans Transport and General Services operates a Workcover NSW Dangerous Goods Store at the premises at 7 Church Avenue, Mascot. The store contains environmentally hazardous chemicals, including scheduled liquid PCB waste, contaminated PCB soils and other materials contaminated with PCB's, in a range of containers. The enterprise holds a licence issued by the EPA under the EHC Act 1985, permitting activities in relation to PCB wastes and materials, Scheduled Chemical Wastes and Dioxin Wastes. The main activities taking place on the site are the keeping and conveying of PCB wastes and materials. The licensee receives approximately one truckload of PCB wastes per week and this is stored in a secure area located in the southeastern corner of the premises. The PCB materials and wastes are stored at the facility awaiting destruction at a licensed destruction facility. Currently the destruction facilities are located interstate.

The licensee is also involved in the transportation of waste, holding a waste transporters licence issued by the NSW EPA, and handles most of the PCB waste and material transported to and from the premises.

1.4 Statutory Instruments Issued to the Enterprise

The EPA has issued the following statutory instruments to the enterprise:

- Licence 16 issued by the EPA under the EHC Act 1985. A copy of the licence is attached in **Appendix A**.
- Environment Protection Licence 11206 issued by the EPA under the Protection of the Environment Operations ('POEO') Act 1997. A copy of the licence is attached in **Appendix B**.

The following statutory instruments also relate to the enterprise:

- Polychlorinated Biphenyl (PCB) Chemical Control Order 1997 issued under the EHC Act 1985. A copy of the chemical control order is attached in **Appendix C**.

2.0 ASSESSMENT OF COMPLIANCE

2.1 Compliance with Licence issued under the EHC Act 1985

Compliance was assessed against conditions attached to EHC Act Licence 16 issued to the enterprise.

Assessment of compliance was undertaken by a detailed site inspection and review of all methods, records and documentation as required by the statutory instrument issued to the enterprise.

The findings of the audit indicate that the enterprise was not complying with some of the requirements of Licence 16.

Details of assessment are presented in Table 2.1.

2.2 Compliance with PCB Chemical Control Order 1997

Compliance was assessed against conditions attached to the PCB Chemical Control Order 1997.

Assessment of compliance was undertaken by a detailed site inspection and review of all methods, records and documentation as required by the statutory instrument issued to the enterprise.

The findings of the audit indicate that the enterprise was not complying with some of the requirements of the PCB Chemical Control Order 1997.

Details of assessment are presented in Table 2.2.

2.3 Compliance with Licence issued under the Protection of the Environment Operations Act 1997

Compliance was assessed against conditions attached to Environment Protection Licence 11206 issued to the enterprise.

Assessment of compliance was undertaken by a detailed site inspection and review of all methods, records and documentation as required by the statutory instrument issued to the enterprise.

The findings of the audit indicate that the enterprise was not complying with some of the requirements of Environment Protection Licence 11206.

Details of assessment are presented in Table 2.3.

2.4 Compliance with Statutory Legislation

Compliance was assessed against the licensing requirements of both the POEO Act 1997 and the EHC Act 1985, administered by the EPA.

The assessment included a review of the EPA's records and site inspection to determine whether the enterprise had applied for all of the necessary statutory instruments.

The EPA's records reveal that the enterprise has applied for, and obtained, all of the necessary statutory instruments for the premises.

2.5 Further Observations

Further observations are recorded where issues of environmental concern were observed which do not strictly relate to the scope of the audit or assessment of compliance. Further observations are considered to be indicators of potential non-compliances or areas where environmental performance may be improved.

Poor Signage at the Premises

The Dangerous Goods Store is located in the south-eastern corner of the premises. There are two entrances to this store, both on the northern side of the building. The entrances consist of one roller shutter door allowing vehicular entrance and one doorway for pedestrian access. The signage at both entrances is poor, particularly on the pedestrian access, where a small, weathered sign is positioned in an elevated location.

The EPA is concerned that poor signage outside the store may lead to confusion and poor response times in the event of an emergency in the storeroom. The licensee should review all signage to ensure that conspicuous warnings, detailing the nature of the materials in the store, are displayed.

Record Keeping

There was great difficulty in accessing records to individual transport and consignment numbers on the day of the audit inspection. The licensee files documents in date order with no linkages between consignment numbers. While the vast majority of transports are undertaken by Sullivans (ie the licensee) it was difficult to complete audit trails in relation to individual consignors as the documents were located on a variety of files.

The EPA is concerned that this may delay waste identification should an incident occur during transportation. The licensee should retain all information related to each consignment of waste such that consignments collected from each consignor and transported by each transporter can be readily identified and accessed.

Consignment Authorisation Numbers

During the course of the audit the auditor reviewed written applications for consignment authorisation numbers. The following irregularities were noted that may lead to a non-compliance with the requirements of Environment Protection Licence 11206 in the future.

- a) Written applications for consignment authorisation numbers did not contain the identity of the waste class in accordance with Schedule 1 of the POEO Act or copies of all information used by the consignor to classify the waste.
- b) The number format, while being unique to each load, consists of 4 numbers (eg 2001, 2002 or 2003) and is not in the format specified in O7.7.
- c) The consignment authorisation number is not issued accompanied by a written statement describing all of the details required by Condition O7.6. While the tax invoice does contain some of the required detail, it is not considered sufficient to replace the required written statement.
- d) The site representative advised that no additional requirements are included when issuing a consignment authorisation number to a non-licensed waste activity.
- e) The site representative advised that the Waste Data Form (and Appendix 1 of the licence) are not attached to the information provided to the consignor with the consignment number as required by Condition O7.9.

The licensee should review procedures regarding the issuing of consignment authorisation numbers to ensure that consignment authorisation numbers are issued correctly for all PCB wastes received at the premises.

Incomplete Waste Data Forms

During the course of the audit the auditor reviewed Waste Data Forms for the movements of PCB waste onto the premises from within NSW. The following irregularities were noted.

- a) Waste was received from non-licensed waste activities without the consignor complying with the requirements of Condition O7.8.
- b) Waste was received without a valid consignment number.
- c) The site representative advised that written confirmation of acceptance of each load of waste is not issued to the consignor. A receipt is issued to the consignor (usually within 14 days) in the form of a Tax Invoice detailing the works undertaken and requesting payment for the work undertaken.
- d) The site representative advised that occasionally untested PCB waste is received at the site and this waste is tested. If the test results show that the PCB waste is waste oil, it is removed from the PCB store and sent to an oil recycling contractor.

The licensee should review procedures regarding completion of Waste Data Forms to ensure that all forms are completed correctly for all PCB wastes received at the premises.

STATUTORY INSTRUMENT: LICENCE 16 ISSUED UNDER THE ENVIRONMENTALLY HAZARDOUS CHEMICALS ACT 1985			
Condition No.	Compliance	Comment	Action Required by the Enterprise
20	No	The annual report for the year 2000/2001 provided to the EPA on 4 October 2001 did not contain a record of non-compliance, as required.	The licensee must include a record of non-compliance in the annual report provided to the EPA.
21	Yes		
22	Yes		
23	No	<p>The annual report for the year 2000/2001 provided to the EPA on 4 October 2001 did contain details of the quantity and descriptions of PCB wastes consigned for treatment, and details of the date of consignment and the treatment facility.</p> <p>The annual report did not contain details of the date of disposal at the treatment facility.</p>	The licensee must include details of the date of disposal for PCB wastes, consigned for treatment during the reporting period, in the annual report provided to the EPA.
24	Yes		
25	Yes		
26	Beyond the scope of the audit. The assessment of this condition will not be made until at least four years after the end of the reporting period.		

STATUTORY INSTRUMENT: LICENCE 16 ISSUED UNDER THE ENVIRONMENTALLY HAZARDOUS CHEMICALS ACT 1985			
Condition No.	Compliance	Comment	Action Required by the Enterprise
General Reporting			
27 & 28		These conditions are beyond the scope of the audit as they relate to the keeping of Scheduled Chemical Wastes and Dioxin Wastes. This audit scope is confined to an assessment of compliance with requirements in relation to PCB wastes only.	

TABLE 2.2 ASSESSMENT OF COMPLIANCE WITH Polychlorinated Biphenyl (PCB) Chemical Control Order 1997

STATUTORY INSTRUMENT: POLYCHLORINATED BIPHENYL (PCB) CHEMICAL CONTROL ORDER 1997			
Condition No.	Compliance	Comment	Action Required by the Enterprise
Prohibition of prescribed activities			
5.1	No	<p>The occupier was carrying out the 'keepingofPCB waste' at the time of the audit inspection. This is an activity permitted by the PCB CCO.</p> <p>The occupier was not carrying out the activity in accordance with the conditions of the PCB CCO. Refer to comments below at Clauses 6.3.4.4, 6.3.6, 6.3.6.2, 6.3.6.4 and 7.1.</p>	The licensee or occupier must keep and convey PCB waste and PCB material in accordance with the conditions of the Polychlorinated Biphenyl (PCB) Chemical Control Order 1997.
5.2	This statement further defines the activities referred to in clause 5.1.		
5.3	This statement is an explanation for the prohibition outlined in clause 5.1		
Manufacturing and Processing of PCB material and PCB waste.			
6.1 & 6.2	These statements and the requirements of these clauses relate to the activity of manufacturing and processing of PCB material and PCB waste. The scope of the audit is restricted to the keeping and conveying of PCB material and PCB waste.		
6.3 Keeping of PCB material and PCB waste.			

STATUTORY INSTRUMENT: POLYCHLORINATED BIPHENYL (PCB) CHEMICAL CONTROL ORDER 1997			
Condition No.	Compliance	Comment	Action Required by the Enterprise
6.3.1	No	<p>While an adequate supply of personal protective equipment and clean-up materials were stored in a secure area external to the PCB storage area, the occupier was not ensuring that these were readily available.</p> <p>The bulk of the safety and clean up materials are stored in a metal bin located outside the storeroom (adjacent the roller door). The materials in the bin are poorly stacked and finding some of the materials proved difficult during the audit.</p>	The licensee or occupier must ensure that an adequate supply of appropriate personal protective equipment and clean-up material and equipment is readily available.
6.3.2	Yes		
6.3.3	Yes		
6.3.4.1	Yes		
6.3.4.2	This is a statement indicating when clause 6.3.4.1 comes into effect. This chemical control order commenced on 21 July 1997 and therefore clause 6.3.4.1 came into effect on 19 October 1997.		
6.3.4.3	Yes		

STATUTORY INSTRUMENT: POLYCHLORINATED BIPHENYL (PCB) CHEMICAL CONTROL ORDER 1997			
Condition No.	Compliance	Comment	Action Required by the Enterprise
6.3.4.4	No	The PCB storage area contained a range of packages containing PCB material and PCB waste. These ranged from 205 litre drums, 1000 litre IBC's, one (approx 10,000 l) road tanker and other miscellaneous containers including a wheelie bin (containing contaminated clean up material). Each pallet (containing for example with 4 x 205 litre drums) had a single A4 size label indicating the contents of the pallet.	The licensee must ensure that all packages containing scheduled PCB material and scheduled PCB waste must be clearly marked.
6.3.4.5	Yes		
6.3.5.1 & 6.3.5.2	The requirements of these conditions did not apply at the time of the audit inspection, as there were approximately 150 tonnes of scheduled PCB waste stored at the premises.		
6.3.6	No	The occupier holds Licence 16 issued by the EPA under the EHC Act 1985. The occupier has not been keeping all PCB waste on site in accordance with Conditions 13 and 18 of Licence 16.	Refer to recommendations above at Table 2.1.
6.3.6.1	Yes		

STATUTORY INSTRUMENT: POLYCHLORINATED BIPHENYL (PCB) CHEMICAL CONTROL ORDER 1997			
Condition No.	Compliance	Comment	Action Required by the Enterprise
6.3.6.2	No	The occupier has not provided written notification to the EPA of the receipt at or dispatch from the premises of scheduled PCB waste. The site representative advised that on average one movement of PCB waste (or material) is made every fortnight and that quarterly returns are made to the EPA in conjunction with the POEO licence. The EPA files reveal that the occupier has made some returns to the EPA, however the returns have not been received for all quarters (the last 2 years of returns were viewed).	The licensee must provide written notification to the EPA of the receipt at or dispatch from the premises of scheduled PCB waste within one month of such receipt or dispatch.
6.3.6.3	Yes		
6.3.6.4	Yes		
	No	<p><u>Records of monthly inspections</u></p> <p>The occupier of the premises keeps no records of the monthly inspections. The site representative advised that he personally carries out all inspections of the storeroom and currently does not make any records of these inspections.</p>	The licensee must maintain a log of inspections of the storage facility, containing details of the personnel carrying out inspections, corresponding dates and reports of those inspections. The log shall be kept at the scheduled PCB material or scheduled PCB waste storage facility.
Equipment management and phase-out of PCB material and PCB waste			

STATUTORY INSTRUMENT: POLYCHLORINATED BIPHENYL (PCB) CHEMICAL CONTROL ORDER 1997			
Condition No.	Compliance	Comment	Action Required by the Enterprise
6.3.7.1, 6.3.7.2 & 6.3.7.3		Beyond the scope of the audit. The due date, 1 January 1999, of the survey and implementation of the program required by these clauses is outside the scope of the audit. The occupier is implementing a risk management program that includes treating PCB wastes as scheduled PCB wastes in accordance with 6.3.7.4 below.	
6.3.7.4	Yes		
6.3.7.5		This condition was not applicable as the EPA has not made a determination regarding scheduled PCB material and/or PCB waste in situ.	
6.3.8	Yes		
Conveying of PCB material and PCB waste			
6.4.1		The requirements of these clauses were not applicable as no PCB material or PCB wastes were being conveyed during the audit inspection.	
Disposing of PCB waste			
6.5.1 & 6.5.2		Beyond the scope of the audit. The requirements of these clauses are concerned with the disposal of PCB waste and PCB material. The scope of the audit is restricted to the keeping and conveying PCB waste and materials.	
Emergency Procedures			

STATUTORY INSTRUMENT: POLYCHLORINATED BIPHENYL (PCB) CHEMICAL CONTROL ORDER 1997			
Condition No.	Compliance	Comment	Action Required by the Enterprise
7.1	No	The operator has completed an emergency plan for the premises titled "Emergency Plan, Sullivans Transport and General Services, 7 Church Street Mascot NSW 2020" dated July 2000. This plan includes details on types of emergencies, response procedures, equipment available, roles and responsibilities, administration as well as appendices with contact details etc. The plan does not give details of containment, clean-up or disposal as required by this clause.	The licensee or occupier must review annually and update as appropriate the emergency management arrangements, including containment, clean-up and disposal procedures.

TABLE 2.3 ASSESSMENT OF COMPLIANCE WITH ENVIRONMENT PROTECTION LICENCE 11206

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
A	Administrative Conditions		
A1.2	No	The licensee is storing greater than 100T of hazardous, industrial or Group A waste. On the day of the audit inspection material stored included 80 tonnes of fullers earth, 43 (1,000L) IBC's, 1 (10,000L) road tanker and approx 100 (205L) drums. See also comments below regarding L5.4.	The licensee must not store more than 100T of hazardous, industrial or Group A waste at the premises.
A2.1	A2.1 is a statement providing details of the licensed premises.		
A4.1	Yes		
L	Limit Conditions		
L1.1	Yes		
L5.3	No	The auditor observed hazardous, industrial or Group A waste other than PCB waste stored at the premises. Organochlorine waste was stored at the premises.	The licensee must ensure that the only hazardous and/or industrial and/or Group A waste stored on the premises is PCB waste, or seek to renegotiate Condition L5.3 with the EPA.

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
L5.4	No	The total quantity of waste in the PCB store at the time of the audit inspection exceeded 100 tonnes. This waste included 80 tonnes of Fullers Earth, 43 (1000L) IBC's containing liquid PCB waste, 1 (10,000L) road tanker containing liquid PCB waste and approx 100 drums contaminated with PCB residue. The total amount stored was approximately 140 tonnes of waste.	The licensee must not store more than 100T of hazardous, industrial or Group A waste at the premises.
O	Operating Conditions		
O1.1	No	<p><u>Storage of waste</u></p> <p>Within the dangerous goods storage area the drums were stacked 4 rows high in some areas. The rows of drums were located very close together making access to some areas of the store quite difficult. In addition the walkway was completely blocked at one point. Evacuation of the storeroom in the event of an accident or major spillage could be difficult given the location of the road tanker within the storeroom and the poor waste storage arrangements.</p>	The licensee must undertake all activities in a competent manner including the storage of waste at the premises.
O2.1	Yes		

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
O3.1	No	The licensee has not updated the emergency response plan within 3 months of the issue of this licence. Refer also to comments made regarding compliance with Clause 7 of the PCB CCO at Table 2.2 above.	Refer to recommendations regarding the emergency management plan above at Table 2.2.
O4.1	Yes		
O4.2	Yes		
O4.3		Not applicable at the time of the audit inspection. There are no above ground tanks located at the premises. It was noted that a 10,000 litre road tanker was awaiting collection at the premises and was located within the PCB store. This tank was not considered an above ground tank for the purposes of this audit.	
O4.4		Not applicable at the time of the audit inspection. There are no tanks, ponds, clarifiers or associated pipes and hoses at the facility. All PCB waste and material is stored in containers (205 litre drums, 1000 litre IBC's and one (approx) 10,000 litre road tanker). All these containers are stored within a bunded and sealed area designed to contain all spillages at the premises.	
O5.1		O5.1 is a deeming clause that determines the applicability of Condition O5.2 to O5.16	
O5.2 to O5.16.		The requirements of these conditions, under the heading "O5 Tracking (within NSW) of wastes transported from the premises", did not apply at the time of the audit inspection, as the licensee does not transport any PCB wastes from the premises to another premises in NSW. All PCB waste is sent interstate for destruction.	

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
O6.1		O6.1 is a deeming clause that determines the applicability of Condition O6.2 to O6.11	
O6.2 to O6.11		<p>The requirements of these conditions were not applicable as no waste was transported from the premises to an interstate destination during the day of the audit inspection.</p> <p>A number of interstate consignment authorisations were viewed at the premises on the day of the audit inspection. These forms were completed properly and the site representative advised that all conditions have been complied with. Refer to Further Observations regarding Record Keeping.</p>	
O7.1		O7.1 is a deeming clause that determines the applicability of Condition O7.2 to O7.19	
O7.2 to O7.19		<p>The requirements of these conditions were not applicable as the licensee did not receive any waste from within NSW during the audit inspection.</p> <p>The audit did review procedures and documentation relating to such waste movements. Refer to Further Observations regarding Consignment Authorisation Numbers and Incomplete Waste Data Forms.</p>	
O8.1		O8.1 is a deeming clause that determines the applicability of Condition O8.2 to O8.12	
O8.2 to O8.12		The requirements of these conditions were not applicable as no waste was received from interstate during the audit inspection.	
M		Monitoring and Recording Conditions	
M1.1		The requirements of M1.1 were not applicable as there are no monitoring requirements on the licence.	

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
M1.2	Yes		
M1.3		The requirements of M1.3 did not apply at the time of the audit inspection as there are no samples required to be collected and therefore no record of these samples is required to be kept.	
M4.1, M4.2, M4.3 & M4.4		The requirements of these conditions were not applicable as the auditor did not find evidence of any complaints, regarding PCB waste stored at the premises, during the 12 months prior to the audit inspection.	
M5.1	Yes		
M5.2	No	The licensee has not notified the public of the complaints line number and the fact that it is a <i>complaints</i> line. This number is displayed on the premises signage, located at the main entrance to the premises on Church Avenue. This sign does not indicate that this line is a complaint line so that the impacted community knows how to make a complaint.	The licensee must notify the public of the complaints line telephone number and the fact that it is a <i>complaints</i> line so that the impacted community knows how to make a complaint.
M5.3		M5.3 is a statement restricting the applicability of Conditions M5.1 and M5.2.	
R	Reporting Conditions		
R1.1, R1.2, R1.5 & R1.8		Beyond the scope of the audit. Compliance with this requirement is beyond the scope of the audit, as the Annual Return is not required until 24 October 2001. This licence was first issued on 24 August 2000.	

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
R1.3 & R1.4		The requirements of these conditions were not applicable as the licence has not been transferred from the licensee to a new licensee, surrendered or revoked.	
R1.7		Beyond the scope of the audit. The assessment of this condition will not be made until at least four years after the end of the reporting period.	
R1.9		R1.9 further explains the requirements of Condition R1.8.	
R2 (Part 5.7 POEO Act), R2.1 and R2.2		The requirements of these conditions were not applicable as the auditor did not find evidence of spills or incidents during the last 12 months. The site representative advised that all future incidents would be reported to the EPA's pollution line number indicated in this condition.	
R3.1		R3.1 allows the EPA to request reports from the licensee.	
R3.2 & R3.4		The requirements of this condition were not applicable. The EPA did not request a report regarding PCB waste from the licensee during the 12 months prior to the audit inspection.	
R3.3		This is a statement advising the enterprise of the information that may be required in any report requested by an authorised officer in relation to an event described in condition R3.1.	
R4.1		R4.1 is a deeming clause that determines the applicability of Conditions R4.2 to R4.5.	

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
R4.2 to R4.4.		The requirements of these conditions, under the heading 'R4 Reporting of wastes transported from the premises to another destination within NSW' were not applicable as the licensee did not transport any PCB wastes from the premises to another premises in NSW. All PCB waste is sent interstate for destruction.	
R4.5	No	The licensee has not advised the EPA in writing that no waste has been transported from the premises to a destination within NSW during any of the reporting periods, by the dates referred to in Condition R4.4.	If waste has not been transported from the premises to a destination within NSW in any reporting period, the licensee must advise the EPA in writing, by the dates referred to in Condition R4.4.
R5.1		R5.1 is a deeming clause that determines the applicability of Conditions R5.2 to R5.5.	
R5.2, R5.3 & R5.4	Not determined	It was not determined if the licensee submitted the appropriate documentation regarding each transporter who transported waste to a destination in another state or territory. It is noted that records on file indicate that some documentation has been received in the past, however it was not determined if this includes all transporters.	The licensee must supply to the EPA for each transporter that transported waste from the premises to a destination in another participating state or territory, the information as set out in Appendix 2, Table 3 of the Environment Protection Licence.

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
R5.5	Not determined	<p>It was not determined whether the licensee had complied with all requirements of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure 1998. The site receives and dispatches waste classified as “controlled waste” within the definitions contained in the NEPM (waste, substances and articles containing or contaminated with PCBs).</p> <p>The requirements of the NEPM are that:</p> <ul style="list-style-type: none"> • waste facilities receiving waste must issue a consignment authorisation to waste producers prior to the movement of wastes. • Waste producers should provide: description of waste, waste code, UN Code, DG Class, amount of waste, waste origin, producer details, destination details, Consignment authorisation number, date of dispatch • Transporters should provide: details of company, vehicle rego, Transport licence numbers, date of transport • Waste facility/receiver should provide details on: type of treatment facility, date of receipt at facility • Exemption reporting requirements as required by the EPA 	<p>The licensee must comply with the requirements of the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure 1998.</p>

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
R6.1	R6.1 is a deeming clause that determines the applicability of Conditions R6.2 to R6.4.		
R6.2, R6.3 and R6.4	Not determined	It was not determined if the licensee submitted the appropriate documentation regarding waste received at the premises from other locations within NSW. It is noted that records on file indicate that some documentation has been received in the past, however it was not determined if this includes all waste received at the premises.	The licensee must supply to the EPA the information set out in Appendix 3, Tables 1 and 2 for waste received at the premises from other locations within NSW.
R7.1	R7.1 is a deeming clause that determines the applicability of Conditions R7.2 to R7.5		
R7.2, R7.3 and R7.4	Not determined	It was not determined if the licensee submitted the appropriate documentation regarding waste received at the premises from interstate locations. It is noted that records on file indicate that some documentation has been received in the past, however it was not determined if this includes all waste received at the premises.	The licensee must supply to the EPA the information set out in Appendix 3, Tables 3 and 4 for waste received at the premises from interstate.

STATUTORY INSTRUMENT: ENVIRONMENT PROTECTION LICENCE 11206			
Condition No.	Compliance	Comment	Action Required by the Enterprise
R7.5	Not determined	<p>It was not determined if the licensee had complied with all requirements of the NEPM (National Environment Protection Measure) on movement of controlled waste between states and territories. The condition applies to Sullivans Transport as they have received waste from interstate on three occasions previously. The site receives and dispatches waste classified as "controlled waste" within the definitions contained in the NEPM (waste, substances and articles containing or contaminated with PCBs).</p> <p>Refer to comments at Condition R5.5 regarding the requirements of the NEPM.</p>	The licensee must comply with the requirements of the NEPM.
General Conditions			
G 1.1, G1.2 & G1.3	Yes		

3.0 ACTION PROGRAM

Recommendations for an action program to be undertaken by Sullivans Transport and General Services are summarised in the following table.

TABLE 3.1: ACTION PROGRAM

Condition 1 (Licence 16) Clause 5.1 (PCB CCO)	The licensee or occupier must keep and convey PCB waste and PCB material in accordance with the conditions of the Polychlorinated Biphenyl (PCB) Chemical Control Order 1997.	Ongoing
Condition 13 (Licence 16) Clauses 6.3.6 and 7.1 (PCB CCO) Condition O3.1 (Licence 11206)	The licensee or occupier must review annually and update as appropriate the emergency management arrangements, including containment, clean-up and disposal procedures.	Ongoing
Condition 18 (Licence 16) Clause 6.3.6 (PCB CCO)	The licensee must by 13 July of each year, provide to the EPA three copies of the annual report that must include the details as required by this licence.	As required
Condition 20 (Licence 16)	The licensee must include a record of non-compliance in the annual report provided to the EPA.	As required
Condition 23 (Licence 16)	The licensee must include details of the date of disposal for PCB wastes, consigned for treatment during the reporting period, in the annual report provided to the EPA.	As required
Clause 6.3.1 (PCB CCO)	The licensee or occupier must ensure that an adequate supply of appropriate personal protective equipment and clean-up material and equipment is readily available.	30 November 2001
Clause 6.3.4.4 (PCB CCO)	The licensee must ensure that all packages containing scheduled PCB material and scheduled PCB waste are clearly marked.	30 November 2001

Clause 6.3.6.2 (PCB CCO)	The occupier must provide written notification to the EPA of the receipt at or dispatch from the premises of scheduled PCB waste within one month of such receipt or dispatch.	As required
Conditions A1.2 and L5.4 (Licence 11206)	The licensee must not store more than 100T of hazardous, industrial or Group A waste at the premises.	Immediately and Ongoing
Condition L5.3 (Licence 11206)	The licensee must ensure that the only hazardous and/or industrial and/or Group A waste stored on the premises is PCB waste, or seek to renegotiate Condition L5.3 with the EPA.	Immediately and Ongoing
Condition O1.1 (Licence 11026)	The licensee must undertake all activities in a competent manner including the storage of waste at the premises.	Ongoing
Condition M5.2 (Licence 11206)	The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	30 November 2001
Condition R4.5 (Licence 11206)	If waste has not been transported from the premises to a destination within NSW in any reporting period, the licensee must advise the EPA in writing, by the dates referred to in Condition R4.4.	As required
Conditions R5.2, R5.3 and R5.4 (Licence 11206)	The licensee must supply to the EPA for each transporter that transported waste from the premises to a destination in another participating state or territory, the information as set out in Appendix 2, Table 3 of the Environment Protection Licence.	As required
Conditions R5.5 and R7.5 (Licence 11206)	The licensee must comply with the requirements of the NEPM.	As required
Conditions R7.2, R7.3 and R7.4 (Licence 11206)	The licensee must supply to the EPA the information set out in Appendix 3, Tables 3 and 4 for waste received at the premises from interstate	As required

APPENDIX A

LICENCE No.16

issued by the EPA under the EHC Act 1985

CH586

Environmentally Hazardous Chemicals Act 1985

Licence Number 16	Commencement Date:	13 June 2000
	In force until:	12 June 2003
Name of licensee:	Sullivan's Transport and General Services	
Address of licensee:	7 Church Street, MASCOT NSW 2020	

Sullivan's Transport and General Services is hereby licensed under the provisions of the Environmentally Hazardous Chemicals Act, 1985. This licence is issued on the basis of information supplied in the application dated 18 May 1990, and in any related or subsequent correspondence between the applicant and the Environment Protection Authority (EPA), and subject to the conditions hereunder.

Chemical Control Order:	Polychlorinated Biphenyl (PCB) Chemical Control Order 1997. Scheduled Chemical Wastes Chemical Control Order 1994. <u>Chemical Control Order in Relation to Dioxin-contaminated Waste Materials 1986.</u>
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Declared Chemical Waste:	Polychlorinated biphenyls wastes and scheduled chemical wastes: <u>and dioxin-contaminated waste materials.</u>
--------------------------	--

Environmentally Hazardous Chemical:	Polychlorinated biphenyls materials.
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Prescribed activities:	The keeping and conveying of polychlorinated biphenyls wastes, polychlorinated biphenyls materials and scheduled chemical wastes: <u>and dioxin-contaminated waste materials.</u>
------------------------	--

Fee Paid:	\$1,140
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NOTE: The licence shall, unless sooner suspended or revoked, remain in force until the date shown herein. The licence is not transferable.

The revocation or variation of the licence or the attachment of additional conditions to the licence may, by notice in writing served on the holder of the licence, be effected at any time during the currency of the licence.

In the event of any inconsistency arising between the submitted application (including all accompanying and supplementary documents) and the

conditions of this licence, the conditions of the licence must take precedence.

Section 39(1) of the *Environmentally Hazardous Chemicals Act 1985* affords a right of appeal for persons aggrieved by a condition imposed on a licence. For the purposes of Section 39(1), the prescribed period within which an appeal may be lodged against a decision of the EPA is 30 days.

CONDITIONS

Licence conditions for the prescribed activities relating to polychlorinated biphenyls wastes, polychlorinated biphenyls materials and scheduled chemical wastes and dioxin-contaminated waste materials carried on by the licensee in New South Wales.

PERMISSION TO KEEP AND CONVEY POLYCHLORINATED BIPHENYLS WASTES, POLYCHLORINATED BIPHENYLS MATERIALS AND SCHEDULED CHEMICAL WASTES AND DIOXIN-CONTAMINATED WASTE MATERIALS

1. PCB wastes and PCB materials must be kept and conveyed in accordance with the conditions of the *Polychlorinated Biphenyl (PCB) Chemical Control Order 1997*, unless otherwise permitted by this licence.
 2. Scheduled chemical wastes must be kept and conveyed in accordance with the conditions of the *Scheduled Chemical Wastes Chemical Control Order 1994*, unless otherwise permitted by this licence.
 3. Dioxin-contaminated waste materials must be kept and conveyed in accordance with the conditions of the *Chemical Control Order in Relation to Dioxin-contaminated Waste Materials 1986*.
 4. The licensee is permitted to keep and convey PCB wastes, PCB materials and scheduled chemical wastes and dioxin-contaminated waste materials in accordance with the conditions of this licence.
 5. The licensee must ensure that any agent or contractor performing prescribed activities on its behalf fulfils the conditions of this licence.
- 5a. The licensee must ensure that adequate environment protection measures are in place at all times in accordance with this licence and as otherwise required by the environment protection legislation, to protect the environment in the event of an incident involving PCBs and/or scheduled chemical wastes and/or dioxin-contaminated waste materials resulting from a prescribed activity being undertaken on behalf of the licensee by any agent or contractor.

KEEPING OF POLYCHLORINATED BIPHENYLS WASTES, POLYCHLORINATED BIPHENYLS MATERIALS AND SCHEDULED CHEMICAL WASTES AND DIOXIN-CONTAMINATED WASTE MATERIALS

6. PCB materials, PCB wastes and schedule chemical wastes and dioxin-contaminated waste materials must be kept and maintained in a manner that prevents discharge of PCB and/ or schedule chemical wastes and/or dioxin-contaminated waste materials in or on the Premises, and adjoining premises, and the environment.

6a. All containers containing dioxin-contaminated waste materials must be labelled DIOXIN-CONTAMINATED WASTE MATERIALS.

CONVEYING POLYCHLORINATED BIPHENYLS WASTES, POLYCHLORINATED BIPHENYLS MATERIALS AND SCHEDULED CHEMICAL WASTES AND DIOXIN-CONTAMINATED WASTE MATERIALS

7. Scheduled chemical wastes and/or PCB wastes and/or PCB materials and/or dioxin-contaminated waste materials must be conveyed in a manner that prevents discharge of the scheduled chemical wastes constituents and/or PCB and/or dioxin in, or on the Premises, and adjoining premises, and the environment.

8. Where PCB wastes and/or PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials are conveyed to a premises in New South Wales, the licensee must ensure that the premises can lawfully receive the PCB wastes and/or PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials.

NOTE: In certain circumstances the scheduled chemical wastes and/or PCB materials and/or PCB wastes and/or dioxin-contaminated waste materials transported (conveyed) under this licence may also be classified as dangerous goods. The licensee must comply with the Road and Rail Transport (Dangerous Goods) Act and Regulations including any licensing requirements under the Road and Rail Transport (Dangerous Goods) Act 1997.

NOTE: In certain circumstances the scheduled chemical wastes and/or PCB materials and/or PCB wastes and/or dioxin-contaminated waste materials transported (conveyed) under this licence may also be classified as wastes that are subject to the regulatory requirements, including licensing and waste tracking requirements, relating to waste transporters under the Protection of the Environment Operations Act and Regulations. The licensee must comply with all requirements under the Protection of the Environment Operations Act 1997.

NOTE: In certain circumstances the scheduled chemical wastes and/or PCB materials and/or PCB wastes and/or dioxin-contaminated waste materials transported (conveyed) under this licence may also be classified as controlled waste under the National Environment Protection (Movement of Controlled Waste between States and Territories) Measure. The licensee must comply with the Measure, including obtaining prior approval from the relevant environment agency in the

destination jurisdiction, when such wastes are to be transported between States and Territories.

INCIDENT MANAGEMENT

9. The licensee must ensure that prescribed activities are carried out in a competent manner. This includes:
 - 9.1 the handling, keeping and conveying of materials and substances used to carry on the activity; and
 - 9.2 the handling, keeping and conveying of waste generated by the activity.
10. The licensee must ensure that persons conveying and handling PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials are trained in methods to appropriately deal with, and contain, spills or incidents.
11. Appropriate personal protective equipment, clean-up material and equipment to deal with any spill must be available wherever the PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials are handled.
12. In the event of a spill or incident, the licensee must take all the necessary and appropriate actions to ensure the spill or incident is contained and managed in an appropriate manner, so that it does not further migrate within the Premises or to adjoining premises and does not pollute the Premises or adjoining premises, or the environment.
13. The licensee must review annually and update as appropriate the emergency management arrangements prepared in accordance with clause 7 of the Polychlorinated Biphenyl (PCB) Chemical Control Order 1997.
14. Any modification of these arrangements must be documented in the annual report.
15. The licensee must advise or notify the EPA as soon as practicable, and in any event within 24 hours, of becoming aware of:
 - 15.1 any contamination or pollution of the Premises, or adjoining premises or waters caused by keeping or conveying of PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials; and
 - 15.2 any events, involving PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials causing or likely to cause contamination or pollution of Premises, or adjoining premises or waters.

NOTIFICATION

16. Any event that must be reported to the EPA by a condition of this licence must be to the EPA's Pollution Line on **131 555 (24 hour service)**.

17. Any written report that must be provided to the EPA by a condition of this licence must be provided to:

Manager Regulation and Administration Unit
Environment Protection Authority
PO Box A290
SYDNEY SOUTH NSW 1232.

ANNUAL REPORT

18. During the currency of this licence, the licensee must by 13 July of each year, starting with the year 2001, provide three (3) copies of the annual report that must include the details as required in this licence.
19. The annual report must include the quantity and the description of the PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials kept and/or conveyed in NSW in the 12 month period covered by each annual report.
20. The annual report must include a record of non-compliance.
21. Where PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials are kept in, or on, the Premises on 12 June 2000, 12 June 2001 and 12 June 2002, the licensee must include the following in the annual report:
- 21.1 the quantity; and
- 21.2 the description
- of these PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials as of 12 June 2000, 12 June 2001 and 12 June 2002.
22. Where PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials have been brought into or onto the Premises between 12 June 2000 and 11 June 2001, 12 June 2001 and 11 June 2002 and 12 June 2002 and 11 June 2003, the licensee must include the following in the annual report:
- 21.3 the quantity; and
- 21.4 the description; and
- 21.5 the origin
- of these PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials.
23. Where PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials kept in or on the Premises were consigned for treatment between 12 June 2000 and 11 June 2001, 12 June 2001 and 11 June 2002 and 12 June 2002

and 11 June 2003, the licensee must include the following additional information for these wastes in the annual report:

- 23.1 the quantity of PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials that have been consigned for treatment; and
 - 23.2 the description of PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials that have been consigned for treatment; and
 - 23.3 the date(s) these PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials were consigned for treatment; and
 - 23.4 the treatment facility to which these PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials have been consigned; and
 - 23.5 the date(s) these PCB wastes and/or scheduled chemical and/or dioxin-contaminated waste materials wastes have been disposed of.
24. For PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials in storage, which as of 11 June 2001, 11 June 2002 and 11 June 2003, have not been consigned for treatment, the licensee must include the following additional information for these wastes in the annual report:
- 24.1 the quantity of these PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials; and
 - 24.2 the description of these PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials; and
 - 24.3 the reasons why these wastes have not been consigned for treatment.
25. Each annual report must include:
- 25.1 the quantity;
 - 25.2 the description;
 - 25.3 the generator; and
 - 25.4 the destination
- of PCB wastes, PCB materials and/or scheduled chemical wastes and/or dioxin-contaminated waste materials conveyed in NSW during the reporting period.
26. The licensee must keep, for a minimum of four years, all the necessary records and data for the information required in the annual report.

27. The licensee must, at a frequency of at least once ever three months, visually check the soundness of the drums containing the scheduled chemical wastes and/or dioxin-contaminated waste materials.
28. The licensee must, within 10 working days from the inspection required by the above condition, provide a written report to the EPA that details:
- 28.1. when the inspection was carried out; and
- 28.2. the name of the person(s) that carried out the inspection; and
- 28.3. the condition of the drum(s) as determined by the inspection; and
- 28.4. any action(s) taken or to be taken to improve the soundness of the drum(s) (including, but not limited to, re-drumming the wastes).

DEFINITIONS

29. Where used in this licence, the expressions listed below have the following meanings:

'Consign' means to hand over or deliver formally to a treatment facility for the disposal of PCB wastes and/or scheduled chemical and/or dioxin-contaminated waste materials wastes.

'Convey' means to carry PCB materials, PCB wastes and/or scheduled chemical wastes and/or dioxin-contaminated waste materials from one place to another within the premises or from one premises to another premises.

'Description' includes:

- the concentration of the PCB and/or schedule chemical wastes and/or dioxin; and
- the type of container or article that contains the PCB wastes, PCB materials and/or schedule chemical wastes and/or dioxin-contaminated waste materials.

'Environment' means components of the earth, including:


- (a) land, air and water, and
- (b) any layer of the atmosphere, and
- (b) any organic or inorganic matter and any living organism, and
- (d) human-made or modified structures and areas, and includes interacting

natural ecosystems that include components referred to in paragraphs (a) – (c).

'PCB' means polychlorinated biphenyls (CAS 1336-36-3)

'Premises' means 7 Church Street, MASCOT NSW 2020.

'Treatment' means a method of processing including destruction.



JAN DEKKER
A/Manager Sydney Waste

14 SEP 2000

APPENDIX B

ENVIRONMENT PROTECTION LICENCE NO. 11206

issued by the EPA under the POEO Act 1997

Environment Protection Authority

- Licence number: 11206
- File number: 502161
- Licence Anniversary Date: 24-August
- Review date not later than 24-Aug-2003

Environment Protection Licence

Section 55 Protection of the Environment Operations Act 1997

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Information about this licence

Dictionary

The licence contains a dictionary, which defines terms used in the licence. It is found at the end of the licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- Ensure persons associated with you comply with this licence, as set out in section 64 of the Act.
- Control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act).
- Report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Transfer of licence

Transfer of the licence to another person may be requested by the licensee using the form for this purpose available from the EPA.

Variation of licence conditions

Variations to the conditions of this licence may be requested by the licensee using the form for this purpose available from the EPA. The EPA may also vary a licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 3 years after the issue of the licence, as

set out in Part 3.6 of the Act. You will receive advance notice of the licence review. For licences held immediately before 1 July 1999, the first review will take place before 1 July 2002.

Fees and annual return to be sent to the EPA

The licence requires you to forward to the EPA an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints).

The Annual Return must be submitted within 60 days after the end of each reporting period. Where a licence is transferred, surrendered or revoked, a special reporting period applies.

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

Usually the licence fee period is the same as the reporting period.

See condition R1 and the accompanying form regarding the Annual Return requirements.

The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications
- licence conditions and variations
- statements of compliance

Monitoring data submitted to the EPA is available to the public.

Licence anniversary date

24-August

This licence is issued to

SULLIVAN; EMILY
P O BOX 440
ROCKDALE NSW 2216

subject to the conditions which follow:

1 Administrative conditions

A1 What the licence authorises and regulates

A1.1 Not applicable.

A1.2 The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation (if relevant):

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

<p>Scheduled Activity Transporting of Waste</p>
--

A1.3 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

<p>Scheduled Activity Waste Activities</p>

Fee Based Activity	Scale
Transport of Hazardous, Industrial, Group A, Group B, or Group C Waste (89)	> 3 - 7 Vehicles

A1.4 Not applicable.

A2 Premises to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
SULLIVANS TRANSPORT & GENERAL SERVICES
7 CHURCH AVENUE
MASCOT
NSW
2020
LOT 1 DP 792923

A3 Other activities

A3.1 This licence applies to all other activities carried on at the premises, including:

Transporter of Waste

A4 Information supplied to the EPA

A4.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- (a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998 and
- (b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to air and water and applications to land

P1 Location of monitoring/discharge points and areas

P1.1 Not applicable.

P1.2 Not applicable.

P1.3 Not applicable.

3 Limit conditions**L1 Pollution of waters**

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Load limits

L2.1 Not applicable.

L2.2 Not applicable.

L3 Concentration limits

L3.1 Not applicable.

L3.2 Not applicable.

L3.3 Not applicable.

L4 Volume and mass limits

L4.1 Not applicable.

L5 Waste

L5.1 Not applicable.

L5.2 Not applicable.

L5.3 Except as provided by any other condition of this licence, only the hazardous and/or industrial and/or Group A waste listed below may be stored at the premises:

- Polychlorinated biphenyl (PCB) waste (M100).

L5.4 The quantity of hazardous and/or industrial and/or Group A waste stored on the premises must not exceed 100 tonnes per year.

L6 Noise Limits

L6.1 Not applicable.

L6.2 Not applicable.

L7 Polychlorinated Biphenyls (PCBs)

Note: The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the "Chemical Control Order in Relation to Materials and Wastes Containing Polychlorinated Biphenyl, 1997".

L8 Asbestos

Note: The licensee must comply with the conditions as specified in this licence or where no specific conditions are outlined in this licence, the licensee must comply with the Protection of the Environment Operations (Waste) Regulation 1996.

4 Operating conditions

01 Activities must be carried out in a competent manner

01.1 Licensed activities must be carried out in a competent manner.

This includes:

- (a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- (b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

02 Maintenance of plant and equipment

02.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- (a) must be maintained in a proper and efficient condition; and
- (b) must be operated in a proper and efficient manner.

O3 Emergency Response

- O3.1 Within 3 months of the date of the issue of this licence, the licensee must develop, or update, an emergency response plan which documents the procedures to deal with all types of incidents (eg spill, explosions or fire) that may occur at the premises or outside of the premises (eg during transfer) which are likely to cause harm to the environment.

O4 Processes and management

- O4.1 The licensee must ensure that any liquid and/or non-liquid waste stored at the premises is assessed and classified in accordance with the EPA Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes, in force as at 1 July 1999.
- O4.2 The licensee must ensure that waste identified for recycling is stored separately from other waste.
- O4.3 All above ground tanks containing material that is likely to cause environmental harm must be bunded or have an alternative spill containment system in-place.
- O4.4 The licensee must ensure that suitable measures (e.g. high/low alarms, control valves with interlock control, one way valves) are installed on all tanks, ponds or clarifiers and associated pipes and hoses to prevent the spillage of waste.

O5 Tracking (within NSW) of Wastes Transported from the Premises

- O5.1 Conditions O5.2 to O5.16 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, within NSW.

Note: The conditions in this section relate to wastes that are generated and/or stored at the premises and then transported from the premises to another destination within NSW.

Prerequisites for waste movements

- O5.2 If the waste is transported from the premises, the licensee must ensure that the waste is transported:
- (a) to a place which has been licensed by the EPA to issue consignment authorisation numbers; and
 - (b) to a place that can otherwise lawfully accept that class of waste.
- O5.3 If the waste is transported from the premises, the licensee must:
- (a) obtain a consignment authorisation number from the consignee;
 - (b) complete an approved waste data form in relation to the consigned waste in accordance with the instructions on the form and to the extent required, and give a copy of the form to the person transporting the waste;
 - (c) ensure that the waste data form:
 - (i) is completed accurately, and
 - (ii) is retained for a period of not less than 4 years from the time the form was completed, and

- (iii) is made available for inspection by an authorised officer on request;
- (d) ensure, if the waste is of such an amount as to require the person transporting it to be licensed, that the person transporting the waste is licensed.

Application for a consignment authorisation number

O5.4 To obtain a consignment authorisation number as required by O5.3 (a), the licensee must apply in writing to the consignee. An application must include the following information:

- (a) a statement identifying the classification of the waste in accordance with the requirements of condition O4.1;
- (b) copies of all information used to classify the waste;
- (c) an estimate of the amount of waste to which the application applies;
- (d) whether the consignment will consist a single load or multiple loads;
- (e) an estimate of the total period required for transportation of the consignment;
- (f) the date of dispatch of at least the first load in the consignment.

Note: The licensee may nominate the dates of dispatch of as many loads as is feasible. This should be discussed with the consignee and will depend on the predicability of the rate of generation of the waste and the likelihood of the need for amendments to the dates nominated. If the waste is predictable, a schedule may be able to be submitted for the entire consignment, however if it is unpredictable, the date of only one future load may be able to be determined at a time (see also O5.9 about amending notified dates).

Note: The requirement for a written application for a consignment authorisation number does not preclude preliminary contact to obtain quotes and/or advice. Such preliminary contact does not require the formal provision of the above information that need only be supplied in the formal application.

O5.5 Once an application for a consignment authorisation number, as set out in O5.4 has been submitted, the licensee must not submit an application for the same consignment to another consignee until notification is received concerning the outcome of the application.

Notification of dates of dispatch of the second and subsequent loads in a consignment

O5.6 The licensee must provide the consignee with written notification of the date of dispatch of each load of waste.

O5.7 The notification referred to in O5.6 must be received by consignee no later than the date of arrival of the preceding load at the destination.

Notification of a final load in a consignment

O5.8 Unless the movement of an entire consignment of waste occurs in a single load, by the time the final load in a consignment is accepted at the destination, the licensee must have informed the consignee in writing, that no further loads are to be dispatched under that consignment authorisation number.

Note: The notifications referred to in conditions O5.6 and O5.8 may be attached to the waste data form of the preceding load.

Amendments to the nominated date(s) of dispatch

O5.9 If the date of dispatch for a load of waste is changed, the licensee must give written notification of this to the consignee and nominate a revised date of dispatch.

O5.10 A notification referred to in O5.9 must occur on or before the date of delivery as previously nominated.

Note: More than one amendment to dates of dispatch may occur.

Cancellation of consignment authorisations

O5.11 If the licensee determines that the delivery of a consignment of waste is to be discontinued for any reason, the consignee must be notified in writing before the nominated date of dispatch of the next expected load.

Notification of delayed delivery by transporter

O5.12 If the licensee receives written notification from a transporter who removed waste from the premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date.

Record keeping

O5.13 The licensee must record and retain all information related to each consignment of waste.

Note: This includes waste data forms and copies of other documents such as notifications of revised delivery dates, regular and other reports, etc.

O5.14 The records referred to in O5.13 must be kept so that:

- (a) all records relating to individual consignment authorisation numbers are kept physically together;
- (b) consignments transported by each transporter can be readily identified and accessed; and
- (c) consignments sent to each destination can readily be identified and accessed.

Note: The licensee must keep all information for at least 4 years.

Exception reporting

O5.15 The licensee must notify the EPA, in writing, within 48 hours of becoming aware of any suspected breaches of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.

- O5.16 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:
- (a) the refusal by a person to whom the licensee has applied for a consignment authorisation number in accordance with O5.4 to issue such a number;
 - (b) the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste;
 - (c) a transporter who transports, or attempts to transport, waste without a waste data form completed to the extent required;
 - (d) the refusal of a consignee to accept waste from the licensee;
 - (e) the failure of the licensee to receive written confirmation of receipt of waste from a consignee within 21 days of dispatch, or where a transporter has provided written notification of a revised date of delivery as set out in O5.12 within 21 days of that date.
 - (f) the notification by a transporter of a revised date of delivery which is more than 90 days after the date of dispatch of the waste.

Note: The EPA should be notified of exception reports by sending a facsimile to:

Manager, Hazardous Waste Regulation

NSW Environment Protection Authority

Facsimile number (02) 9995 5914.

O6 Tracking of Wastes Transported from the Premises to an Interstate Destination

- O6.1 Conditions O6.2 to O6.11 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, out of NSW.

Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.

Note: The conditions in this section relate to wastes that are generated and/or stored at the premises and then transported from the premises to another interstate destination.

Classification of controlled waste

- O6.2 The licensee must accurately identify the waste, in accordance with O4.1, and determine if the waste is a controlled waste within the meaning of the NEPM.

Note: The waste producer should check with the agency in the State or Territory of destination to determine whether waste is classified as a controlled waste under the NEPM. Unless advised otherwise by the agency of the State or Territory of destination, any waste included in Appendix 1 of this licence is a controlled waste for the purposes of the NEPM.

Application for a consignment authorisation number

- O6.3 If the waste is transported from the premises to another participating State or Territory, the licensee must comply with all conditions attached to the consignment authorisation issued by an

agency or a facility delegated by an agency in the destination State or Territory.

Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1999 to obtain, prior to the waste being dispatched, a consignment authorisation from an agency, or a facility delegated by an agency, in the destination State or Territory to allow the movement of controlled waste.

Waste movements

O6.4 If the waste is transported from the premises to another participating State or Territory, the licensee must ensure that the waste is transported to a place that can lawfully be used as a waste facility for that waste.

O6.5 The licensee must ensure that the waste transporter is licensed as required by the agency of each participating State or Territory through which the waste is transported.

O6.6 The licensee must:

- (a) retain a copy of the waste transport certificate for the waste for a period of not less than 4 years from the time the form was completed, and
- (b) make the copy of the waste transport certificate available for inspection by an authorised officer on request.

Note: The waste producer is required by the Protection of the Environment Operations (Waste) Regulation 1999 to complete a waste transport certificate for the waste. This should be done in accordance with the instructions printed on the certificate and the required copy of the waste transport certificate should be forwarded to the agency in the State of destination.

Notification of delayed delivery by transporter

O6.7 If the licensee receives written notification from the transporter who removed waste from the licensee's premises specifying a revised date of delivery to the destination which is more than 7 days after the date of dispatch, the licensee must note and record that date.

Record keeping

O6.8 The licensee must record and retain all information related to each consignment of waste.

Note: This includes the waste transport certificates and copies of other documents such as consignment authorisations issued by an agency in the destination State or Territory, notifications of revised delivery dates by transporters, regular and other reports, etc.

O6.9 The records referred to in O6.8 must be kept so that:

- (a) all records relating to each consignment authorisation are kept physically together;
- (b) consignments transported by each transporter can be readily identified and accessed; and
- (c) consignments sent to each destination can readily be identified and accessed.

Note: The licensee must keep all information for at least 4 years.

Exception reporting

- 06.10 The licensee must notify the EPA in writing within 48 hours of becoming aware of a suspected breach of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.
- 06.11 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:
- the refusal by an agency, or facility delegated by an agency, in a participating State or Territory to whom the licensee has applied for a consignment authorisation in accordance with O6.3, to issue such an authorisation;
 - the refusal of a transporter to transport waste after arriving at the licensee's premises for the purposes of transporting that waste to another participating State or Territory;
 - a transporter who transports, or attempts to transport, waste to another participating State or Territory without a waste transport certificate completed to the extent required;
 - the refusal of a destination in another participating State or Territory to accept from the licensee waste for which a consignment authorisation has been issued;
 - the failure of the licensee to receive written confirmation of receipt of waste from a destination in another participating State or Territory within 28 days of dispatch.

Note: The EPA should be notified of exception reports by sending a facsimile to:

Manager, Hazardous Waste Regulation
NSW Environment Protection Authority
Facsimile number (02) 9995 5914.

07 Tracking of Wastes Received at the Premises from other Locations Within NSW

- 07.1 Conditions 07.2 to 07.19 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3, within NSW.

Note: Group B wastes are not required to be monitored and tracked within NSW.

Note: The conditions in this section relate to wastes that are accepted at the premises and that originate from within NSW.

Prerequisites for receipt of waste

- 07.2 Before entering into an agreement to accept waste for storage, treatment or disposal, the licensee must:
- receive a written application containing the information set out in 07.4, from the consignor; and
 - take all reasonable care to verify the accuracy of the classification of the waste stated in the written application by the consignor.

Note: The EPA will provide advice on compliance with the Waste Guidelines, however it will not confirm the classification of a waste.

07.3 When formally agreeing to accept the waste, the licensee must issue a consignment authorisation number in writing to the consignor.

Application for consignment authorisation numbers

07.4 The licensee must not issue a consignment authorisation number unless a written application containing the following information has been received from the consignor:

- a statement describing the waste and identifying the waste class in accordance with Schedule 1 of the *Protection of the Environment Operations Act*; and
- an estimate of the amount of waste to which the application applies; and
- whether the consignment will consist of a single load or multiple loads; and
- an estimate of the total period required for transportation of the consignment; and
- the date of dispatch of at least the first load in the consignment; and
- copies of all information used by the consignor to classify the waste.

Note: Licensed activities are required by their licence to notify the destination of subsequent dates of dispatch. Non-licensed activities are required to nominate such dates under condition 07.8(a) of this licence, and included in the destinations conditions of acceptance.

Consignment authorisation

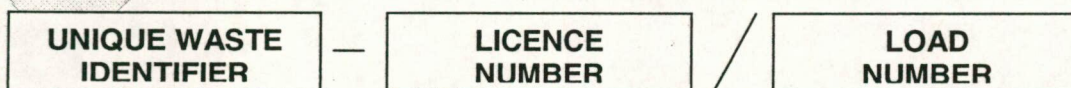
07.5 A consignment authorisation number issued by the licensee must be in writing and in the format set out in 07.7.

07.6 Each consignment authorisation number issued by the licensee must be accompanied by a written statement to the consignor which describes:

- the waste to which it applies; and
- the amount of waste in kilograms or tonnes; and
- the period of time, not exceeding 12 months, for which it applies; and
- the expected date of dispatch of the first load of waste under the consignment authorisation number.

Format of consignment authorisation numbers

07.7 A consignment authorisation number must be issued in the following format:



Where:

- the unique waste identifier is a number or an alpha-numeric sequence generated by the licensee. The format of the unique identifier is not otherwise specified by this licence, however it must uniquely identify:
 - the person to whom the consignment authorisation was issued; and

- (ii) the waste to which the consignment authorisation applies.
- (b) The licence number is the number of this licence;
- (c) the load number is inserted as required by the consignor to identify each load delivered under that consignment number.

Requirements when issuing a consignment authorisation number to a non-licensed waste activity

- 07.8 When a consignment authorisation number is issued to a person who carries on a non-licensed waste activity, the licensee must include the following additional requirements in the written statement referred to in O7.6.
- (a) The consignor must ensure that <name of licensee> is always advised of the date of dispatch of the next load under this consignment authorisation number.
 - (b) Unless the total consignment consists of one load, the consignor must notify <name of licensee> in writing, of the delivery of the final load under this consignment authorisation number. That notification must occur no later than date on which the final load is delivered to the destination.
 - (c) The consignor must complete the waste data form to the required extent and in accordance with the instructions on the form.
 - (d) The correct load number must be included on the waste data form by the consignor for each load of waste delivered under this consignment authorisation number. The load number is to start at 1 for the first load and increase by 1 for each subsequent load dispatched by the consignor.
 - (e) All waste delivered to <name of licensee> under this consignment authorisation number must be consistent with the characteristics stated in the application for the number.
 - (f) <name of licensee> must be informed immediately of any change in the classification of the waste as stated in the application for the consignment authorisation number.
 - (g) Persons carrying on non-licensed waste generation or storage activities are required to inform the EPA of any suspected breach of the Protection of the Environment Operations Act or Regulation in connection with the transportation of waste from their premises. It is an offence under the Protection of the Environment (Waste) Regulation not to do so.
 - (h) To ensure that your waste reaches the proper destination, <name of licensee> is required by the EPA to provide you with written confirmation of receipt for each load of waste transported under this consignment authorisation number. If you do not receive written confirmation for a load within 21 days of dispatch, you must notify the EPA by sending a facsimile to:

Manager, Hazardous Waste Regulation

NSW Environment Protection Authority

Facsimile number (02) 9995 5914.

- 07.9 The licensee must attach to the statement of requirements referred to in O7.8 copies of
- (a) Appendix 1 of this licence; and
 - (b) the waste data form.

Amendments to the dates of transport

- 07.10 If the consignor notifies the licensee of a revised date of dispatch, the licensee must note and keep a record of the revised date.

- 07.11 If a transporter notifies the licensee of a revised date of delivery of a load of waste, the licensee must note and keep a record of the revised date.

Acceptance of waste

- 07.12 When receiving waste, the licensee must:
- (a) only accept waste from a non-licensed waste activity if the conditions of acceptance set out in 07.8 have been complied with by the consignor;
 - (b) only accept waste for which the licensee has issued a valid consignment authorisation number;
 - (c) obtain and keep a copy of the waste data form from the waste transporter;
 - (d) accurately record on the waste data form, to the extent required and in accordance with the instructions on the form:
 - (i) the date of receipt of the load; and
 - (ii) the quantity of waste received (in tonnes or kilograms, to a level of accuracy sufficient to allow determination of any discrepancy as required by 07.19(i); and
 - (iii) the treatment given to the waste at the destination; and
 - (iv) the name of the person recording the information; and
 - (e) sign and date the waste data form.

Post acceptance requirements

- 07.13 After the waste has been accepted at the premises, the licensee must, where applicable, accurately record the following information:
- (a) where the premises is a disposal or storage facility - the location within the premises where the waste is placed; or
 - (b) where the premises is an incinerator - the date of incineration; or
 - (c) where the premises is a facility that treats, processes or reprocesses the waste - the temporary storage location and the date and means of treatment.

Confirmation of receipt

- 07.14 The licensee must forward to the consignor of the waste within 14 days of receipt of each load, written confirmation of acceptance of that load of waste.

Return of waste

- 07.15 If waste is found to have been wrongly classified by the consignor and the licensee cannot accept such waste under this licence, the waste must be returned to the consignor within 21 days of the licensee becoming aware of such wrong classification.

Record keeping

07.16 The licensee must record and retain all information related to each consignment of waste for which an application for a consignment authorisation is received.

Note: This includes the waste data form and copies of other documents such as notifications of revised delivery dates, regular and other reports, etc.

07.17 The records referred to in O7.16 must be kept so that:

- (a) all records relating to each consignment authorisation numbers are kept physically together;
- (b) consignments collected from each consignor can be readily identified and accessed; and
- (c) consignments transported by each transporter can be readily identified and accessed.

Note: The licensee must keep all information for at least 4 years.

Exception reporting

07.18 The licensee must notify the EPA in writing within 48 hours of becoming aware of any suspected breach of the Act, the Protection of the Environment Operations (Waste) Regulation 1996 or this licence.

07.19 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:

- (a) waste that is wrongly classified by a consignor;
- (b) the licensee refusing to issue a consignment authorisation number following a written application as set out in O7.4;
- (c) the rejection of waste by the licensee;
- (d) if a load of waste, for which a consignment authorisation number has been issued, has not been accepted at the premises within 7 days of the date of dispatch nominated by the consignor, or if the licensee has been notified by a licensed transporter of a revised delivery date pursuant to O7.11, within 7 days of that date;
- (e) a transporter delivers or attempts to deliver waste to the premises for which the licensee has not issued a valid consignment authorisation number;
- (f) the notification by a transporter of a revised date of delivery which is more than 90 days after the date of dispatch of the waste.
- (g) a delivery, or attempted delivery, to the premises of waste for which the transporter did not provide a waste data form completed to the extent required;
- (h) waste which is delivered to the premises without the correct load number included on the waste data form;
- (i) a load of waste delivered to the premises where the amount received varies by more than 20% from the amount stated on the waste data form for that load, or where other discrepancies occur which could indicate that the waste is not accurately described on the waste data form.

Note: The EPA should be notified of exception reports by sending a facsimile to:

Manager, Hazardous Waste Regulation
NSW Environment Protection Authority
Facsimile number (02) 9995 5914.

Note: The EPA recognises that many consignors rely on estimates of the amount of waste dispatched. This method is permitted, however if errors prove to be un-acceptably large, additional requirements may be imposed to require a more accurate measurement of the amount of waste leaving a premises.

Note: While in general a maximum of 20% error in the estimation of waste quantity is allowed before an exception report is generated, actual errors are expected to be significantly smaller in most cases. Any discrepancies should be noted and recorded by the destination and reported to the EPA if significant or suspicious.

O8 Tracking of Wastes Received at the Premises from Interstate

O8.1 Conditions O8.2 to O8.12 apply to the movement of the types of hazardous and/or industrial and/or Group A and/or Group B waste listed in L5.3 into NSW.

Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.

Note: The conditions in this section relate to wastes that are received at the premises from an interstate generator.

Prerequisites for receipt of waste

O8.2 Before entering into an agreement to accept controlled waste for storage, treatment or disposal, the licensee must:

- (a) be advised in writing by the waste producer of
 - (i) the description of the waste according to Schedule 1 of the NEPM;
 - (ii) the quantity of waste;
 - (iii) the expected date(s) of dispatch;
 - (iv) the expected date(s) of arrival at the destination; and
- (b) obtain from the waste producer a copy of a current consignment authorisation issued by the EPA for the waste.

Amendments to the dates of transport

O8.3 If a waste producer notifies the licensee of a revised date of dispatch the licensee must record that revised date along with the details of how and when such notification was received.

O8.4 If a transporter notifies the licensee of a revised date of delivery, the licensee must record that revised date along with the details of how and when such notification was received.

Acceptance of waste

O8.5 The licensee must:

- (a) only accept waste for which the waste producer has provided a copy of a valid consignment authorisation issued by the EPA;
- (b) obtain from the waste transporter on delivery at the destination the relevant copy of the waste transport certificate;
- (c) accurately complete Part 3 of the waste transport certificate stating the following:
 - (i) the date the waste was received at the facility;

- (ii) any discrepancy between the information provided in Parts 1 and 2 of the waste transport certificate; and
- (iii) the type of treatment, if any, given to the waste at the facility.

Post acceptance requirements

- O8.6 After the waste has been accepted at the premises, the licensee must, where applicable, accurately record the following information:
- (a) where the premises is a disposal or storage facility - the location within the premises where the waste is placed; or
 - (b) where the premises is an incinerator - the date of incineration; or
 - (c) where the premises is a facility that treats, processes or reprocesses the waste - the temporary storage location and the date and means of treatment.

Confirmation of receipt

- O8.7 The licensee must sign and date the relevant copies of the waste transport certificate and, in accordance with the instructions printed on the certificate, forward copies to:
- (a) the waste producer; and
 - (b) the EPA; and
 - (c) the agency of the State or Territory of origin.

Return of waste

- O8.8 If a load of waste is found to have been wrongly classified by the waste producer and the licensee cannot accept such waste under this licence, the waste must be returned to the producer within 21 days of the licensee becoming aware of the wrong classification.

Record keeping

- O8.9 The licensee must record and retain all information related to each consignment of waste received.
- O8.10 The records referred to in O8.9 must be kept so that:
- (a) all records pertaining to each consignment authorisation numbers are kept physically together;
 - (b) consignments collected from each waste producer can be readily identified and accessed; and
 - (c) consignments transported by each transporter can be readily identified and accessed.

Note: The licensee must keep all information for at least 4 years.

Exception reporting

- O8.11 The licensee must notify the EPA in writing within 48 hours of becoming aware of any suspected breaches of the Act, the Protection of the Environment Operations (Waste) Regulation 1996, the NEPM or this licence.

- 08.12 The licensee must notify the EPA in writing within 48 hours of becoming aware of any of the following:
- (a) waste that is wrongly classified or otherwise misrepresented by a waste producer or transporter;
 - (b) the refusal by the licensee to accept waste arriving at the premises;
 - (c) when a load of waste has not been accepted at the premises within 7 days of the date nominated by the waste producer or transporter, or where the licensee has been notified of a revised delivery date, within 7 days of that date;
 - (d) the failure of a transporter delivering or attempting to deliver waste to provide a copy of a valid consignment authorisation issued by the EPA;
 - (e) the delivery, attempted delivery, or notification of a revised date of delivery, by a transporter that is outside the period of validity of the consignment authorisation;
 - (f) a delivery, or attempted delivery, of waste for which the transporter did not provide a waste transport certificate completed to the extent required;
 - (g) a load of waste delivered to the premises where the amount received varies by more than 20% from the amount stated on the waste data form for that load, or where other discrepancies occur which could indicate that the waste is not accurately described on the waste data form.

Note: The EPA should be notified of exception reports by sending a facsimile to:

Manager, Hazardous Waste Regulation
NSW Environment Protection Authority
Facsimile number (02) 9995 5914.

Note: The EPA recognises that many waste producers rely on estimates of the amount of waste dispatched from their premises. While in general a maximum of 20% error in the estimation of waste quantity is acceptable before an exception report is required from the licensee, actual errors are expected to be significantly smaller in most cases. Any discrepancies should be noted and recorded by the licensee and reported to the EPA if significant or suspicious.

5 Monitoring and recording conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- (a) in a legible form, or in a form that can readily be reduced to a legible form;
 - (b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - (c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- (a) the date(s) on which the sample was taken;
 - (b) the time(s) at which the sample was collected;
 - (c) the point at which the sample was taken; and
 - (d) the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

M2.1 Not applicable.

M3 Testing methods - concentration limits

M3.1 Not applicable.

M3.2 Not applicable.

M4 Recording of pollution complaints

M4.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M4.2 The record must include details of the following:

- (a) the date and time of the complaint;
- (b) the method by which the complaint was made;
- (c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- (d) the nature of the complaint;
- (e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- (f) if no action was taken by the licensee, the reasons why no action was taken.

M4.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M4.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M5 Telephone complaints line

M5.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M5.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.

M5.3 Conditions M5.1 and M5.2 do not apply until 3 months after:

- (a) the date of the issue of this licence or

Deadline for Annual Return

R1.5 The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

Notification where actual load can not be calculated

R1.6 Not applicable.

Licensee must retain copy of Annual Return

R1.7 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

R1.8 Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- (a) the licence holder; or
- (b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R1.9 A person who has been given written approval to certify a certificate of compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review of this licence.

R2 Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment as soon as practicable after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R2.1 Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- (a) where this licence applies to premises, an event has occurred at the premises; or
- (b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

- (b) if this licence is a replacement licence within the meaning of the Protection of the Environment Operations (Savings and Transitional) Regulation 1998, the date on which a copy of the licence was served on the licensee under clause 10 of that regulation.

M6 Requirement to monitor volume or mass

- M6.1 Not applicable.

6 Reporting conditions

R1 Annual return documents

What documents must an Annual Return contain?

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
- (a) a Statement of Compliance; and
 - (b) a Monitoring and Complaints Summary.
- A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

Period covered by Annual Return

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- R1.3 Where this licence is transferred from the licensee to a new licensee,
- (a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - (b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on
- (a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
 - (b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- (a) the cause, time and duration of the event;
 - (b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - (c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
 - (d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
 - (e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
 - (f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
 - (g) any other relevant matters.
- R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

R4 Reporting of Wastes Transported from the Premises to another Destination within NSW

- R4.1 Conditions R4.2 to R4.5 apply to the transport of hazardous and/or industrial and/or Group A waste within NSW.

Note: The conditions in this section relate to wastes that are generated and/or stored at the premises and then transported from the premises to another destination within NSW.

Regular reporting

- R4.2 The licensee must supply to the EPA, for each transporter that transported waste from the licensee's premises, the information as set out in Appendix 2, table 1.
- R4.3 The licensee must supply to the EPA, for each destination within NSW which received waste from the licensee, the information as set out in Appendix 2, table 2.

Reporting periods

- R4.4 Reports to the EPA in accordance with R4.2 and R4.3 shall be supplied on or before:
- (a) 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;
 - (b) 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;
 - (c) 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;

- (d) 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.

Nil Reports

- R4.5 If waste has not been transported from the premises in any reporting period as set out in R4.4 the EPA must be advised in writing by the licensee, by the dates referred to in R4.4 in lieu of reporting as required in R4.2 and R4.3.

R5 Reporting of Wastes Transported from the Premises to an Interstate Destination

- R5.1 Conditions R5.2 to R5.5 apply to the movement of hazardous and/or industrial and/or Group A waste as listed in L5.3, out of NSW.

Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.

Note: The conditions in this section relate to wastes that are generated and/or stored at the premises and then sent from the premises to an interstate destination.

Regular reporting

- R5.2 The licensee must supply to the EPA, for each transporter that transported waste from the premises to a destination in another participating State or Territory, the information as set out in Appendix 2, table 3.

Reporting periods

- R5.3 Reports to the EPA in accordance with R5.2 shall be supplied on or before:
- 30 April for the reporting of information relating to wastes transported from the premises between 1 January and 31 March of that year;
 - 31 July for the reporting of information relating to wastes transported from the premises between 1 April and 30 June of that year;
 - 31 October for the reporting of information relating to wastes transported from the premises between 1 July and 30 September of that year;
 - 31 January for the reporting of information relating to wastes transported from the premises between 1 October and 31 December of the previous year.

Nil reports

- R5.4 If waste has been not transported from the premises in any reporting period as set out in R5.3, the EPA must be advised in writing by the licensee, by the dates referred to in R5.3 in lieu of reporting as defined in R5.2.

Interstate transport of controlled wastes

R5.5 The licensee must comply with the requirements of the NEPM.

R6 Reporting of Waste Received at the Premises from other Locations within NSW

R6.1 Conditions R6.2 to R6.4 apply to the movement of the types of hazardous and/or industrial and/or Group A waste as listed in L5.3 within NSW.

Note: Group B wastes are not required to be monitored and tracked within NSW.

Note: The conditions in this section relate to wastes that are accepted at the premises and that originate from within NSW.

Regular reporting

R6.2 The licensee must supply to the EPA the information set out in Appendix 3, tables 1 and 2, for waste received. The waste codes specified in Appendix 1, and the relevant ANZSIC code must be entered in the required columns when completing tables 1 and 2.

Reporting periods

R6.3 Reports to the EPA in accordance with R6.2 shall be supplied on or before:

- 30 April for the reporting of information relating to wastes transported to the premises between 1 January and 31 March of that year;
- 31 July for the reporting of information relating to wastes transported to the premises between 1 April and 30 June of that year;
- 31 October for the reporting of information relating to wastes transported to the premises between 1 July and 30 September of that year;
- 31 January for the reporting of information relating to wastes transported to the premises between 1 October and 31 December of the previous year.

Nil reports

R6.4 Where waste has not been transported by the licensee in any reporting period as set out in R6.2 the EPA must be advised of this in writing by the licensee in lieu of the reports required in R6.3.

R7 Reporting of Wastes Received at the Premises from Interstate

R7.1 Conditions R7.2 to R7.5 apply to the movement of the types of hazardous and/or industrial and/or Group A and/or Group B waste listed in L5.3 into NSW.

Note: The requirements of the NEPM apply to the interstate movement of any of the wastes listed in Appendix 1 of this licence.

Note: The conditions in this section relate to wastes that are received at the premises from an interstate generator.

Regular reporting

R7.2 The licensee must supply to the EPA, the information set out in Appendix 3, tables 3 and 4, for waste received. The waste codes specified in Appendix 1, and the relevant ANZSIC code must be entered in the required columns when completing tables 3 and 4.

Reporting periods

R7.3 Reports to the EPA in accordance with R7.2 shall be supplied on or before:

- (a) 30 April for the reporting of information relating to wastes received at the premises between 1 January and 31 March of that year;
- (b) 31 July for the reporting of information relating to wastes received at the premises between 1 April and 30 June of that year;
- (c) 31 October for the reporting of information relating to wastes at the premises between 1 July and 30 September of that year;
- (d) 31 January for the reporting of information relating to wastes received at the premises between 1 October and 31 December of the previous year.

Nil reports

R7.4 Where waste has not been transported by the licensee in any reporting period as set out in R7.3 the EPA must be advised of this in writing by the licensee in lieu of the reports required in R7.2.

Interstate transport

R7.5 The licensee must comply with the requirements of the NEPM.

General conditions

G1 Copy of licence kept at the premises

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at

the premises.

Pollution studies and reduction programs

Special conditions

Appendices

Appendix 1

WASTE DESCRIPTIONS AND CORRESPONDING WASTE CODES

The waste descriptions and waste codes shown below must be used to identify hazardous, industrial and Group A wastes on the waste data form for movements of those wastes within NSW, and to identify controlled wastes on the waste transport certificate for those wastes moved between NSW and other States and Territories. The waste codes must also be used to identify wastes when reporting the information required in the Tables in Appendix 2.

Description	Waste Code	Description	Waste Code
Acidic solutions or acids in solid form	B100	Organohalogen compounds - other than substances referred to in this list	M160
Animal effluent and residues (abattoir effluent, poultry and fish processing wastes)	K100	Perchlorates	D340
Antimony; antimony compounds	D170	Phenols, phenol compounds including chlorophenols	M150
Arsenic; arsenic compounds	D130	Phosphorus compounds excluding mineral phosphates	D360
Asbestos	N220	Polychlorinated dibenzo-furan (any congener)	M170
Barium compounds (excluding barium sulphate)	D290	Polychlorinated dibenzo-p-dioxin (any congener)	M180
Basic solutions or bases in solid form	C100	Residues from industrial waste treatment/disposal operations	T190
Beryllium; beryllium compounds	D160	Selenium; selenium compounds	D240
Boron compounds	D310	Sewage sludge and residues including nightsoil and septic tank sludge	K130
Cadmium; cadmium compounds	D150	Soils contaminated with a waste	N120
Ceramic-based fibres with physico-chemical characteristics similar to those of asbestos	N230	Surface active agents (surfactants), containing principally organic constituents and which may contain metals and inorganic materials	M250
Chlorates	D350	Tannery wastes (including leather dust, ash, sludges and flours)	K140
Chromium compounds (hexavalent and trivalent)	D140	Tellurium; tellurium compounds	D250
Clinical and related wastes	R100	Thallium; thallium compounds	D180
Cobalt compounds	D200	Triethylamine catalysts for setting foundry sands	M230
Containers and drums which are contaminated with residues of substances referred to in this list	N100	Tyres	T140
Copper compounds	D190	Vanadium compounds	D270
Cyanides (inorganic)	A130	Waste chemical substances arising from research and development or teaching activities including those which are not identified and/or are new and whose effects on human health and/or environment are not known	T100

Cyanides (organic)	M210	Waste containing peroxides other than hydrogen peroxide	E100
Encapsulated, chemically-fixed, solidified or polymerised wastes	N160	Waste from heat treatment and tempering operations containing cyanides	A110
Ethers	G100	Waste from manufacture, formulation and use of wood-preserving chemicals	H170
Filter cake	N190	Waste from the production, formulation and use of biocides and phytopharmaceuticals	H100
Fire debris and fire washwaters	N140	Waste from the production, formulation and use of inks, dyes, pigments, paints, lacquers and varnish	F100
Fly ash	N150	Waste from the production, formulation and use of organic solvents	G160
Grease trap waste	K110	Waste from the production, formulation and use of photographic chemicals and processing materials	T120
Halogenated organic solvents	G150	Waste from the production, formulation and use of resins, latex, plasticisers, glues and adhesives	F110
Highly odorous organic chemicals (including mercaptans and acrylates)	M260	Waste from the production and preparation of pharmaceutical products	R140
Inorganic fluorine compounds excluding calcium fluoride	D110	Waste mineral oils unfit for their original intended use	J100
Inorganic sulfides	D330	Waste oil/water, hydrocarbons/water mixtures or emulsions	J120
Isocyanate compounds	M220	Waste pharmaceuticals, drugs and medicines	R120
Lead; lead compounds	D220	Waste resulting from surface treatment of metals and plastics	A100
Mercury; mercury compounds	D120	Waste tarry residues arising from refining, distillation, and any pyrolytic treatment	J160
Metal carbonyls	D100	Waste substances and articles containing or contaminated with polychlorinated biphenyls, polychlorinated naphthalenes, polychlorinated terphenyls and/or polybrominated biphenyls	M100
Nickel compounds	D210		
Non toxic salts	D300		
Organic phosphorous compounds	H110	Wool scouring wastes	K190
Organic solvents excluding halogenated solvents	G110	Zinc compounds	D230

Appendix 2

Table 1

[The purpose of Table 1 is to provide information on the total amount of waste moved by each transporter from waste activities in NSW.]

1. The licensee must provide a copy of the information in the following table for each transporter used by the licensee in the reporting period.

Waste Activities Table 1: Waste Movements By Transporter and Waste Category		
Name of Licensed Waste Activity:		Waste Activity Licence No.:
Reporting Period:		ANZSIC Code for Waste Activity:
Name of Transporter:		Licence No. of Transporter
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
<i>Hazardous Non-Liquid Waste</i>	<i>Code for each waste of this class</i>	<i>Total Weight for waste of each code</i>
<i>Hazardous Liquid Waste</i>	<i>Code</i>	<i>Weight</i>
	"	"
	Code	Weight
<i>Industrial Non-Liquid Waste</i>	<i>Code</i>	<i>Weight</i>
	"	"
	Code	Weight
<i>Group A Liquid Waste</i>	<i>Code</i>	<i>Weight</i>

	"	"
	Code	Weight

NOTES:

Waste code refers to the codes listed in Appendix 1 of this licence and entered on waste data forms. Waste class refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.

ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.

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Table 2:

[The purpose of Table 2 is to provide information on the total amount of waste sent to each destination within NSW. Cross-referencing by ANZSIC code provides data on which types of industry are sending wastes to disposal and treatment facilities.]

1. The licensee must provide a copy of the information in the following table for each destination within NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

Waste Activities Table 2: Waste Movements By Destination (within NSW) and Waste Category		
Name of Licensed Waste Activity:		Waste Activity Licence No.:
Reporting Period:		ANZSIC Code for Waste Activity
Destination:		
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
<i>Hazardous Non-Liquid Wastes</i>	<i>Code for each waste of this class</i>	<i>Total Weight for waste of each code</i>
	"	"
	<i>Code</i>	<i>Weight</i>
<i>Industrial Non-Liquid Wastes</i>	<i>Code</i>	<i>Weight</i>
	"	"
	<i>Code</i>	<i>Weight</i>
<i>Hazardous Liquid Wastes</i>	<i>Code</i>	<i>Weight</i>
	"	"
	<i>Code</i>	<i>Weight</i>
<i>Group A Liquid Wastes</i>	<i>Code</i>	<i>Weight</i>
	"	"
	"	"

NOTES:

*Waste code refers to the codes listed in Appendix 1 of this licence and entered on waste data forms.
Waste class refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.*

ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.

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Table 3:

[The purpose of Table 3 is to provide information on the total amounts of controlled wastes sent from NSW licensed waste activities to other States and Territories. Cross-referencing by ANZSIC code allows data on which types of industries are sending wastes interstate.]

1. The licensee must provide a copy of the information in the following table for each destination outside NSW used by the licensee in the reporting period for the purposes of the receipt of controlled waste.

Waste Activities Table 3: Controlled Waste Movements By Interstate Destination and Waste Category		
Name of Licensed Waste Activity:	Waste Activity Licence No.:	
Reporting Period:	ANZSIC Code Waste Activity:	
Destination State or Territory:	Destination Facility	
Waste class	Waste Code	Amount of Waste Transported in Reporting Period (tonnes)
Hazardous Non-Liquid Waste	Code for each waste of this type	Total Weight for waste of this code
	"	"
	Code	Weight
Industrial Non-Liquid Waste	Code	Weight
	"	"
	Code	Weight
Hazardous Liquid Waste	Code	Weight
	"	"
	Code	Weight
Group A Liquid Waste	Code	Weight
	"	"
Other Types of Waste (eg Group B and C Liquid Wastes, Used Tyres)	Code	Weight

[NOTES: Waste code refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.]

Waste class refers to the classification of waste in accordance with Appendix 1 of the Protection of the Environment Operations Act 1997 and its regulations.

ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics].

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Appendix 3

Table 1

Instructions:

[The purpose of Table 1 is to provide information on the total amounts of hazardous, industrial and group A wastes received at NSW licensed facilities from both EPA licensed and non-licensed waste activities. Cross referencing this by ANZSIC code for the waste generating activity will allow information to be collected on which types of wastes are produced by specific industry sectors.]

1. Separate copies of table 1 should be completed so as to provide information on the total amounts of waste transported from the following:
 - (i) licensed waste activities; and
 - (ii) non-licensed waste activities,
 in the reporting period.

Destinations Table 1: Waste Movements By Activity Licence Status and ANZSIC Code		
Name of Licensed Facility:		Facility Licence No.:
Reporting Period:		
[Licensed] / [Non-licensed] Waste Activities		
Waste Type	Australian and New Zealand Standard Industry Code	Amount of Waste Accepted in Reporting Period (tonnes)
<i>Hazardous non-liquid Waste</i>	<i>ANZSIC Code for waste generating activity</i>	<i>Total Weight received of this type of waste for each ANZSIC code</i>
<i>Hazardous liquid Waste</i>	<i>ANZSIC Code</i>	<i>Weight</i>
<i>Industrial non-liquid Waste</i>	<i>ANZSIC Code</i>	<i>Weight</i>
<i>Group A liquid Waste</i>	<i>ANZSIC Code</i>	<i>Weight</i>

[Note:
 Waste code refers to the codes listed in Appendix 1 and entered on waste data forms.
 Waste class refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.
 ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

Table 2

Instructions:

[The purpose of Table 2 is to provide information total amounts of amounts of hazardous, industrial and group A wastes received at NSW licensed facilities from both EPA licensed and non-licensed waste activities. Cross referencing this by waste code for the waste generating activity will allow information to be collected on the specific wastes within each broad waste type]

1. Two copies of table 2 should be completed and contain information on the total amounts of waste transported from:
 - (i) licensed waste activities; and
 - (ii) non- waste activities,
 in the reporting period.

Destinations Table 2: Waste Movements By Activity Licence Status and Waste Code		
Name of Licensed Facility		Facility Licence No.:
Reporting Period:		
[Licensed] / [Non-licensed] Waste Activities		
Waste Type	Waste Code	Amount of Waste Accepted at Facility in Reporting Period (tonnes)
Hazardous Non-liquid Wastes	Code of each waste	Total weight of each waste
	"	"
	Code	Weight
Hazardous liquid Wastes	Code	Weight
	"	"
	Code	Weight
Industrial Non-liquid Wastes	Code	Weight
	"	"
	Code	Weight
Group A liquid Wastes	Code	Weight
	"	"

[Note:

Waste code refers to the codes listed in Appendix 1 and entered on waste data forms.
Waste class refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.
ANZSIC code means the Australian and New Zealand Standard Industrial Classification code published by the Australian Bureau of Statistics.]

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Table 3

Instructions:

[The purpose of Table 3 is to provide information on the total amounts of controlled waste coming into NSW from other States or Territories and received by EPA licensed facilities]

1. A copy of the following table must be provided by the licensee for each state outside of NSW, from which the licensee received controlled waste in the reporting period.

Destinations Table 3: Waste Movements Interstate Movements by State or Territory of Origin and Waste Code		
Name of Licensed Facility:		Facility Licence No.:
Reporting Period:		
State or Territory of Origin:		
Waste Class	Waste Code	Amount of Waste Accepted at Facility in Reporting Period (tonnes)
Hazardous non-liquid Wastes	<i>Code of each waste of this waste class received</i>	<i>Total weight of waste received</i>
	"	"
	<i>Code</i>	<i>Weight</i>
Hazardous liquid Wastes	<i>Code</i>	<i>Weight</i>
	"	"
	<i>Code</i>	<i>Weight</i>
Industrial non-liquid Wastes	<i>Code</i>	<i>Weight</i>
	"	"
	<i>Code</i>	<i>Weight</i>
Group A liquid Wastes	<i>Code</i>	<i>Weight</i>
	"	"
Other Wastes (Group B and C Liquid Wastes, Used Tyres)	<i>Code of each waste</i>	<i>Total weight of each waste</i>

[NOTES:

Waste code refers to the codes listed in Appendix 1 of this licence and entered on the waste transport certificates.

Waste class refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.]

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Table 4

Instructions:

[The purpose of Table 4 is to provide information on the total amounts of hazardous, industrial and group A wastes received at EPA licensed facilities in NSW from waste generating activities in other States and Territories. Cross referencing this by ANZSIC code for the waste generating activity will allow information to be collected which types of wastes are produced by specific industry sectors.]

1. A copy of the following table must be provided by the licensee for each state outside of NSW, from which the licensee received controlled waste in the reporting period.

Destinations Table 4: Waste Movements Interstate Movements by State or Territory of Origin and ANZSIC Code		
Name of Licensed Facility:		Facility Licence No.:
Reporting Period:		
State or Territory of Origin:		
Waste Class	Australian and New Zealand Standard Industry Code	Amount of Waste Accepted at Facility in Reporting Period (tonnes)
Hazardous non-liquid Wastes	ANZSIC Code for waste generating activity	Total waste of this class originating from premises having this ANZSIC code
	<i>ANZSIC Code</i>	<i>Weight</i>
Industrial non-liquid Wastes	ANZSIC Code	Weight
Hazardous liquid Wastes	ANZSIC Code	Weight
Group A liquid Wastes	ANZSIC Code	Weight
Other Wastes (eg Group B and C Liquid Wastes, Used Tyres)	ANZSIC Code	Weight

[NOTES:1. ANZSIC Code is the Australian and New Zealand Standard Industry Code (or Waste origin code) supplied by waste activities on included on the waste transport certificates.

Waste class refers to the classification of waste in accordance with Schedule 1 of the Protection of the Environment Operations Act 1997 and its regulations.]

Dictionary

General Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples.
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
BOD	Means biochemical oxygen demand
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 1998.
flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
grab sample	Means a single sample taken at a point at a single time

hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
industrial waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
inert waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 1998
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
reprocessing of waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
treatment of waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TSP	Means total suspended particles
TSS	Means total suspended solids

utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste code	Means the waste codes listed in Appendix 5 of the EPA document A Guide to Licensing Part B.
waste type	Means Group A, Group B, Group C, inert, solid, industrial or hazardous waste

Model Licence Dictionary

In this licence, unless the contrary is indicated, the terms below have the following meanings:

Agency	A body or bodies of a participating State or a participating Territory which that State or Territory has nominated for the purposes of the NEPM.
ANZIC Code	The Australian and New Zealand Standard Industrial Classification Code published by the Australian Bureau of Statistics
Chemical control order (CCO)	An order under sections 22 and 23 of the Environmentally Hazardous Chemicals Act 1985.
Consignee	The person to whom the waste is dispatched, and includes: (a) in the case of a waste facility that is licensed - the occupier; (b) in the case of a person carrying on mobile waste processing that is licensed - the person operating the mobile place; (c) in the case of a place that can otherwise lawfully be used as a waste facility for that waste - the owner or occupier of that premises.
Consignment	One or more shipments of a specified waste dispatched to a particular destination.
Consignment authorisation	An approval which includes a unique identifier granted by an agency, or a facility delegated by an agency, in the jurisdiction of destination to allow the movement of controlled waste.
Consignor	The occupier of the premises from which the waste is transported.
Controlled waste	Any waste included List 1 of Schedule A of the NEPM, provided that the waste possesses one or more of the characteristics in List 2, of Schedule A of the NEPM.
Date of dispatch	The date on which a load of waste is removed from the premises.
Destination	Where hazardous, industrial or Group A wastes are transported within NSW, the place described in the waste data form as the destination for the waste. Where controlled wastes are transported between NSW and another participating State or Territory, the place described in Part 3 of the waste transport certificate as the facility receiving the waste.
Facility	A place where controlled wastes are received.
Facility Operator	A person in charge of a facility.
Jurisdiction of destination	In relation to a particular consignment of waste means the State or Territory in which the facility is located to which the waste is intended to be transported.
Load	The amount of a consignment of waste placed on a vehicle for any single dispatch from the premises at which it was generated or stored.
Load number	A consecutive number identifying each load of waste within a consignment and starting with 1 for the first load of each consignment. One or more loads may make up a consignment.
NEPM	National Environment Protection (Movements of Controlled Wastes between States and Territories) Measure 1998.
Non-liquid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
Participating State or Territory	A State or Territory that is (a) a party to the Intergovernmental Agreement on the Environment made on 1 May 1992 between the Commonwealth, the States, the Australian Capital Territory, the Northern Territory and the Australian Local Government Association, a copy of which is set out in the Schedule to the Commonwealth Act; and (b) in which an Act that corresponds to the National Environment Protection Council Act 1994 of the Commonwealth is in force in accordance with the Agreement.
Recycling of waste	The processing of waste into a similar non-waste product.

Regulation	The Protection of the Environment Operations (Waste) Regulation 1996.
Transporter	A person responsible for moving controlled wastes either from one participating State or Territory to another or through participating States or Territories.
Waste activity	An activity, whether required to be licensed or not, carried on for business or other commercial purposes, that involves the generating or storage of any of the following waste classes: (a) hazardous waste, (b) industrial waste, (c) Group A waste.
Waste class	Means either hazardous, industrial or Group A waste.
Waste data form	A certificate in the form approved by the EPA.
Waste guidelines	The document called <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i> issued by the EPA and in force as at 1 July 1999.
Waste producer	Means the licensee.
Waste transport certificate	A certificate in the form approved by the EPA as fulfilling the requirements of Schedule B of the National Environment Protection (Movement of Controlled Wastes between States and Territories) Measure 1998.

Mr Jan Dekker
 Acting Manager Sydney Waste
 (By Delegation)
 24-Aug-2000

End Notes

APPENDIX C

POLYCHLORINATED BIPHENYL (PCB) CHEMICAL CONTROL ORDER 1997

issued under the EHC Act 1985

ENVIRONMENT PROTECTION AUTHORITY NSW

ENVIRONMENTALLY HAZARDOUS CHEMICALS ACT 1985

Chemical Control Order
In Relation to Materials and Wastes
Containing Polychlorinated Biphenyl

Commencement date: 21 July 1997

Polychlorinated Biphenyl (PCB) Chemical Control Order 1997

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Polychlorinated Biphenyl (PCB) Chemical Control Order 1997

1. Citation

This order may be cited as the "Polychlorinated Biphenyl (PCB) Chemical Control Order 1997".

2. Commencement

2.1 This order commences on 21 July 1997.

3. Repeal

3.1 "Polychlorinated Biphenyl Waste (PCB) Chemical Control Order 1994" published in Government Gazette No. 139 of 14.10.1994 p. 6306 is repealed.

4. Definitions

In this Order:

- 4.1 "Act" means the Environmentally Hazardous Chemicals Act 1985,
- 4.2 "aggregate" means the total quantity of the material or waste including associated articles (for example, containers and equipment),
- 4.3 "approved" means approved by the EPA,
- 4.4 "article" means an object that is manufactured for use for a particular purpose and contains PCBs,
- 4.5 "concentrated PCB material" means scheduled PCB material containing 10% or more of PCBs by mass,
- 4.6 "disaggregation" means the separation of different materials that were brought together or stored together in the same physical space,
- 4.7 "EPA" means the Environment Protection Authority, New South Wales,
- 4.8 "HCAC" means the Hazardous Chemicals Advisory Committee established under the Act,
- 4.9 "licence" means a licence that is in force after having been granted under the Act, whether it is an original or a renewed licence,
- 4.10 "manufacturing" includes the act of generating or producing PCB material or PCB waste,
- 4.11 "mg/kg" means milligrams per kilogram,
- 4.12 "non-scheduled PCB material" means PCB material containing PCB at a concentration below 50 mg/kg,

Polychlorinated Biphenyl (PCB) Chemical Control Order 1997

- 4.13 "non-scheduled PCB waste" means PCB waste containing PCB at a concentration below 50 mg/kg,
- 4.14 "occupier" in relation to any premises, means the person in occupation or control of the premises and, in relation to a part of any premises where different parts are occupied or controlled by different persons, means the person in occupation or control of that part,
- 4.15 "package" means the complete product of the packing operation, consisting of the packaging and its contents,
- 4.16 "PCB" means polychlorinated biphenyl,
- 4.17 "PCB contaminated soils" means soils, or concrete or bricks present in soils, that contain PCBs at concentration levels above 2 mg/kg,
- 4.18 "PCB material" means articles, containers, equipment and other substances containing PCBs at concentration levels above 2 mg/kg,
- 4.19 "PCB waste" means waste containing PCB at concentration levels above 2 mg/kg,
- 4.20 "polychlorinated biphenyl" is a chemical substance in which the biphenyl structure has chlorine substitutions (for hydrogen atoms) to varying degrees, PCBs have the chemical formula $C_{12}H_{10-n}Cl_n$ where n ranges from 1 to 10,
- 4.21 "premises" include a place (whether or not a public place) and a vessel,
- 4.22 "prescribed activity" has the same meaning as in the Act,
- 4.23 "priority area" means an area which has been identified as requiring a particularly high level of protection because a release or escape of PCB within the priority area, or release or escape of PCB from an adjoining area could pose a high level of risk to the area. Factors to consider in assessing the level of risk include the proximity of persons, groups or ecosystems and the potential pathways to the persons, groups or ecosystems of the released PCB. Such areas include, but are not restricted to, proclaimed potable surface and underground water catchment areas, food processing facilities, animal feed lots, schools, hospitals, aquatic spawning areas (an area of the environment which fish and other aquatic vertebrate species use for spawning purposes) and endangered species habitats (an area of the environment which provides a habitat for a species that is likely to become extinct unless action is taken to remove the factors which threaten its survival),
- 4.24 "process" means but is not limited to, an activity which transforms, destroys, recovers, separates or concentrates PCB material and PCB waste,
- 4.25 "scheduled PCB material" means PCB material which in aggregate contains 50 grams or more of PCBs at concentration levels of 50 mg/kg or more,
- 4.26 "scheduled PCB waste" means PCB waste that contain PCB at concentration levels of 50 mg/kg or greater at 50 grams or greater,
- 4.27 "waste" has the same meaning as in the Waste Minimisation and Management Act 1995.

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5. Prohibition of prescribed activities

- 5.1 The act of manufacturing, processing, keeping, distributing, conveying, using, selling or disposing of PCB material or PCB waste, or any act related to any such act is prohibited unless it is otherwise permitted by, and carried out according to the conditions of, this chemical control order.
- 5.2 Without limiting the generality of subclause 5.1, the processing, using or disposing of PCB material or PCB waste includes:
- 5.2.1 dilution of PCB material or PCB waste with any other substance to reduce the concentration of PCB in the material or waste, and
- 5.2.2 disaggregation of PCB material or PCB waste to result in scheduled PCB material or scheduled PCB waste becoming non-scheduled PCB material or non-scheduled PCB waste.
- 5.3 This prohibition is made on the recommendation of the HCAC.

6. Prescribed activities permitted to be carried on

6.1 Manufacturing of PCB material and PCB waste

- 6.1.1 The manufacturing of PCB material or PCB waste by:
- 6.1.1.1 the removal of articles from service,
- 6.1.1.2 the removal of unwanted dielectric fluids from an article,
- 6.1.1.3 the remediation of contaminated sites, and
- 6.1.1.4 unintentional manufacture,
- is permitted subject to the conditions set out in this order.

6.2 Processing of PCB material and PCB waste

- 6.2.1 The processing of scheduled PCB material and scheduled PCB waste by an approved process is permitted under the authority of, and according to the conditions of a licence. Scheduled PCB material and scheduled PCB waste must be processed by:
- 6.2.1.1 methods which only leave process residues for which EPA approved methods of disposal are available, and
- 6.2.1.2 technologies approved and licensed by the EPA and which minimise release of waste to the environment.

Polychlorinated Biphenyl (PCB) Chemical Control Order 1997

- 6.2.2 Processing of scheduled PCB material and scheduled PCB waste is subject to the following conditions:
- 6.2.2.1 any liquid residue from the processing of scheduled PCB waste must contain less than 2 mg/kg of PCB,
 - 6.2.2.2 any solid residue from the processing of scheduled PCB waste must contain less than 2 mg/kg of PCB unless in the EPA's opinion this is not practicable using existing technologies,
 - 6.2.2.3 there must be no discharge of liquid PCB effluent from facilities for the processing of PCB waste or material to wetlands, whether naturally occurring or artificially created.
 - 6.2.2.4 there must be no intentional dilution or disaggregation merely to result in scheduled PCB waste becoming non-scheduled PCB waste.
- 6.2.3 Blending of PCB waste to facilitate processing of PCB waste is permitted with the prior written approval of the EPA.
- 6.2.4 The processing of non-scheduled PCB material and non-scheduled PCB waste is allowed by a process approved in writing by the EPA.
- 6.2.5 PCB material and PCB waste which are non-porous solid items may be reused or recycled if the surface PCB residue is less than 1 milligram per square metre of surface area.

6.3 Keeping PCB material and PCB waste

- 6.3.1 The occupier of any premises where, or in or on which, PCB material or PCB waste are kept must ensure that an adequate supply of appropriate personal protective equipment (such as respirators, overalls, gloves, goggles and boots), clean-up material and equipment (such as absorbents, spades, open head drums and brooms) is readily available in a secure area external to the storage area or storage tank.
- 6.3.2 The occupier of any premises where, or in or on which, PCB material or PCB waste are kept must ensure that any person handling PCB material or PCB waste is trained in handling PCBs and methods of containing PCB spills, and wears appropriate personal protective equipment.
- 6.3.3 Keeping of PCB contaminated soils is permitted subject to the following conditions:
- 6.3.3.1 the occupier of premises on which PCB contaminated soils are generated may keep them on site provided the PCB contaminated soils are kept in a manner approved in writing by the EPA,
 - 6.3.3.2 where PCB contaminated soils are conveyed and kept other than on the premises where they are generated they are considered to be and must

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be managed as PCB waste in accordance with this chemical control order.

- 6.3.4 Keeping of scheduled PCB material and scheduled PCB waste is permitted subject to the following conditions:
- 6.3.4.1 the occupier of a premises must provide written notification to the EPA of the identity, amount and location of the scheduled PCB material or scheduled PCB waste kept in or on the premises. This notification must be made to the EPA within 30 days of the date on which the quantity of scheduled PCB material or scheduled PCB waste being kept in or on the premises becomes greater than 10 kg, and thereafter annually.
 - 6.3.4.2 Clause 6.3.4.1 does not come into effect until 90 days after the commencement date of this order.
 - 6.3.4.3 Liquid scheduled PCB material or scheduled PCB waste must be stored in accordance with Australian Standard AS1940-The Storage and Handling of Flammable and Combustible Liquids.
 - 6.3.4.4 All packages containing scheduled PCB material or scheduled PCB waste must be clearly marked.
 - 6.3.4.5 All packages containing scheduled PCB material or scheduled PCB waste must be maintained in good order. The contents of corroded or leaking packages must be immediately repacked into sound packages, and any spillage immediately cleaned up.
- 6.3.5 Where more than 50 kg but less than one tonne of scheduled PCB waste in aggregate is kept or proposed to be kept in or on any premises:
- 6.3.5.1 there must be a clearly identified and defined storage area for the scheduled PCB waste, and
 - 6.3.5.2 the scheduled PCB waste storage area must be sited and constructed to prevent any discharge of scheduled PCB waste from the storage area into the external environment.
- 6.3.6 Where one tonne or more of scheduled PCB waste in aggregate is kept in or on any premises the scheduled PCB waste must be kept under the authority and in accordance with the conditions of a licence, and in accordance with the following conditions:
- 6.3.6.1 Scheduled PCB waste must be kept in a storage facility which must:
 - (i) be located and constructed to adequately protect the contents from the ingress of stormwater, weather conditions and unlawful entry,
 - (ii) have an impermeable floor or base with no drainage outlets.

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Where liquids are kept on concrete floors, the floors must be coated with sealant material to prevent the absorption of any leak or spill,

- (iii) have appropriate environmental controls to prevent offsite contamination and, where practicable, be banded in accordance with Australian Standard AS1940,
- (iv) be appropriately ventilated,
- (v) be located no closer to any storage of:
 - (a) flammable or combustible liquids than permitted for protected works by Australian Standard AS1940, and
 - (b) liquefied petroleum gas than permitted for protected works by Australian Standard AS1596,

but in any case not less than twelve metres.

6.3.6.2 The occupier must provide written notification to the EPA of the receipt at, or dispatch from, the premises of scheduled PCB waste within one month of such receipt or dispatch.

6.3.6.3 Conspicuous notices, stating a warning that packages contain scheduled PCB waste must be attached to the door or building close to the entrance of scheduled PCB waste storage area by the occupier.

6.3.6.4 The occupier must inspect the storage facility at least monthly to ensure that no unauthorised entry or leakage has occurred. A log, containing details of the personnel carrying out inspections, corresponding dates and reports of those inspections, must be maintained at the scheduled PCB material or scheduled PCB waste storage facility.

6.3.7 Equipment Management and Phase-out of PCB material and PCB waste is to be applied in accordance with the following.

6.3.7.1 The occupier of premises where, or in or on which:

- (i) PCB material, or
- (ii) PCB waste, or
- (iii) equipment that contains PCB material or PCB waste,

are kept, or may possibly be kept, must carry out a survey and implement a risk management program in accordance with this clause 6.3.7.

Polychlorinated Biphenyl (PCB) Chemical Control Order 1997

6.3.7.2 The survey must:

- (i) be carried out by 1 January 1999,
- (ii) include an initial survey of equipment and articles that could possibly contain PCBs,
- (iii) place emphasis on priority areas, and
- (iv) identify probable locations and probable quantities of scheduled PCB material and scheduled PCB waste.

6.3.7.3 The occupier must implement a risk management program for all equipment by 1 January 1999.

6.3.7.4 The risk management program must include:

- (i) in priority areas:
 - (a) the removal from service of all equipment containing concentrated PCB material within 2 years of the survey being completed, and
 - (b) the management of that concentrated PCB material as scheduled PCB waste;
- (ii) in other than priority areas:
 - (a) *in situ* processing of concentrated PCB material to reduce the concentration of PCB to less than 50 mg/kg within 5 years of the survey being completed, or,
 - (b) removal from service of all equipment containing concentrated PCB material within 5 years of the survey being completed.
- (iii) the management of PCB material and PCB waste which have a probability of 1% or greater (as determined using a statistical method acceptable to the EPA) of being scheduled PCB material or scheduled PCB waste, as scheduled PCB material or scheduled PCB waste unless analyses are undertaken which indicate otherwise,
- (iv) the management of PCB material and PCB waste which have a probability of less than 1% (as determined using a statistical method acceptable to the EPA) of being scheduled PCB material or scheduled PCB waste, as non-scheduled PCB material or non-scheduled PCB waste unless analyses are undertaken which indicate otherwise,

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- (v) testing of all equipment which has a probability of 1% or greater (as determined using a statistical method acceptable to the EPA) of containing scheduled PCB-material within 5 years of the survey being completed,
- (vi) testing at the time of maintenance, repair or decommissioning of all other equipment which is likely to contain scheduled PCB material,
- (vii) for material identified as scheduled PCB:
 - (a) *in situ* processing of identified scheduled PCB material to reduce the concentration of PCB to less than 50 mg/kg within 5 years of identification, or,
 - (b) removal from service of all equipment containing identified scheduled PCB material within 5 years of identification,
- (viii) the management of that scheduled PCB material which has been surveyed and removed from service as scheduled PCB waste.

6.3.7.5 Scheduled PCB material or scheduled PCB waste on any premises must remain in place where the EPA determines, on the basis of the information provided to it by the occupier, that the risk of leaving scheduled PCB material or PCB waste *in situ* without processing is less than the risk associated with its removal or processing.

6.3.8 The occupier of premises where, or in or on which, small equipment items (such as lighting and other similar sized capacitors) containing PCB at concentration levels at or above 50 mg/kg, and in an aggregate quantity at or above 50 grams of PCB at any one premises, must ensure that those small equipment items:

6.3.8.1 are collected and managed as scheduled PCB waste at the end of their useful lives, and

6.3.8.2 where these items are located in a priority area:

- (i) removed from the priority area within two years of identification, and
- (ii) managed as scheduled PCB waste.

6.4 Conveying of PCB material and PCB waste

6.4.1 Conveying of scheduled PCB material and scheduled PCB waste is permitted subject to the following:

Polychlorinated Biphenyl (PCB) Chemical Control Order 1997

- 6.4.1.1 a person must not convey scheduled PCB material or scheduled PCB waste unless the vehicle used carries personnel trained in methods of containing spilled scheduled PCB material or scheduled PCB waste and is provided with appropriate personal protective equipment, clean-up material and equipment to deal with any spill,
- 6.4.1.2 the EPA must be notified as soon as is practicable by the person conveying the scheduled PCB material or scheduled PCB waste of any spill of scheduled PCB material or scheduled PCB waste occurring during the conveyance,
- 6.4.1.3 where one tonne or more of scheduled PCB material or scheduled PCB waste is to be conveyed by road, the scheduled PCB material or scheduled PCB waste must only be conveyed under the authority of, and in accordance with the conditions of a licence:

6.5 Disposing of PCB waste

- 6.5.1 Disposing of non-scheduled PCB waste is permitted subject to the following:
 - 6.5.1.1 solid non-scheduled PCB waste must be disposed of by a method approved in writing by the EPA or at landfills approved by the EPA to receive such waste,
 - 6.5.1.2 liquid non-scheduled PCB waste must be disposed of by a method approved in writing by the EPA,
 - 6.5.1.3 PCB material containing less than 50 grams of PCB at a concentration of 50 mg/kg or greater must be disposed of as scheduled PCB waste at the end of its useful life,
 - 6.5.1.4 PCB waste containing less than 50 grams of PCB at a concentration of 50 mg/kg or greater must be disposed of as scheduled PCB waste.
- 6.5.2 Disposing of scheduled PCB waste is permitted subject to the following:
 - 6.5.2.1 scheduled PCB waste must not be disposed of to landfill or elsewhere in the environment,
 - 6.5.2.2 scheduled PCB waste must only be disposed of by an approved process under the authority of, and in accordance with the conditions of a licence.

7. Emergency Procedures

- 7.1 Occupiers of premises where, or in or on which, scheduled PCB material and scheduled PCB waste is kept, must develop emergency management arrangements including containment, clean-up and disposal procedures in accordance with EPA requirements to be approved by the EPA.

APPENDIX D

ENTERPRISE RESPONSE TO DRAFT REPORT

SULLIVAN'S TRANSPORT & GENERAL SERVICES

November 20, 2001

Regulation Administration Unit
NSW EPA
P.O. Box A290
SYDNEY SOUTH, NSW, 1232

ATTENTION: Mr Tim Kirby

Dear Sir

RE: SULLIVANS TRANSPORT'S RESPONSE TO EPA DRAFT COMPLIANCE AUDIT

Thankyou for your recent draft audit report on my company's operations. Following input from our consultant, we have put forward our company's proposals to deal with the matters raised in your report. We have done this in a structured way. We have reproduced your "Action Program" Table 3.1 and put in an additional column in which we indicate how we propose to deal with the issues the EPA has raised in that Table. Our table is attached.

You will note that we propose two major advances:

- The installation of an electronic waste database. The database will provide for the automatic production of compliant waste data forms and the quarterly and annual reports required under our licences.
- The development of a checklist which will be used for all of our operations to ensure compliance with CCO, licence and NEPM requirements.

As regards your "Further Observations", we comment as follows.

"Poor Signage at the Premises"

We will replace the signs before Christmas.

P.O. BOX 440 • ROCKDALE • NSW, 2216
TELEPHONE: 02 9669 2299 • FACSIMILE: 02 9667 4669

November 20, 2001

"Record Keeping"

We will put in place a new record keeping system that takes advantage of the electronic database. The database will be installed before the end of November.

"Record Keeping" and "Incomplete Waste Data Forms"

The proposed electronic database, checklist approach and record system will remedy the deficiencies your report identified.

Once you have had an opportunity to review our proposals, I would be pleased to receive your response. If you believe a meeting would be beneficial, that would be fine by me.

Should you have any further queries, please do not hesitate in contacting me at anytime.

Yours faithfully
Sullivan's Transport and General Services

A handwritten signature in black ink, appearing to read "R Sullivan", written in a cursive style.

Robert Sullivan

SUMMARY OF SULLIVANS PROPOSALS IN RESPONSE TO EPA AUDIT

Reference	Issue	Timing	Sullivans' Proposals
Condition 1 (Licence 16) Clause 5.1 (PCB CCO)	The licensee or occupier must keep and convey PCB waste and PCB material in accordance with the conditions of the Polychlorinated Biphenyl (PCB) Chemical Control Order 1997.	Ongoing	A checklist covering the provisions of the CCO, Sullivans' Licences and the NEPM and will be developed which will be used each time Sullivans is involved in the transport and/or storage of PCB material. The checklist will be produced before the end of November.
Condition 13 (Licence 16) Clauses 6.3.6 and 7.1 (PCB CCO) Condition O3.1 (Licence 11206)	The licensee or occupier must review annually and update as appropriate the emergency management arrangements, including containment, clean-up and disposal procedures.	Ongoing	Emergency management arrangements will be reviewed before the end of November and the site's Emergency Plan updated. The EPA will be sent a copy of the updated Plan.
Condition 18 (Licence 16) Clause 6.3.6 (PCB CCO)	The licensee must by 13 July of each year, provide to the EPA three copies of the annual report that must include the details as required by this licence.	As required	An electronic waste tracking database in Microsoft Access will be installed at Sullivans on Tuesday 27/11. The database will provide for the automatic production of compliant waste data forms and the quarterly and annual reports required under the Sullivans' licences.
Condition 20 (Licence 16)	The licensee must include a record of non-compliance in the annual report provided to the EPA.	As required	The new electronic database will cover this.

Condition 23 (Licence 16)	The licensee must include details of the date of disposal for PCB wastes, consigned for treatment during the reporting period, in the annual report provided to the EPA	As required	The new electronic database will cover this.
Clause 6.3.1 (PCB CCO)	The licensee or occupier must ensure that an adequate supply of appropriate personal protective equipment and clean-up material and equipment is readily available.	30 November 2001	This matter will be rectified by the end of November.
Clause 6.3.4.4 (PCB CCO)	The licensee must ensure that all packages containing scheduled PCB material and scheduled PCB waste are clearly marked.	30 November 2001	This matter will be rectified by the end of November.
Clause 6.3.6.2 (PCB CCO)	The occupier must provide written notification to the EPA of the receipt at or dispatch from the premises of scheduled PCB waste within one month of such receipt or dispatch.	As required	The checklist approach outlined above will ensure this occurs.
Conditions A1.2 and L5.4 (Licence 11206)	The licensee must not store more than 100T of hazardous, industrial or Group A waste at the premises.	Ongoing	Approximately 60 tonnes of PCB material is scheduled to leave the site by the 23/11/01. This will bring down the total PCB material stored to 80 tonnes. Sullivans will maintain a close check on totals in the future, as part of the checklist referred to earlier.
Condition L5.3 (Licence 11206)	The licensee must ensure that the only hazardous and/or industrial and/or Group A waste stored on the premises is PCB waste, or seek to renegotiate Condition L5.3 with the EPA.	Ongoing	Sullivans will only store material covered by their EPA licences. If the company wants to expand the range of materials stored, it will seek the appropriate licences beforehand.
Condition O 1.1 (Licence 11026)	The licensee must undertake all activities in a competent manner including the storage of waste at the premises.	Ongoing	The checklist approach outlined above will ensure this occurs.
Condition M5.2	The licensee must notify the public of the	30 November	We will letterbox our neighbours before the end of

(Licence 11206)	complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.	2001	November with a notice advising of the complaints line.
Condition R4.5 (Licence 11206)	If waste has not been transported from the premises to a destination within NSW in any reporting period, the licensee must advise the EPA in writing, by the dates referred to in Condition R4.4.	As required	The new electronic database will cover this.
Conditions R5.2, R5.3 and R5.4 (Licence 11206)	The licensee must supply to the EPA for each transporter that transported waste from the premises to a destination in another participating state or territory, the information as set out in Appendix 2, Table 3 of the Environment Protection Licence.	As required	The new electronic database will cover this.
Conditions R5.5 and R7.5 (Licence 11206)	The licensee must comply with the requirements of the NEPM.	As required	The checklist approach outlined above will ensure this occurs.
Conditions R7.2, R7.3 and R7.4 (Licence 11206)	The licensee must supply to the EPA the information set out in Appendix 3, Tables 3 and 4 for waste received at the premises from interstate	As required	The new electronic database will cover this.